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- (1) Interpretation of terms and words.
- (2) Definitions.

SECTION 150.01 INTERPRETATION OF TERMS AND WORDS.

For the purpose of this resolution, certain terms and words used herein shall be interpreted as follows:

- (a) The word “person” includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.
- (b) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- (c) The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
- (d) The words “used” or “occupied” include the words “intended, designed or arranged to be used or occupied.”
- (e) The word “lot” includes the words “plot” or “parcel.”

SECTION 150.02 DEFINITIONS.

- (a) Words used in this resolution are used in their ordinary English usage.
- (b) For the purpose of this resolution the following terms, whenever used in this resolution, shall have the meaning herein indicated:
 - (1) **ABANDONED:** (*Amended 8/13/2015*) Any production well that has not been operated for six months or any drilling operation being halted, stopped, or otherwise suspended for 60 consecutive days.
 - (2) **ACCESS DRIVE:** A strip, which provides a vehicular connection between off-street parking spaces and a street.
 - (3) **ACCESSORY USE:** A use customarily incidental and subordinate to the principal use or building located on the same lot or premises as the principal use or building.
 - (4) **ACRE:** A unit in the U. S. and England equal to 43,560 Square feet.

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- (5) "ADULT" ARCADE: (*Amended 8/13/2015*) Any place to which the public is permitted or invited, wherein coin-operate or slug-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 image or displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specific anatomical areas."
- (6) "ADULT" BOOKSTORE OR "ADULT" VIDEO STORE: (*Amended 8/13/2015*) A commercial establishment which utilizes five percent (5%) or more of its retail selling area for the display of any one or more of the following: books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, or video reproduction, slides, or other visual representation which depict or describe "specified sexual activities" or "specified anatomical area" or instruments, devices, or paraphernalia, which are designed for use in connection with "specified sexual activities." A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical area" and still be categorized as "ADULT" BOOKSTORE or "ADULT" VIDEO STORE. Such other business purposes will not serve to exempt such commercial establishments from being categorized as an "ADULT" BOOKSTORE or "ADULT" VIDEO STORE.
- (7) "ADULT" CABARET: (*Amended 8/13/2015*) A nightclub, bar restaurant, or similar establishment that regularly features live dancers who must wear at least pasties and a g-string. No nudity or state of nudity is permitted.
- (8) ADULT GAMING ESTABLISHMENTS (*Added 8/9/07*) (*Amended 8/13/2015*) Any place of business where skill-based amusement machines are located and where a player of the skill-based amusement machine may receive monetary compensation based on the outcome of play.
- (9) "ADULT" MOTION PICTURE THEATER: (*Added 8/9/07*) (*Amended 8/13/2015*) A commercial establishment which utilizes five percent (5%) or more of its total viewing time for the presentation of, or both, materials for observation by its patrons, films, motion pictures, video cassettes, slides or similar photographic reproductions, which are regularly shown and which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
- (10) "ADULT" THEATER: (*Amended 8/13/2015*) 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 anatomical areas" or by "specified sexual activities."

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- (11) **ADULT DAY-CARE FACILITY:** An establishment that during any part of the normal business day provides supervised educational, recreational and social activities to elderly and/or handicapped adults, but not including persons suffering from acute or chronic alcoholism or other drug dependency and persons who regularly require restraint.
- (12) **AGRICULTURE:** The cultivating of land for the raising or production of crops, flowers, vegetables, trees, ornamental plants or grapes; the raising of livestock, poultry or bees on a commercial scale; and/or the breeding, raising and care of horses, dogs or similar domesticated animals. As used in ORC Sections 519.02 to 519.25, "agriculture" includes farming; ranching; aquaculture; apiculture; horticulture; viticulture, animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; forestry and forestry products; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production. The use of the land shall not include the commercial feeding of garbage to livestock.
- (13) **ALTERATION:** A change or rearrangement in the structural parts or in the exit facilities of a building or structure, or an enlargement, whether by extending on a side or by increasing height or by moving from one location to another.
- (14) **ANIMAL HUSBANDRY:** *(Added 2/25/2022)* Shall constitute as the breeding, raising, keeping, and/or care of animals.
- (15) **AREA:** *(Added 9/24/2004)* A two-dimensional quantity that represents an amount or extent of surface. It can be measured or defined as a flat surface or as a spherical surface. Also see LOT AREA
- (16) **ASSOCIATION:** A legal entity operating under recorded land agreements or contracts through which each unit owner in a planned residential development is a member and each dwelling unit is subject to charges for a proportionate share of the expenses of the organization's activities such as maintaining common open space and other common areas and providing services needed for the development. An association can take the form of a homeowners' association, community association, condominium association or other similar entity.
- (17) **AWNING SIGN:** *(Amended 8/13/2015)* Any sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area identifying the name of the owner and business, industry or pursuit conducted within the premises.

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- (18) **BANNER SIGN:** *(Amended 8/13/2015)* Any sign of lightweight fabric or similar material that is mounted to a building at one or more edges. National flags, state or the official flag of any institution or business shall not be considered banners.
- (19) **BASEMENT:** A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground. A basement shall not be counted as a story for the purpose of height regulations.
- (20) **BED AND BREAKFAST HOME:** A single-family dwelling in which the principal use is permanent residential quarters and in which as an accessory use no more than five (5) guestrooms are made available to no more than twelve (12) transient guests for compensation. A BED AND BREAKFAST HOME does not include hotels, motels, or inns, as otherwise regulated in the Resolution.
- (21) **BILLBOARD:** A "sign" which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises and only incidentally on the premises if at all.
- (22) **BOARD:** The Zoning Board of Appeals of Rootstown Township.
- (23) **BUFFER:** A combination of physical space and vertical elements, such as plants, berms, fences, or walls, the purpose of which is to separate and screen incompatible land uses from each other.
- (24) **BUILDING:** Any structure designed or intended for the enclosure, shelter or protection of persons, animals or property, having a permanent location on the ground.
- (25) **BUILDING, ACCESSORY:** A subordinate building detached from, but located on the same lot as, the principal or main building, the use of which is incidental and accessory to that of the main building or use and which is constructed subsequent to the main use of the principal building or land.
- (26) **BUILDING, AGRICULTURAL:** Any building incidental to the use of land for agricultural purposes. Typical agricultural buildings are barns, coops, sheds for storage of cultivating machinery and roadside stands for the sale of produce grown on the land occupied by the agricultural use.
- (27) **BUILDING LINE:** *(Amended 6/23/2023)* An imaginary line, originating at the point of a building closest to the front street right-of-way line, running to the side lot lines, and parallel to the front street right-of-way line. In the case of a corner lot, the side yard building line originates at the front street right-of-way line, and runs parallel to the side street right-of-way line to the rear yard line.

