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Definitions

ABBREVIATED STORM WATER POLLUTION PREVENTION PLAN (ABBREVIATED SWP3): The written document that sets forth the plans and practices to be used to meet the requirements of this regulation.

ACRE: A measurement of area equaling 43,560 square feet.

ADAPTIVE REUSE: Substantial improvement of a building or buildings for the purpose of incorporating a new type of development.

ADVERSE IMPACT: Any harmful effect on receiving waters, including their quality, quantity, surface area, aesthetics or usefulness for human or natural uses. Such deleterious effect is or may potentially be harmful or injurious to human health, welfare, safety or property, or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation.

AFFORDABLE HOUSING: Dwellings available at a cost of no more than 30% of gross household income to households at or below 80% of the County median income as reported by the U.S. Department of Housing and Urban Development (HUD).

AGRICULTURAL LANDS: Land primarily devoted to commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, trees, fish in upland hatcheries, or livestock and that has long-term commercial significance for agricultural production.

APPLICANT: Any person who executes the necessary forms to procure official approval of a project or a permit to carry out a project.

AQUIFER: A geological formation, group of formations or part of a formation composed of rock, sand or gravel capable of storing and yielding groundwater to wells and springs.

ARCHEOLOGICAL SITE: Any area where artifacts, remains or any other evidence of a historical or prehistorical nature of 100 years old or more are found below or on the surface of the earth. These artifacts must have archaeological significance. Artifacts may include, but are not limited to: objects of antiquity, Native American, colonial or industrial relics, or fossils.

BEST MANAGEMENT PRACTICES (BMPs): Schedule of activities, prohibitions of practices, maintenance procedures, and other management practices (both structural and non-structural) to prevent or reduce the pollution of water resources and wetlands. BMPs also include treatment requirements, operating procedures, and practices to control facility and/or construction site runoff, spillage, or leaks; sludge or waste disposal; or drainage from raw material storage. BMPs for construction are outlined in "Rainwater and Land Development, Ohio's Standard for Stormwater Management, Land Development, and Urban Stream Protection," prepared by the Ohio Department of Natural Resources.

BIORETENTION SYSTEMS: Rain gardens, vegetated swales, trenches, and infiltration basins used to minimize stormwater infrastructure and improve the quality of groundwater.

BOND: Contract to pay a specified sum of money (the principal or face value) at a specified future date (maturity) plus interest paid at an agreed percentage of the principal.

CAPACITY: The maximum number of vehicles, which can travel on a given section of roadway during a specific time period.

CAPITAL IMPROVEMENT PROGRAM (CIP): A plan for future capital expenditures which identifies each capital project, its anticipated start and completion, and allocates existing funds and known revenue sources.

CATEGORY 1 WETLANDS: Those wetlands classified by the Ohio Environmental Protection Agency (Ohio EPA) as Category 1 wetlands under OAC 3745-1-54 (C)(3), in accordance with generally accepted wetland functional assessment methods acceptable to the U.S. Army Corps of Engineers and Ohio EPA at the time of application of this regulation.

CATEGORY 2 WETLANDS: Those wetlands classified by the Ohio Environmental Protection Agency (Ohio EPA) as Category 2 wetlands under OAC 3745-1-54 (C)(2).

