

## ARTICLE V

### SR 25 AND SR 582 OVERLAY ZONE

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#### **Section 1. PURPOSE AND INTENT**

The purpose of the State Route 25/582 Overlay District is to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering State Route 25 and State Route 582 in Middleton Township. State Route 25 is a major north-south route through Wood County that links the City of Perrysburg with the City of Bowling Green to the South. State Route 25 is a regionally significant roadway that serves as a major corridor as the surrounding areas continue to grow and develop. State Route 582 is the major northern east-west route through the Township. The State Route 25/582 Overlay District provides standards and requirements intended to preserve the environmental and aesthetic qualities of the corridor and manage access to property in a manner that will maintain traffic safety and roadway capacity. All regulations in the underlying zoning district apply in addition to the overlay zone requirements. In case of conflict, the more restrictive regulations will apply.

#### **Section 2. DISTRICT BOUNDARIES**

The boundaries of the District are hereby established as shown on the Zoning District Map. The District includes those parcels along the Route 25 right-of-way to a depth of 1,000 feet from the edge of right away along both sides, extending from the northern to southern boundary of Middleton Township. Boundaries for the State Route 582 Overlay Zone include the entire length of the portion of State Route 582 that runs through Middleton Township. All parcels along State Route 582 are subject to the overlay zone, which extends to a depth of 1000' ft. from the edge of right away along both sides of State Route 582.

#### **Section 3. REVIEW AND APPROVAL PROCEDURES**

Site plan review and approval shall be necessary for all new development and for any existing structure that is enlarged by 25% or more, or when the enlargement contains 5,000 square feet or more in floor area. Single-family homes and agriculture dwellings are exempt from the site plan review requirements. In addition, the Ohio Department of Transportation (ODOT) requires a driveway access permit application for any new or modified access, as well as for a change in use for the existing driveways. ODOT requires a traffic impact study for any proposed use that generates greater than 100 trips per peak hour.

#### **Section 4. PERMITTED AND SPECIAL USES**

All uses which are permitted or special uses in the underlying zoning district(s) are allowed in the Overlay District, except those uses expressly excluded below.

#### **Section 5. EXCLUDED USES**

1. Auction market with outdoor display and/or storage
2. Auto wrecking/ salvage yard/ junk yard
3. Flea market
4. Manufactured home, mobile home or industrialized dwelling unit sales
5. Manufactured home park
6. Truck transport terminal – Businesses which caters primarily to the needs of the trucking industry, by offering fuel, dining facilities, gift shops, emergency repairs and lodging or similar types of services.
7. Off-premises sign
8. Pole sign
9. Roof Sign
10. Sexually Oriented Businesses
11. Self Storage Facilities, (Mini Warehouses)
12. Land Fills
13. Bill Boards

#### **Section 6. ACCESSORY BUILDINGS AND USES**

All accessory buildings and uses which are permitted in the underlying zoning district(s) are permitted within the district, except that any detached accessory building on any lot shall have on all sides, the same architectural features, or shall be architecturally compatible with the principal building(s) with which it is associated. Accessory buildings used for residential or agricultural purposes are exempt from this requirement.

#### **Section 7. DEVELOPMENT STANDARDS**

1. Minimum Front Yard Setback  
The minimum front yard setback along State Route 25 and State Route 582 shall be 100 feet from the right-of-way line of State Route 25 and/or State Route 582. Parcels with frontage on more than one street shall have a minimum front yard setback from the right-of-way line of the minor street of 50 feet.
2. Minimum Side Yard Setback  
As Specified in the underlying zoning district.
3. Minimum Rear Yard Setback  
As specified in the underlying zoning district. In addition, a twenty-five (25') foot rear yard landscape area shall be provided for any commercial or industrial use where the rear yard abuts an agricultural or residential zoning district outside the overlay district.
4. Maximum Building Height  
As specified in the underlying zoning district.
5. Minimum Front Yard Landscape Area  
Thirty (30') feet along State Route 25 and State Route 582 and ten (10') feet along side streets. The landscape area shall be located within the front yard setback area(s) and no off-street parking shall be located within the landscape area. In those instances where a parallel service road is provided within the required front yard the minimum landscape area width shall be ten (10') feet. Residential and agricultural uses are exempt from this requirement.
6. Lot Frontage  
New lots shall have the same minimum frontage requirements as specified by the underlying zoning district. Existing lots of record at the time of this amendment's adoption with widths less than the minimum prescribed frontage shall retain their legal non-conforming status.

**Section 8. ACCESS TO INDIVIDUAL PARCELS**

Access along State Route 25 and State Route 582 shall be reviewed relative to the distances from other drive approaches and from roadway intersections. When deemed appropriate, access shall be reviewed by the Wood County Engineer and the Ohio Department of Transportation, prior to approval. If required by the Wood County Engineer and the Ohio Department of Transportation, or the Township Zoning Inspector, the development may be required to prepare a traffic impact study or a traffic assessment study.