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- (28) **BUILDING MARKER:** *(Amended 8/13/2015)* A sign or insignia cut into the exterior building surface, or otherwise permanently mounted on the building, indicating the name of the building, address, date of construction, or incidental information about its construction or historical significance.
- (29) **BUILDING, PRINCIPAL:** The building, which houses the principal use performed on any lot.
- (30) **CAR PORT:** *(Added 8/13/2015)* A covered structure used to offer limited protection to vehicles, primarily cars, from the elements. The structure can either be free standing or attached to a wall.
- (31) **CAR WASH:** A building or enclosed area that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices and/or which may employ hand labor.
- (32) **CEMETERY:** *(Added 8/25/05)* Land used or intended to be used for the burial of humans, and includes any one or a combination of the following: a burial ground for earth interments; a mausoleum for crypt entombments; a columbarium for the deposit of cremated remains.
- (33) **CENTRALIZED SEWER SYSTEM:** A system where individual lots are connected to a common sewerage system whether publicly or privately owned and operated.
- (34) **CENTRALIZED WATER SYSTEM:** A system where individual lots are connected to a common water distribution system whether publicly or privately owned and operated.
- (35) **CERTIFICATE OF USE:** *(Added 3/22/2016)* A document issued by a local zoning department certifying a building's compliance with applicable usage and other laws and indicating it to be in compliance with zoning.
- (36) **CHANGEABLE COPY SIGN:** *(Amended 8/13/2015)* A sign such as a bulletin board or announcement board, where the message or graphics is not permanently affixed to the structure, framing or background and may be periodically replaced or covered over manually or by electronic or mechanical devices.
- (37) **CHILD DAY-CARE:** Administering to the needs of infants, toddlers, pre-school children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four-hour day in a place or residence other than a child's own home.

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- (38) CHILD DAY-CARE CENTER: Any place other than a family day-care home in which child day-care is provided.
- (39) COLOCATION: (*Amended 8/13/2015*) The use of a wireless telecommunications facility by more than one wireless telecommunications provider.
- (40) COMMERCIAL VEHICLE: (*Added 5/10/01*) Any vehicle used or designed to be used for business or commercial purposes that infringes on the residential character of residential districts and includes, but is not limited to: a bus, cement truck, commercial tree-trimming equipment, construction equipment, dump truck, garbage truck, semi-tractor, semi-trailer, stake-bed truck, step van, tank truck, tar truck, or other commercial type vehicles licensed by the state as commercial vehicle.
- (41) COMMISSION: The Rootstown Township Zoning Commission.
- (42) COMMON AREA: Any land area, and associated facilities, within a planned residential development that is held in common ownership by the residents of the development through a Homeowners' Association, Community Association or other legal entity, or which is held by the individual members of a Condominium Association as tenants-in-common.
- (43) CONDITIONAL USE PERMIT: A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district on a specific parcel. See also; Use, Conditional.
- (44) CONGREGATE CARE FACILITY: A residential facility to provide for the needs of individuals who are elderly or handicapped. The facility shall consist of residential dwelling units designed specifically for the elderly or handicapped, and have common social, recreational, dining and food preparation facilities.
- (45) CORRAL: An outdoor area enclosed by a fence used for confining animals.
- (46) CULTIVATING AND PROCESSING MEDICAL MARIJUANA: (*Added 11/23/18*) Growing, harvesting, drying, storing, transporting, and processing medical marijuana in accordance with ORC 3796 and corresponding regulations, and only pursuant to an appropriate license issued by the State of Ohio.
- (47) DENSITY: The number of dwelling units permitted per acre of land.
- (48) DIGITAL/ELECTRONIC MESSAGE BOARD: (*Added 4/23/2009*) (*Amended 8/13/2015*) Any sign that uses alphabetic, pictographic, or symbolic informational content to form a sign message or messages wherein the sequence

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of messages and the rate of change are electronically programmed and can be modified by electronic processes.

- (49) **DIRECTIONAL SIGN:** *(Amended 8/13/2015)* A permanent sign located on private property, at or near the public right-of-way, directing or guiding vehicles from the street onto private property.
- (50) **DISH ANTENNA:** A device that receives communications or other signals from orbiting satellites and other extraterrestrial sources for home audio-video viewing, and which includes a low noise amplifier (LNA) which is situated at the focal point of the receiving component to magnify and transfer signals into the interior of the building.
- (51) **DRILLING UNIT:** *(Amended 8/13/2015)* The minimum acreage on which one well may be drilled, but does not apply to a well for injecting gas into or removing gas from a gas storage reservoir.
- (52) **DRIVE-THRU FACILITY:** Any portion of a building or structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions. The term "drive-thru" shall also include "drive-up" and "drive-in" but shall not include Car Wash, Gasoline Station, and Automobile Service Station.
- (53) **DRIVEWAY, PRIVATE RESIDENCE:** A drive extending from the street pavement to a private garage or garages on a residential lot which is used by residents of the lot for vehicular access to and from such street and for the temporary storage of registered and licensed motor vehicles.
- (54) **DWELLING:** Any building that is designed or used primarily for residential purposes.
- (55) **DWELLING, ATTACHED SINGLE-FAMILY:** A dwelling unit designed and used exclusively by one (1) family that is attached to other dwelling units in contiguous side-by-side groupings, which are physically attached to one another by common or adjoining vertical walls without openings extending from the basement floor to the roof. *(Revised 10/26/07) (Revised 10/13/15)*
- (56) **DWELLING, CLUSTER SINGLE-FAMILY:** A dwelling unit designed and used exclusively by one (1) family and separated from all other dwelling units by open space from ground to sky, which is grouped with other dwelling units in a Planned Residential Development, and which may be located on its own subdivided lot that does not have a front, side and/or rear yard that complies with the standard zoning district regulations. *(Revised 10/26/07)*