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CATEGORY 3 WETLANDS: Those wetlands classified by the Ohio EPA as Category 3 wetlands under OAC 3745-1-54(C) (3), in accordance with generally accepted wetland functional assessment methods acceptable to the U.S. Army Corps of Engineers and Ohio EPA at the time of application of this regulation.
CLEARING: Any activity which removes the vegetative ground cover.
CRITICAL AREA: The land area at the top of bank of a stream or wetland boundary.
COMMERCIAL: Describes business enterprises engaged in the buying, selling, or production of non-industrial goods and services such as retail or offices.
CONDITIONAL USE: Uses that may be permitted in an area if certain conditions are present, or if certain conditions are met.
CONTAMINATION: An impairment of water quality by chemicals, radionuclides, biologic organisms, or other extraneous matter whether or not it affects the potential or intended beneficial use of water.
CLUSTER DEVELOPMENT: A form of development that permits a reduction in lot area requirements, frontage and setbacks to allow development on the most appropriate portions of a parcel of land in return for provision of a compensatory amount of permanently protected open space within the property subject to a development application.
CONSTRUCTION ENTRANCE: The permitted points of ingress and egress to development areas regulated under this regulation.
CURRENT AGRICULTURAL USE VALUE (CAUV) Program: The Current Agricultural Use Value (CAUV) Program was implemented within the State of Ohio to save open spaces and to permit the valuing of farmland on its ability to produce income rather than on market value. The CAUV law can provide significant tax saving benefits to those involved in agricultural production if qualifications are met.
DAMAGED OR DISEASED TREES: Trees that have split trunks, broken tops, heart rot, insect or fungus problems that will lead to imminent death, undercut root systems that put the tree in imminent danger of falling, lean as a result of root failure that puts the tree in imminent danger of falling, or any other condition that puts the tree in imminent danger of being uprooted or falling into or along a watercourse or onto a structure.
DEFINED CHANNEL: A natural or man-made depression in the terrain which is maintained and altered by the water and sediment it carries.
DENSITY: The number of families, persons, or dwelling units of land usually expressed as “per acre” which describes the intensity of development. For the purposes of this document, we are defining the following density classifications.
LOW DENSITY: Any zoning that allows lot size or densities of 1 unit per 1.5 acres or more.
MEDIUM DENSITY: Any zoning that allows densities up to 2 units per 1 acre or more.
HIGH DENSITY: Any zoning that allows lot size or densities of up to 3 units per acre.
DESIGNATED WATERCOURSE: A watercourse within the Township that is in conformity with the criteria set forth in this regulation.
DESIGN GUIDELINES: An element of the Development Regulations describing those standards and regulations which directs the appearance of development and redevelopment projects, site and street design and seeks to preserve and/or enhance the aesthetic qualities of an area.
DETENTION: A practice designed for temporary storage of storm water with a controlled release rate. Generally detention basins will be “dry” between storm events.
DEVELOPMENT: To make a site or area available for use by physical alteration. Development includes but is not limited to: providing access to a site, clearing of vegetation, grading, earth moving, providing utilities and other services such as parking facilities, storm water management and erosion control systems, and sewage disposal systems, altering landforms, or construction of a structure on the land.

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DEVELOPMENT AREA: A parcel or contiguous parcels owned by one person or persons, or operated as one development unit, and used or being developed for commercial, industrial, residential, institutional, or other construction or alteration that changes runoff characteristics.

DEVELOPMENT CHECKLIST: By establishing a development checklist of Township requirements, a clear and predictable outline can be established. This reduces staff time and resources by having to request additional information, boards denying applicants because of lack of information as well as developers having a better understanding of what is to be expected.

DEVELOPMENT PERFORMANCE STANDARDS: An element of the Development Regulations describing those standards and regulations which directs and specifies the quality level of the development process to minimize adverse impacts to the land, wildlife and community.

DEVELOPMENT REGULATIONS: Describes the umbrella title that encompasses various elements, which together, regulate all development and redevelopment.

DISCRETIONARY REVIEW PROCESS: A Development Regulation procedure that affords staff the opportunity to closely examine those developments proposed in areas of concern to the community.

DISTURBED AREA: An area of land subject to erosion due to the removal of vegetative cover and/or soil disturbing activities.

DOWNZONING: Rezoning of a tract of land to less-dense or intensified use. Downzoning is used to curb sprawl and direct growth to designated areas.

DRAINAGE: (1) The area of land contributing surface water to a specific point, and/or its watershed. (2) The removal of excess surface water or groundwater from land by surface or subsurface drains.

EASEMENT: A right or privilege that a person or agency may have on another's land.

EROSION: The process by which the land surface is worn away by the action of wind, water, ice, gravity or any combination of those forces.

EROSION AND SEDIMENT CONTROL: The control of soil, both mineral and organic, to minimize the removal of soil from the land surface and to prevent its transport from a disturbed area by means of wind, water, ice, gravity, or any combination of those forces.

FACILITY: Something that is built, installed, or established for a particular purpose.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The agency with overall responsibility for administering the National Flood Insurance Program.

FINAL PLAT: The mylar containing all details of the subdivision that is recorded with the county fiscal office.

FINAL STABILIZATION: All soil disturbing activities at the site have been completed and a uniform perennial vegetative cover with a density of at least 80% coverage for the area has been established or equivalent stabilization measures, such as the use of mulches or geotextiles, have been employed.