**Section 9. ACCESS PERMITS**

All access permits shall be reviewed and approved by the Ohio Department of Transportation. Design and location of access driveways along State Route 25 and State Route 582 shall be in compliance with applicable ODOT guidelines and regulations.

**Section 10. ACCESS OPTIONS**

The preferred method of providing access to parcels is to reduce or eliminate driveways and curb cuts by using rear access drives, primarily, or where appropriate. In situations where rear access drives are not feasible, cross access easements and or a shared driveway approach will be reviewed and considered.

**Section 11. TRAFFIC IMPACT STUDY**

If required by the Wood County Engineer, the Ohio Department of Transportation, or the Township Zoning Inspector, a traffic impact study shall be prepared by a qualified Professional Engineer at the developer's expense. The study shall investigate the feasibility and benefits of improvements such as signals, turn lanes, driveway movement limitations, etc. to protect the safety and welfare of the traveling public. The traffic impact study shall include the following elements:

1. A description of the site and study area;
2. Anticipated development of adjacent parcels;
3. Trip generation and distribution;
4. Traffic assignment resulting from the development;
5. Projected future traffic volumes;
6. An assessment of the impact resulting from driveway alternatives;
7. Recommendations for site access and transportation improvements needed to maintain traffic flow at an acceptable and safe level of service; and
8. An evaluation of the effects the proposed development will have on the level of service and roadway capacity.

**Section 12. TRAFFIC ASSESSMENT STUDY**

In lieu of a Traffic Impact Study, the Wood County Engineer, the Ohio Department of Transportation, or the Township Zoning Inspector may request a Traffic Assessment Study to accompany the site plan for review and consideration. The following information shall be included with the Traffic Assessment Study:

1. Proposed and/or existing building size and use, driveways, parking areas, and drive aisles;
2. Current use, parking areas, drive aisles and driveways from all properties opposite and adjacent the proposed site;
3. Road details including public right-of-way within the limits of the traffic impact, including the number and type of vehicular traffic lanes, traffic signal locations, and traffic control signs such as stop and yield; and
4. Anticipated daily and peak hour traffic volumes at site access point.

**Section 13. ARCHITECTURAL REVIEW REQUIREMENTS**

Site plan review shall include review of architectural design elements. The Architectural design of buildings within the State Route 25 and State Route 582 Overlay District shall include consideration of the following elements:

1. Scale and proportion;
2. Suitability of building materials;
3. Design in relation to surrounding buildings;
4. Design in relation to proposed landscaping; and
5. Aesthetics of the proposed building.

In addition to the above guidelines, the following Architectural Review Requirements will need to be met:

1. At least 1/3 of the side of all buildings facing a state route shall have exterior building materials of high quality. These include, but shall not be limited to:
  - A. Brick
  - B. Wood
  - C. Natural Stone, or
  - D. Tinted, Textured Concrete Block or Tilt-Up Masonry Panels

**Section 14. LANDSCAPE REVIEW REQUIREMENTS**

Site plan review shall also include the review of landscape design elements and conformance with all applicable requirements.

**Section 15. GENERAL REQUIREMENTS**

In addition to the required front yard landscape area, landscaping for all uses except single-family dwellings, shall be provided in the following areas:

1. At the perimeter of parking lots to buffer, separate, and/or screen adjacent land uses;
2. Plants, fencing, and other landscape material areas shall not include any portion of the right-of-way;
3. Trash receptacles shall be screened and shall not be placed within any required setback areas.
4. All parking and access surfaces shall be paved or of other hard surfaces.

**Section 16. MAINTENANCE AND REPLACEMENT REQUIREMENTS**

The lot owner shall be responsible for the maintenance of all landscaping. The following requirements shall apply:

1. Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.
2. Within two (2) years of installation (or incorporation of existing vegetation), all trees, shrubs, ground covers and other plant material shall be replaced if they fail to thrive.
3. Replacement plants shall conform to the approved plan. Dead or unhealthy plants shall be replaced within the next planting season.
4. As part of the site plan, a bond, escrow, or other suitable guarantee shall be filed with the Zoning Inspector to ensure the landscape material is installed and maintained for a two (2) year period. No Zoning Certification shall be issued until the bond, escrow, or other suitable guarantee is received.

**Section 17. SIGNAGE**

Freestanding signs shall be limited to monument signs, except that monument style signs shall not exceed eight (8) feet in height, fourteen (14) feet in width, eighty (80) square feet in sign area (excluding area of support structure), and the sign face shall be perpendicular to the main road. All other signs, including signs in the applicable underlying zoning district shall be equivalent to those established in the Middleton Township Zoning Resolution (Sign Regulations).

**Section 18. UTILITIES**

New utilities shall be located underground.