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- (57) DWELLING, DETACHED SINGLE-FAMILY: A dwelling unit designed and used for one (1) family situated on a parcel having front, sides, and rear yards and separated from all other dwelling units by open space from ground to sky.
- (58) DWELLING, MULTI-FAMILY: A building or structure designed for, or occupied by three (3) or more families, living independently of each other.
- (59) DWELLING, TWO-FAMILY RESIDENTIAL: A building or structure designed for or converted to contain two (2) dwelling units.
- (60) DWELLING UNIT: A building, structure, or portion thereof, comprising living, dining, sleeping room(s), storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one (1) family.
- (61) ELECTRIC VEHICLE: *(Added 8/13/2015)* A vehicle that uses a plug-in battery to provide all or part of the motive power of the vehicle, including battery electric, plug-in hybrid electric, or plug-in fuel cell vehicle.
- (62) ELECTRIC VEHICLE CHARGING STATION: *(Added 8/13/2015)* One or more publicly available parking spaces served by electric vehicle service equipment.
- (63) ELECTRIC VEHICLE SERVICE EQUIPMENT: *(Added 8/13/2015)* An electric component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles by permitting the transfer of electric energy to a battery or other storage device in an electric vehicle.
- (64) ELECTRIC FUELING: *(Added 8/13/2015)* A method to provide a combustible matter used to maintain fire, as coal, wood, oil, gas (i.e. gasoline, hydrogen, compressed natural gas) in order to create heat or power. This includes an electrical energy source for engines and motors and is a supply of fuel.
- (65) FAMILY: *(Revised 10/26/07)* One individual, any number of individuals related by blood, adoption, foster or marriage and no more than two (2) unrelated individuals occupying a dwelling unit and living as a single housekeeping unit, but not including groups occupying a boarding house, a lodging house, club, fraternity, sorority, hotel, motel, or dormitory.
- (66) FAMILY DAY CARE HOME, TYPE B: A permanent residence of the provider in which child day-care or child day-care services are provided for one to six children at one time and in which no more than three children may be under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the

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type B home shall be counted. "Type B family day-care home" does not include a residence in which the needs of children are administered to, if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is the home of the siblings, nor does it include any child day camp.

- (67) **FARM MACHINERY:** *(Added 1/8/19)* All machines and tools that are used in the production, harvesting, and care of farm products, and includes trailers that are used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm, agricultural tractors, threshing machinery, hay-baling machinery, corn shellers, hammermills, and machinery used in the production of horticultural, agricultural, and vegetable products.
- (68) **FENCE:** Any structure composed of wood, iron, steel, masonry, stone or other material and erected in such a manner and in such location as to enclose, secure, partially enclose or secure, provide privacy, decorate, define or enhance all or any part of any premises.
- (69) **FINAL STABILIZATION:** *(Added 8/27/09)* All soil-disturbing activities at the site are complete and a uniform perennial grass or sod cover (e.g., evenly distributed, without large bare areas) with a density of at least 70 percent cover for the area has been established on all unpaved areas and areas not covered by permanent structures or equivalent stabilization measures (such as the use of landscape mulches, rip-rap, gabions or geotextiles) have been employed.
- (70) **FIREWORKS:** Any combustible or explosive compositions, or any substance or combination of substances or articles prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation.
- (71) **FLEET VEHICLES:** Trucks, vans, and other vehicles, including motorized equipment, which are used as part of the operation of a principal use, but not including privately owned customer or employee vehicles.
- (72) **FLOOR AREA, GROSS:** The total number of square feet of all floor space contained within the outside surface of the exterior walls of a building or from the center line of a common wall separating two buildings but not including space in cellars or basements, space in machinery penthouses or floor space used for accessory off-street parking. However, if the cellar or basement is used for business or commercial purposes, it shall be counted as floor area in computing off-street parking requirements.
- (73) **FLOOR AREA, DWELLING UNIT:** The sum of the gross horizontal area of a building devoted to residential use measured from the exterior faces of exterior walls or from the center line of common walls separating two dwelling units. It

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shall not include unfinished basements, attached garages, attics, terraces, breezeways, open porches, and covered steps.

- (74) **FREESTANDING SIGN:** *(Amended 8/13/2015)* A sign that is supported from the ground or a structure other than a building.
- (75) **FUNERAL HOME:** A building or part thereof used for human funeral services. Such building may contain space and facilities for: (a) embalming and the performance of other services used in preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral supplies; and (d) the storage of funeral vehicles, but shall not include facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.
- (76) **GARAGE, PARKING:** A principal or accessory building or an enclosed space within the principal building in which motor vehicles owned by the general public are parked, including facilities operated as a business enterprise with a service charge or fee paid to the owner or operator of such facility, with no facilities for mechanical service or repair of a commercial or public nature.
- (77) **GARAGE, PRIVATE:** A detached accessory building or portion of the principal building designed to store motor vehicles and other normal household accessories of the residents of the principal building including travel trailers and/or boats, with no facilities for mechanical service or repair of a commercial or public nature.
- (78) **GARAGE SALES:** *(Added 8/13/2015)* A garage sale, also known as a yard sale, rummage sale, tag sale, lawn sale, attic sale, moving sale, garbage sale, thrift sale, or junk sale is an informal, irregularly scheduled event for the sale of used goods by private individuals, in which “block sales” are allowed, and are not sales that would otherwise require the issuance of licenses from any authority, nor sales in which any type of sales tax is required. Typically, the goods in a garage sale are unwanted items from the household with the homeowners conducting the sale.
- (79) **GASOLINE STATION (See also Motorized Vehicle Service Station):** *(Amended 2/12/19)* An establishment where liquids used as motor fuels are stored and dispersed into the fuel tanks of motor vehicles by an attendant or by persons other than the station attendant and may include facilities available for the sale of other retail products.
- (80) **GRADE, NATURAL:** The elevation of the undisturbed natural surface of the ground prior to any recent excavation or fill.
- (81) **GRADE, FINISHED:** The average level of the finished surface of ground adjacent to the exterior walls of the building after final grading and normal settlement.