FIRST FLUSH: The delivery of a large load of pollutants during the early part of storms due to rapid runoff of accumulated pollutants. The first flush in these guidelines is defined as the runoff generated from a one year 24 hour storm event from land which has been made more impervious from pre-development conditions through land grading and construction/ development activities.

FLOODPLAIN: For a given flood event, that area of land temporarily covered by water which adjoins a watercourse.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that are extremely hazardous due to the velocity of storm waters which carry debris and projectiles and have erosion potential such that these areas must be reserved to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not result in substantially higher flood levels and flow velocities.

FLOODWAY FRINGE: The portion of a floodplain that is inundated by floodwaters but is not within a defined floodway. Floodway fringes serve as temporary storage for floodwaters.

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FORM-BASED CODE: A land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law.

FRAGMENT: A relatively homogeneous type of habitat that is spatially separated from other similar habitats and differs from its surroundings.

GOAL: Broad statements of the direction the Township wishes to proceed. For example, “Balance development and the need for services with protection of natural resources and rural character.” A long range aspiration that is intended to direct a general course of action or set direction toward an ideal end state that may or may not be achievable.

GREY WATER: All domestic wastewater except toilet discharge water.

GROUNDWATER PROTECTION OVERLAY DISTRICT: The Township zoning district defined to overlay other Township zoning districts. This district may include specifically designated recharge areas that collect precipitation or surface water and carry it to aquifers.

GROWTH: New development or intensification of existing development.

GRUBBING: The removal of the vegetative underground root structure.

HABITAT: Physical features, topography, geology, stream flow, and biological characteristics, vegetation cover, other species, needed to provide food, shelter and reproductive needs of animal or plant species.

HABITAT FRAGMENTATION: Breaking up of previously continuous habitat or ecosystems into spatially separated and smaller areas. Habitat fragmentation results from land uses associated with forestry, agriculture and settlement, but can also be caused by natural disturbances like wildfire, wind or flooding. Suburban and rural development commonly change patterns of habitat fragmentation of natural forests, grasslands, wetlands and coastal areas as a result of adding fences, road, houses, landscaping and other development activities to the area.

HAZARDOUS MATERIAL: A material in one or more of the following categories: an ignitable gas, liquid or solid which may cause fires through friction, absorption of moisture, or which has low flash points (e.g., white phosphorous and gasoline); an explosive or reactive gas, liquid or solid which will vigorously and energetically react uncontrollably if exposed to heat, shock, pressure or combinations thereof (e.g., dynamite, organic peroxides and ammonium nitrate); a carcinogenic gas, liquid, or solid which is normally considered to be cancer causing or mutagenic (e.g., PCB’s in some waste oils); a highly toxic gas, liquid or solid so dangerous to man as to afford an unusual hazard to life (e.g., chlorine gas); a moderately toxic gas, liquid, or solid which through repeated exposure or in a single large dose can be hazardous to man; or a corrosive material, whether acid or alkaline, which will cause severe damage to human tissue, or in case of leakage might damage or destroy other containers of hazardous materials and cause the release of their contents (e.g., battery acid and phosphoric acid).

HISTORIC STRUCTURE: Any building, structure or site which is now listed or is qualified to be listed on the National or State Registers of Historic Places as determined by the State Historic Preservation Officer in consultation with the applicable local historical commission.

HOMEOWNERS ASSOCIATION: An organization of homeowners residing within a particular development whose major purpose is to maintain and provide community facilities and services for the common enjoyment of the residents.

HUNDRED-YEAR FLOODPLAIN: Any land susceptible to being inundated by water from a base flood. The base flood is the flood that has a one percent or greater chance of being equaled or exceeded in any given year. For the purposes of this regulation, the hundred-year floodplain shall be defined by FEMA and approved by the County of Summit Department of Building Standards.

HYDROGEOLOGIC ANALYSIS: A study by a hydrogeologist to collect information of the subsurface and geologic conditions, including the type and thickness of geologic materials, the occurrence of ground water, how it flows in pore spaces and fractures, and the quantity and quality of the ground water. The analysis of the data collected in the investigation of a site can be used: to select the location of a well where a sufficient quantity of ground water exists for the intended purpose; to identify environmentally-sensitive groundwater recharge areas; and to identify an area where potential or known contamination could be drawn into a well or spring.