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- (82) **GUESTROOM:** A room that is intended, arranged, or designed to be occupied by one (1) or more guests, but in which no provision is made for cooking. Single-family dwelling noncommercial guestrooms shall be within the principal dwelling and shall be part of the dwelling utility service line (i.e. gas, electricity, sanitary sewer, water, cable, etc.).
- (83) **HANDICAPPED:** A physical or mental impairment, as defined in 42 US Code 3602(h), that substantially limits one or more of such person's major life activities so that such person is incapable of living independently. However, "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in a home would constitute a direct threat to the health and safety of other individuals.
- (84) **HEIGHT, BUILDING:** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for hip and gable roofs.
- (85) **HOME FOR HANDICAPPED PERSONS, FAMILY:** A residential facility that provides room and board, personal care, rehabilitative or habilitative services, and supervision in a family setting for 5 to 8 handicapped persons. (See HANDICAPPED.) One to 4 persons, including resident staff, living in such a residential facility constitute a family for the purposes of this Zoning Ordinance (see FAMILY), and are not subject to the conditional use regulations for family homes. The term "family home for handicapped persons" does not include "halfway house" or other housing facilities serving as an alternative to incarceration, "nursing home", "rest home", "boarding house", "rooming house", "lodging house", "residential treatment home/center", "special care home" or any other such similar building or use of a building.
- (86) **HOME FOR HANDICAPPED PERSONS, GROUP:** A residential facility that provides room and board, personal care, rehabilitative and habilitative services, and supervision in a family setting for at least 9 handicapped persons. (See HANDICAPPED.) The term "group home for handicapped persons" does not include "halfway house" or other housing facilities serving as an alternative to incarceration, "nursing home", "rest home", "boarding house", "rooming house", "lodging house", "residential treatment home/center", "special care home" or any other such similar building or use of a building.
- (87) **HOME OCCUPATION:** *(Amended 8/13/2015)(Amended 2/10/23)* A business enterprise that is conducted within the confines of a dwelling unit or accessory building which is subordinate and incidental to the use of the premises as a dwelling, and which is carried on by a person who resides in such dwelling unit.

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(88) **HOTEL:** *(Amended 5/24/2016) (Amended 11/23/2021)*

A commercial establishment offering to the public daily, five (5) or more individual sleeping room accommodations available for reservation, with a resident proprietor or on-site manager, an identifiable main entrance and lobby, a staffed desk or office for the registration of guests on a 24-hour basis, security, staff to provide daily housekeeping services, dining, fitness, and meeting accommodations within a single building. Offering guest services. Direct access to the lobby, common area and rooms is provided via internal corridors.

(89) **IDENTIFICATION SIGN:** *(Amended 8/13/2015)* A sign intended to identify the principal use of a lot, development, building or building unit according to the following:

- A. **Business Identification Sign:** A sign intended to announce or promote the use, activity, service or business on the premises, and which may include a directory of occupants.
- B. **Residential Development Identification Sign:** A freestanding sign identifying the name and address of a completed residential subdivision, planned residential development, or multi-family development.
- C. **Institution Identification Sign:** A sign displaying the name of the organization, activities, or services occupying the premises of a public or semi-public use such as but not limited to: churches and other places of worship, hospitals, public or semi-public recreational facilities, schools.

(90) **INDOOR RECREATION:** *(Revised 8/9/07)* An activity that utilizes an indoor facility such as, but not limited to, game courts, exercise equipment, exercise and/or dance floor area, pools, locker rooms, spa, whirlpool or hot tub, and which may include an accessory retail shop for the sale of related equipment and shall not include any adult gaming establishment activities.

(91) **INOPERABLE MOTOR VEHICLE:** Any motor vehicle, licensed or unlicensed, without regard to its age or value, and which is apparently inoperable, or is in such condition that it could not be legally operated on the public streets, or is in an extensively damaged, dilapidated, or disassembled condition.

(92) **INOPERABLE TRAILER/RECREATIONAL VEHICLE:** *(Added 11/23/18)* Any trailer/recreational vehicle, licensed or unlicensed, without regard to its age or value, and which is apparently inoperable, or is in such condition that it could not

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be legally operated on the public streets, or is in an extensively damaged, dilapidated, or disassembled condition.

- (93) **INSTRUCTIONAL SIGN:** *(Amended 8/13/2015)* A sign that has a purpose secondary to the use on the lot that is intended to instruct employees, customers or users as to specific parking requirements, the location or regulations pertaining to specific activities on the site or in the building, specific services offered or methods of payments accepted.
- (94) **JUNK YARD:** Any land used for abandonment, storage, keeping, collecting or bailing paper, rags, scrap metals, other scrap or discarded materials, or for abandonment, demolition, dismantling, storage, or salvaging of automobile or their vehicles not in running condition, machinery or parts thereof shall be deemed a junk yard. Any land used for storing, or keeping of any junk motor vehicle, not housed, on any premise for more than fifteen (15) days shall be deemed a junk yard.
- (95) **KENNEL OR CATTERY:** Any lot or premises on which four (4) or more domesticated animals more than four (4) months of age are housed, groomed, bred, boarded, trained, sold or which offers provisions for minor medical treatment.
- (96) **LANDSCAPED AREA:** An area that is permanently devoted to and maintained for the growing of trees, shrubs, grass or other plant material.
- (97) **LARGE MOTOR VEHICLES:** *(Added 5/10/01)* Motor vehicles including, but not limited to: trucks, recreational vehicles, buses, boats, and heavy equipment, and similar size vehicles which have gross vehicle weights greater than 10,000 pounds, but excluding airplanes or aircraft.
- (98) **LATTICE TOWER:** *(Amended 8/13/2015)* A support structure constructed of vertical metal struts and cross braces forming a triangular or square structure, which often tapers from the foundation to the top.
- (99) **LOADING SPACE:** An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.
- (100) **LOT:** *(Amended 10/24/17)* A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area and to provide such yards and other open spaces are herein required. The term "zoning lot" is used synonymously with "lot" in this Zoning Resolution. Such lot shall have frontage

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on an improved public street but not include any portion thereof, or on an approved private street, and may consist of:

- A. A single lot of record;
- B. A portion of a lot of record;
- C. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Exception: "Lot" for purposes of the land in L-D districts shall mean a numbered lot as shown on the leased land survey of the area approved by Rootstown Township Trustees and permanently on file with the Township, subject to future amendment.

- (101) LOT AREA: The area contained within the lot lines exclusive of any portion of the right-of-way of any public street.
- (102) LOT, CORNER: A lot abutting two streets at their intersection where the angle of the intersection is not less than 45 degrees nor more than 135 degrees.
- (103) LOT, INTERIOR: A lot abutting or with frontage on only one street.
- (104) LOT DEPTH: The distance between midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- (105) LOT LINE: The boundary line defining the limits of the lot. Lot line is synonymous with "property line."
 - A. FRONT LOT LINE: The line separating an interior lot from the street right-of-way on which the lot fronts, or the shortest line of a corner lot that abuts a street, except that when the lot lines abutting streets are of equal lengths, the front lot line shall be the lot line abutting the street having the longest block frontage.
 - B. REAR LOT LINE: The lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
 - C. SIDE LOT LINE: Any lot line other than a front or rear lot line.
- (106) LOT OF RECORD: A lot which is part of a subdivision recorded in the office of the Portage County Recorder, or a lot or parcel described by metes and

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bounds, the description of which has been so recorded in the Office of the Register of Deeds of Portage County

- (107) **LOT WIDTH:** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the front setback line.
- (108) **MANUFACTURED HOME:** A dwelling unit fabricated at an off-site manufacturing facility for installation or assembly at the building site, bearing a label certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 US Code 5401 et. seq.).
- (109) **MANUFACTURING, LIGHT:** Manufacturing or other industrial uses which are controlled operations; relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust.
- (110) **MASSAGE PARLOR:** *(Amended 8/13/2015)* An establishment where, for any form of consideration, massage, alcohol rub, fermentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist, or similar professional persons licensed by the state. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishments where massage or similar manipulation of the human body is offered as an incidental or accessory service.
- (111) **MEDICAL MARIJUANA DISPENSARY:** *(Added 5/26/2022)* A retail establishment holding a current, valid, retail license issued under ORC Section 3796.
- (112) **MEMBERSHIP SPORTS/FITNESS CLUB:** An indoor facility for any number of uses such as game courts, exercise equipment, pools, locker rooms, spa, whirlpool or hot tub, and which may include an accessory retail shop for the sale of related equipment.
- (113) **MINI/SELF STORAGE:** A self-service storage facility comprised of individual storage units available for rent restricted to personal, private access.
- (114) **MOBILE HOME:** A dwelling unit fabricated at an off-site manufacturing facility prior to enactment of the Federal Manufactured Housing Construction and Safety Standards, built on a chassis so as to be transportable from one site to another, and designed to be used without a permanent foundation.

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- (115) **MONOPOLE:** *(Amended 8/13/2015)* A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.
- (116) **MOTORIZED VEHICLE SERVICE CENTER** (See also Gasoline Station): *(Amended 2/12/19)* A building, part of a building, structure or space, which is used for the retail sale of lubricants and motor vehicle accessories, the routine maintenance and service and the making of repairs to motor vehicles, except that repairs described as major repairs in **MOTORIZED VEHICLE REPAIR GARAGE** shall not be permitted.
- (117) **MOTORIZED VEHICLE REPAIR GARAGE:** *(Amended 2/12/19)* A building, part of a building, structure or space, which is used for the repair, rebuilding or reconstruction of motor vehicles or parts thereof including collision service, painting, washing and steam cleaning of vehicles.
- (118) **NAME PLATE:** *(Amended 8/13/2015)* A sign indicating only the name and/or address of the person, business, or activity occupying the lot or the buildings.
- (119) **NONCONFORMING STRUCTURE:** A building existing when this resolution or any amendment thereto became effective which does not conform to the regulations governing buildings of the district in which it is located.
- (120) **NONCONFORMING LOT:** A lot lawfully existing on the effective date of this Zoning Resolution or any amendment thereto, which on such effective date, does not conform to the lot area, width or frontage requirements of the district in which it is located.
- (121) **NONCONFORMING SITE CONDITION:** Any structure lawfully existing on the effective date of this Zoning Resolution or any amendment thereto, which, on such effective date, does not conform to the yard regulations, parking requirements, sign regulations, landscaping or screening requirements or other development standards of the district in which it is situated.
- (122) **NONCONFORMING USE:** A use of a structure or land which was lawful when this resolution or any amendment thereto became effective but which does not conform to the use regulations, off-street parking and loading requirements, or performance standards of the district in which it is located.
- (123) **NURSING HOME OR CONVALESCENT HOME:** An extended or intermediate care facility which provides skilled nursing and dietary care for persons who are ill or incapacitated or which provides service for the rehabilitation of the persons who are convalescing from illness or incapacitation, excluding homes or similar institutions or facilities for persons suffering from acute or chronic alcoholism, or

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other drug dependency, or persons who are mentally incapacitated from causes other than simple senility or who regularly require restraint.