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IMPERVIOUS COVER: Any paved, hardened, or structural surface, regardless of its composition, that cannot effectively absorb or infiltrate water, including, but not limited to, buildings, roads, driveways, parking lots, loading/unloading areas, decks, patios and swimming pools.

INTERMITTENT STREAM: A natural channel that may have some water in pools but where surface flows are non-existent or interstitial for periods of one week or more during typical summer months.

INFILL: The development of new residential, commercial or other land uses on vacant or underutilized sites within existing areas that are substantially developed.

INFRASTRUCTURE: Facilities and services needed to sustain residential, commercial and industrial development including, but not limited to water supply and distribution facilities, sewage collection and treatment facilities, streets and roads, communications, energy, and public facilities such as schools and fire stations.

INITIATIVES/OBJECTIVES: Specific actions or programs that the Township will take to carry out the policies and pursue its goals. For example, “Incorporate conservation development into the zoning resolution based on public health and safety, making conservation development preferable or permitted.” Many of the initiatives will be depicted on a Future Land Use Plan map, which will provide the basis for zoning updates. However, the Plan itself will identify other potential initiatives and will describe the rationale for the goals, policies, and initiatives.

INTENSITY OF USE: The manner in which land is used, zoned, or planned. The more a site or area is developed and the busier the activities associated with that development are, the more intense the use is considered to be. The most intense use of land is heavy industrial uses, with the least intensive use being open space. Generally refers to a hypothetical scale which places rural uses as least intense, proceeding through residential densities, commercial uses to industrial uses.

INVASIVE SPECIES: Invasive plant species are non-native (or alien) to the ecosystem under consideration and whose introduction causes or is likely to cause economic or environmental harm or harm to human health. They are usually characterized by fast growth rates, high fruit production, rapid vegetative spread and efficient seed dispersal and germination. Since these plants are not native to Ohio, they lack the natural predators and diseases which would naturally control them in their native habitats. Some of the top invasive non-native plants include: bush honeysuckles (Amur, Morrow and Tatarian), buckthorn (glossy and common), garlic mustard, purple loosestrife, common reed grass, reed canary grass, autumn and Russian olive, multiflora rose, Japanese honeysuckle, narrow-leaved cattail, Canada thistle and tree-of-heaven. For more information, see the website for the Ohio Department of Natural Resources Division of Natural Areas and Preserves.

JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD): An arrangement in Ohio where one or more municipalities and a township agree to work together to develop township land for commercial or industrial purposes. The benefit to the municipality is that they collect a portion of the taxes levied in the JEDD without having to annex it. The benefits to the township are that it does not lose prime development land and the township can negotiate for other services such as water, sewer, or police and fire.

KNOWLEDGE-BASED SECTOR: This sector includes industries that create and disseminate knowledge. These industries include educational institutions, high-tech services such as computer programming and data processing, and professional services such as marketing and law firms.

LANDSCAPE ARCHITECT: A Professional Landscape Architect registered in the State of Ohio.

LARGER COMMON PLAN OF DEVELOPMENT OR SALE: A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

LEED: U.S. Green Building Council’s Leadership in Energy and Environmental Design Green Rating System. Programs offered for commercial projects include Platinum, Gold, Silver and Basic certification levels. LEED for Homes is the residential program.

LEVEL OF SERVICE (LOS): A standardized, qualitative measure usually applied to vehicle operating conditions on a roadway based on criteria including speed, travel time, traffic interruptions, freedom to maneuver, safety, driving comfort and convenience and operating costs.

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LOW IMPACT DESIGN (LID) GUIDELINES: An effective LID approach to land use regulations provides flexible performance-based goals and design criteria while promoting opportunities for using innovative management practices and site planning techniques that can be incorporated to compensate for development disturbance. Innovative techniques related to planning and design for stormwater management, grading, natural resource protection, and site layout are commonly integrated in low impact development approaches.

MAXIMUM EXTENT PRACTICABLE: The level of pollutant reduction that site owners of small municipal separate storm sewer systems regulated under 40 CFR Parts 9, 122, 123, and 124, referred to as NPDES Storm Water Phase II, must meet.

MINI-PARK: A very small open space area with limited recreational amenities, such as a tot-lot, for the use of nearby residents.

MITIGATION: Appropriate measures which, at a minimum, offset any adverse impacts of a proposed development.