- (124) **OPEN SPACE:** (*Amended 1/26/08*) An area that is substantially open to the sky and may be on the same lot as a building. The area may include, but is not limited to the natural environmental features, water areas, conservation-oriented areas and passive and active recreational facilities. However, streets, parking areas, structures for habitation, and required side, front and rear yards shall not be included.
- (125) **OUTDOOR DISPLAY:** (*Added 2/14/03*) The placing of merchandise in an outdoor area that is open to the general public when the merchandise is removed from its shipping packaging and representative of merchandise that is available for purchase inside the building and/or is available for purchase by the general public directly from the display area.
- (126) **OUTDOOR FURNACE:** (*Added 4/24/08*) A unit located outside of a building or structure, used to produce heat and/or hot water for the building or structure.
- (127) **OUTDOOR STORAGE:** The keeping, in an area outside of a building, of any goods, material, merchandise, vehicles, or junk containerized in its original shipping containers, not for the purpose of retail sale in the same place for more than 24 hours.
- (128) **OVERLAY DISTRICT:** (*Added 2/14/03*) A zoning district which is superimposed over an underlying zone, or zones, thereby offering a property owner the right to develop the property either according to the overlay or underlying district regulations.
- (129) **PARKING:** The temporary storage of registered vehicles in operable condition.
- (130) **PARKING LOT:** A paved area made up of marked parking spaces. Also known as a parking area.
- (131) **PARKING SPACE:** A paved, rectangular area outside the public street right-of-way defined on three sides by painted lines, raised curbs or a combination thereof which is used for the temporary storage of registered and licensed motor vehicles.
- (132) **PERFORMANCE STANDARD:** A criterion established to control enclosure, dust, smoke, fire and explosive hazards, lighting, glare and heat, noise, odor, toxic and noxious matter, vibrations, and other conditions created by or inherent in uses of land or buildings.

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- (133) **PERGOLA:** *(Added 11/24/23)* A structure consisting of open walls, vertical columns, pillars, or posts supporting an open roof of girders or beams, with or without rafters attached to the girders or beams.
- (134) **PERSONAL SERVICES:** *(Added 3/29/07)* Establishments providing non-medically related services, including beauty and barber shops; clothing rental; dry cleaning pick-up stores; Laundromats (self-service laundries); funeral parlors; shoe repair shops; tanning salons. These uses may also include accessory retail sales of products related to the services provided.
- (135) **PLACES OF WORSHIP:** A building, structure, or other indoor or outdoor facility used for public worship. The word "place of worship" includes the words "church," "chapel," "synagogue" and "temple" and their uses and activities that are customarily related.
- (136) **PLAN, DEVELOPMENT:** Drawing(s) and map(s) illustrating the proposed design, layout, and other features for the development of one or more lots.
- (137) **PLANNED COMMERCIAL DEVELOPMENT:** *(Added 2/14/03)* An area of land to be planned and developed as a single entity, in which a variety of primarily commercial uses may be accommodated with more flexible standards, but according to a unified plan for the entire area.
- (138) **PLANNED RESIDENTIAL DEVELOPMENT:** An area of land to be planned and developed as a single entity, in which a variety of housing units are accommodated under more flexible standards, such as lot size and setbacks, than those that would normally apply under single-family district regulations, allowing for the clustering of houses to preserve open space while maintaining the same overall density limitations of the district in which the planned residential development is located.
- (139) **PLAT:** A map of a lot, tract or subdivision on which the lines of each element are shown by accurate distances and bearings.
- (140) **PLATTED SUBDIVISION:** The following subdivisions require platting under the Ohio Revised Code and the Portage County Subdivision Regulations and are referred to as platted subdivisions:
- A. A subdivision which consists of more than five (5) lots from an original tract, any one of which is less than five (5) acres in size.
 - B. Any division or subdivision of land involving the opening widening or extending of any street or road.

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- C. The improvement of one (1) 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 or streets, except private streets serving industrial structures; the division or allocation of land as open space for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage, or public facilities.
- D. A subdivision not along an existing public road.
- (141) PRIVATE PARK: *(Added 12/8/20)* Land owned by a private entity which has been designated for park or recreational activities including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, open space, or wilderness areas.
- (142) PROJECT AREA: *(Added 9/10/19)* In a commercial or industrial area, the part of the lot which is being utilized for a building or development, based on a submitted plot plan. This may or may not include the entire parcel.
- (143) PROJECT BOUNDARY: The boundary defining the tract(s) of land which is included in a proposed development to meet the minimum required project area for a planned residential development or multi-family development. The term “project boundary” shall also mean “development boundary”.
- (144) PROJECT CONSTRUCTION SIGN: *(Amended 8/13/2015)* A temporary sign located on a parcel where construction is occurring, identifying the name of a subdivision, building or public works project or facility and/ or the name of the architect, engineer or contractor during the time of construction.
- (145) PUBLIC PARK: *(Added 12/8/20)* Land owned by a government entity which has been designated for park or recreational activities including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, open space, wilderness areas, or similar public land within the Township which is under the control, operation, or management of the Township, County, or state.
- (146) PUBLIC SAFETY FACILITY: A governmentally owned and operated facility established to provide police or fire safety services to the surrounding area.
- (147) PUBLIC PURPOSE/SAFETY SIGN: *(Amended 8/13/2015)* A sign erected by a public authority, utility, public service organization or private industry upon the public right-of-way or, when required by law, on private property and which

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is intended to control traffic, direct, identify or inform the public or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy. Such signs include “No Parking Fire Lane.”

- (148) **PUBLIC SERVICE FACILITY:** 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, a railroad, whether publicly or privately owned, or a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.
- (149) **QUARRY:** Any use of land for the removal of any mineral or material, including open or strip mining and shaft mining.
- (150) **REASONABLE ACCOMMODATION:** *(Added 8/13/2015)* A reasonable accommodation is a change in rules, policies, practices, or services that enables a person with a disability equal opportunity to use and enjoy a dwelling. A person with a disability must notify the Township if they need a reasonable accommodation, and the Township may grant the request if it is reasonable. There must be a connection between the disability and the need for the accommodation. Typically, accommodations will be a matter of negotiating what will serve the disabled person best.
- (151) **RECREATIONAL FACILITY/USE:** *(Added 12/8/20)* A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities or entertainment activities, but not including those uses otherwise specifically defined or regulated in this resolution. This does not include a recreational use that is an accessory to a residence. As provided in this resolution, recreational facilities are classified into four types:
- A. **TYPE A:** Outdoor recreation facilities/uses, usually requiring a large space, which are relatively quiet and compatible with residential uses, including, but not limited to, a regulation golf course and related facilities, picnic area, park, playground, trails for walking, bicycling, or horse riding (excluding trails used by motorized vehicles), fishing, boating, observation of nature, non-commercial field and court sports and similar facilities and activities.
 - B. **TYPE B:** Outdoor recreation facilities/uses for the commercial use of intense sports and athletic activities, and including, but not limited to, field sports, baseball field, soccer field, swimming pools, tennis courts, basketball court, miniature golf course in golf driving range.

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- C. TYPE C: Indoor recreation and entertainment facilities/uses, including, but not limited to, those required for indoor court sports and field sports, athletic clubs, bowling alleys, theaters, auditoriums, lodge halls, health and fitness spa, miniature golf course, swimming pools, and social clubs.
- D. TYPE D: Recreational facilities/uses which are not classified as Type A, B, or C which may generate noise and may otherwise not be compatible with residential uses, including, but not limited to, shooting range, amusement park, water park, racetrack for motorized vehicles, animal race track, amphitheaters, paintball games, in the campground.
- (152) RECREATIONAL VEHICLES: *(Added 5/10/01)* Any building, structure, or vehicle designed and/or used for living or sleeping and/or recreational purposes and may be equipped with wheels or is mounted to facilitate movement from place to place, and includes but is not limited to: derby cars or fair cars, pick-up coaches (campers), motorized homes, boats, travel trailers, and camping trailers not meeting the specifications required for manufactured home or mobile homes.
- (153) RESEARCH AND TESTING LABORATORY: A building or group of buildings for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.
- (154) RESTAURANT - COUNTER SERVICE: A retail service establishment whose principal business is the sale of foods, frozen desserts, or beverages in ready-to-consume individual servings, for consumption either within the restaurant building or for carry-out, and where customers are not served their food, frozen desserts, or beverages by a restaurant employee at the same table or counter where the items are consumed.
- (155) RESTAURANT – OUTDOOR CUSTOMER DINING AREA. *(Added 5/22/08)* An area not enclosed in a building and which is intended as an accessory area for a table service restaurant which provides food and/or drink to customers for consumption on the premises.
- (156) RESTAURANT - TABLE-SERVICE: A retail service establishment wherein the entire business activity, or substantially all of the business activity, consists of the sale of food and service to patrons seated at tables for consumption within the building.
- (157) RESTRICTED OPEN SPACE: The portion of the open space within a planned residential development that is of sufficient size and shape to meet the minimum zoning requirements.

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- (158) **RETAIL ESTABLISHMENT:** An establishment engaged in the selling of goods or merchandise to the general public for personal or household consumption, which is open to the general public during regular business hours and which has display areas that are designed and laid out to attract the general public. In determining a use to be a retail use, the Zoning Commission may consider the proportion of display area vs. storage area and the proportion of the building facade devoted to display windows.
- (159) **RIGHT-OF-WAY:** A strip of land taken, dedicated, or otherwise recorded as an irrevocable right-of-passage for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, water and sewer lines, lighting, and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, and bridges.
- (160) **RIGHT-OF-WAY LINE:** The line between a lot, tract, or parcel of land and a contiguous public street, and demarcating the public right-of-way. "Right-of-way line" also means "street line."
- (161) **ROADSIDE STAND:** A temporary structure used solely for the sale of produce grown on the premises by the owner or owners of the property.
- (162) **ROADSIDE STAND SIGN:** *(Amended 8/13/2015)* A temporary sign indicating the sale of agricultural products that are produced on the premises and sold from a roadside stand.
- (163) **SCHOOL FACILITIES:** Publicly or privately owned facilities providing full-time day instruction and training at the elementary, junior high and high school levels in accordance with the requirements of ORC Chapter 3313; or publicly or privately owned facilities providing kindergarten or nursery school training and care which are operated by a board of education or an established religious organization.
- (164) **SETBACK:** The required minimum horizontal distance between a lot line and a structure as established by this Resolution.
- (165) **SETBACK LINE** (See also "Yard, Required"): A line established by this Zoning Resolution generally parallel with and measured from the lot line, defining the minimum distance a building, structure, parking area or outdoor storage area shall be located from said lot line, except as may be provided in Zoning Resolution. The term "setback line" shall also include "required setback line." On cul-de-sac lots, the front structure must meet both setback from the lot line and at the point consistent with the required lot width.

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- (166) SIGN: Any identification, description, illustration, or device which is affixed to or integrated into a building, structure or land, or otherwise situated on a lot and which is intended to announce, direct or advertise by means of letters, words, designs, colors, symbols, banners, fixtures, or images.
- (167) SKILL-BASED AMUSEMENT MACHINE: *(Added 8/9/07)* A skill-based amusement device or machine, whether or not the skill-based amusement machine requires payment.
- (168) SMALL MOTOR VEHICLES: *(Added 5/10/01)* Motor vehicles including, but not limited to: motorcycles, passenger cars, light trucks, vans, and similar vehicles that have gross vehicle weights less than 10,000 pounds.
- (169) SMALL SOLAR ENERGY SYSTEM: *(Added 3/11/2010)* Any solar collector or other solar energy device, or any structural design feature whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, or water heating or for electricity that may be mounted on a building or on the ground and is an accessory use of the property.
- (170) SMALL WIND ENERGY SYSTEM: *(Added 3/11/2010)* A wind energy system consists of a wind turbine, a tower, and associated controls or conversion electronics which is intended to primarily reduce on-site consumption of utility power. The purpose of a small energy system is to be an accessory use of the property.
- (171) SOLAR ENERGY: *(Added 3/11/2010)* Radiant energy (direct, diffuse, or reflected) received from the sun.
- (172) SOLAR ENERGY DUAL PURPOSE: *(Added 3/11/2010)* Solar energy is collected to create energy from structures that are generally permitted, examples could be fences or walls. This would include exterior lighting for patios and walkways. Dual-purpose structures should look primary like a fence, wall or light fixture and not the opposite for the purpose of generating electricity while blending into the landscape. The appearance of the structure should be commonly recognizable with the production of electricity interwoven or embedded into the structure not to dominate the appearance.
- (173) SOLID WASTE: *(Added 3/28/23)* Items that are not used for their intended purpose or repurposed use.
- (174) STORAGE/SHIPPING CONTAINER: *(Added 9/8/15)* An article of transport equipment that is of a permanent character and accordingly strong enough to be suitable for repeated use; it is designed to transport a number of receptacles,

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packages, unit loads, and over packs together from the packing point to its final destination by road, rail, inland waterway and/or sea without intermediate separate handling of each package, unit load or over pack.

- (175) STREET, CUL-DE-SAC: A local street with one end open to traffic and the other end terminating in a vehicular turn-around.
- (176) STREET, INTERIOR: A street wholly within the boundaries of a development.
- (177) STREET, LOCAL: A street primarily for providing access to residential or other abutting property.
- (178) STREET, MAJOR: A street, also known as a collector, which primarily carries traffic from local to arterial streets, including the principal entrance and circulation routes within residential subdivisions.
- (179) STREET, PRIVATE: A local private way which provides vehicular access to more than one residential structure that is not and will not be dedicated to public use, but which is owned and maintained by an Association.
- (180) STREET, PUBLIC: A street that has been dedicated or deeded to the public for public use and which affords principal access to abutting property.
- (181) STRUCTURE. (*Revised 12/25/03*) Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. However, a structure does not include: mailboxes, flagpoles, basketball hoops, play equipment, trellis, bird houses, bird feeders, decorative lawn ornaments that are: (1) placed within the front yard area and do not exceed 4 feet in height and (2) placed within the side and back yard area and do not exceed 6 feet in height; landscape walls, light poles, bus shelters, decorative ponds, tree houses, unenclosed hot tubs, brick patios, doghouses, fire pits, piers/docks, etc. which are not specifically regulated in this resolution.
- (182) STRUCTURAL ALTERATIONS: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any increase in the area of cubical contents of the building.
- (183) SWIMMING POOL: An outdoor structure capable of containing in excess of one and one-half (1-1/2) feet of water at its deepest point and having more than 100 square feet of water surface.
- (184) TELECOMMUNICATIONS: (*Amended 8/13/2015*) The technology which enables information to be exchanged through the transmission of voice, video or data signals by means of electrical or electromagnetic systems.

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- (185) **TEMPORARY SIGN:** *(Amended 8/13/2015)* A sign that is designed to be used only temporarily and is not permanently, or intended to be permanently, attached to a building, structure or on the ground.
- (186) **TEMPORARY VENDOR:** *(Added 10/27/2011) (Amended 8/13/2015)* Any person who opens a temporary place of business for the sale of goods or services.
- (187) **TOWER:** A structure on which transmitting and/or receiving antennas are located.
- (188) **TOWING:** *(Added 2/14/17)* A business engaged in the moving of disabled or wrecked vehicles, enforcement towing, and providing emergency road service.
- (189) **TRAILER:** *(Added 11/13/18)* Any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle that is formed by or operated as a combination of a semitrailer and a vehicle of the dolly-type such as that commonly known as a trailer dolly, a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than twenty-five miles per hour, and a vehicle that is designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of more than ten miles or at a speed of more than twenty-five miles per hour. "Trailer" does not include a manufactured home or travel trailer.
- (190) **UNDERLYING ZONE:** *(Added 2/14/03)* A zoning designation on the land that existed at the time the overlay district was established. Such zoning classification shall continue to be designated on the zoning map when the overlay zone is established.
- (191) **USE:** The purpose for which a building or premises is or may be occupied. In the classification of uses, a "use" may be a use as commonly understood or the name of an occupation, business, activity, or operation carried on or intended to be carried on in a building or on premises, or the name of a building, place or thing which name indicates the use or intended use.
- A. **USE, ACCESSORY:** A use of land incidental to the principal use of a lot or building located on the same lot.

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- B. USE, CONDITIONAL: A use permitted in a district, other than a principal use permitted by right, which is allowed only under certain conditions as set forth in Chapter 390, and which requires a conditional use permit and approval of the Board of Zoning Appeals in compliance with the regulations and procedures set forth in Chapter 630.
- C. USE, PRINCIPAL: The primary or main use or activity of a building or lot.
- (192) VETERINARY HOSPITAL: A place where animals are given medical or surgical treatment and the boarding of animals occurs only as an incidental use.
- (193) WALKWAY: A public way, four or more feet in width, for pedestrian use only, which may or may not be located along the side of a road.
- (194) WALL SIGN: (*Amended 8/13/2015*) A sign erected parallel to, or painted on the surface or on the outside wall of any building, and not extending more than 12 inches therefrom, and which does not project above the roof line or beyond the corner of the building.
- (195) WELL: (*Amended 8/13/2015*) Any borehole, whether drilled or bored, for production, extraction or injection of any gas or liquid material, excluding potable water to be used as such, but including natural or artificial brines and oil field water.
- (196) WHOLESALER: (*Added 4/11/2017*) A person or firm that buys large quantities of goods from various producers or vendors, warehouses them, and resells them to retailers, but not to final consumers.
- (197) WIND ENERGY TURBINE: (*Added 3/11/2010*) The blades and associated mechanical and electrical conversion components whose purpose is to convert kinetic energy of the wind into rotational energy used to generate electricity.
- (198) WINDOW SIGN: (*Amended 8/13/2015*) A sign on the inside of a building affixed to, or near a window for the purpose of being visible to and read from the outside of the building.
- (199) WIRELESS TELECOMMUNICATIONS antenna: (*Amended 8/13/2015*) The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

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- (200) WIRELESS TELECOMMUNICATIONS facility: *(Amended 8/13/2015)* 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.
- (201) WIRELESS TELECOMMUNICATIONS TOWER: *(Amended 8/13/2015)* A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopoles, guyed and lattice construction steel structures.
- (202) YARD: An open space on the same lot with a main building or structure extending between the lot line and the extreme front, rear or side wall of the main building or structure.
- (203) YARD, FRONT: The area across the full width of the lot between the front of the main building and the front line of the lot.
- (204) YARD, REAR: A yard across the full width of the lot immediately in the rear of the main building.
- (205) YARD, REQUIRED (See also Setback Line): The open space between a lot line and a setback line for a building, parking area or use that is the minimum area required to comply with the regulations of the district in which the lot is located, and within which no structure shall be located except as expressly permitted in this Zoning Resolution.
- (206) YARD, SIDE: The area between the main building and the side line of the lot extending from the front wall to the rear wall of the main building.
- (207) ZONING MAP: An accurate map depicting Rootstown Township, Portage County, Ohio and indicating the boundaries of the zoning districts established by this Resolution.