NATURAL SUCCESSION: A gradual and continuous replacement of one kind of plant and animal group by a more complex group. The plants and animals present in the initial group modify the environment through their life activities thereby making it unfavorable for themselves. They are gradually replaced by a different group of plants and animals better adapted to the new environment.

NEOTRADITIONAL DEVELOPMENT: A term used to describe development which focuses on the restoration of towns within coherent metropolitan regions, the reconfiguration of sprawling suburbs into communities of neighborhoods and diverse districts, the conservation of natural environments, and the preservation of our built legacy.

NITROGEN: A nutrient, which when released may stimulate the growth of aquatic organisms. Such organisms upon decomposition, can adversely affect the ecological quality of the waters by depleting its supply of dissolved oxygen.

NON-CONFORMING USE: A non-conforming use is the existence of a property that does not comply with, nor conform to, the present zoning status for its location.

NOXIOUS WEED: Any plant species defined by the Ohio Department of Agriculture as a “noxious weed” and listed as such by the Department. For the purposes of this regulation, the most recent version of this list at the time of application of this regulation shall prevail.

NPDES: National Pollutant Discharge Elimination System. A regulatory program in the Federal Clean Water Act that prohibits the discharge of pollutants into surface waters of the United States without a permit.

OHIO ENVIRONMENTAL PROTECTION AGENCY: Referred throughout this regulation as the “Ohio EPA.”

OHIO RAPID ASSESSMENT METHOD: A multi-parameter qualitative index established by the Ohio Environmental Protection Agency to evaluate wetland quality and function.

OPEN SPACE: Land set aside and permanently restricted for conservation, agriculture or recreation purposes by the Township, nonprofit conservation organization or land trust, homeowners association or person. Open space may include woodlands, pastures, trails, historic sites and similar areas as appropriate to the site, but shall not include structures such as tennis courts, buildings or swimming pools. Open Space may be open for public use or access to such areas may be restricted.

ORDINARY HIGH WATER MARK: The point of the bank or shore to which the presence and action of surface water is so continuous as to leave a distinct mark by erosion, destruction or prevention of woody terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic. The ordinary high water mark defines the bed of a watercourse.

OVERLAY ZONE: An area of the Township with its own set of land use regulations that guide development beyond the underlying zone.

PARCEL: A tract of land occupied or intended to be occupied by a use, building or group of buildings and their accessory uses and buildings as a unit, together with such open spaces and driveways as are provided and required. A parcel may contain more than one contiguous lot individually identified by a ‘Permanent Parcel Number’ assigned by the Summit County Fiscal Office.

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PEAK FLOW: The maximum rate of flow of water at a given point and time resulting from a storm event.

PEDESTRIAN FRIENDLY: Developments that are designed first for pedestrians then for the movement of vehicles. These developments are often mixed use in nature with wide sidewalks and landscaping and buildings that are in scale with pedestrians.

PERFORMANCE STANDARDS: A regulatory approach which accents the manner in which a proposed use affects adjacent uses and property, and the manner in which a use is conducted. It is usually distinguished from more traditional zoning which separates use by type, rather than how a particular zone is carried out.

PERENNIAL STREAM: A natural channel that contains water throughout the year except possibly during periods of extreme drought.

PERMEABLE PAVERS: Permeable pavement surfaces include a variety of materials ranging from traditional asphalt, concrete, gravel or pavers used for roadways or parking areas and which allow water to flow through to the subbase underneath, which must be engineered to accommodate temporary water storage and filtration.

PHASING: Clearing a parcel of land in distinct sections, with the stabilization of each section before the clearing of the next.

PHOSPHOROUS: A nutrient, which when released into fresh surface water bodies, may stimulate the growth of aquatic organisms. Such organisms, upon decomposition, can adversely affect the ecological quality of the water body by depleting its supply of dissolved oxygen.

PLANNED UNIT DEVELOPMENT (PUD): A planning technique that provides increased flexibility for the developer of large-scale projects in exchange for a higher quality of development. Mixed use, innovative housing types, open space and recreational facilities are often included.

POLICIES: The general statements of guidance to decision makers in choosing future actions in support of the goals. For example, "Decide on a rezoning request based upon the Land Use Plan and goals."

POLLUTION: Any contamination or alteration of the physical, chemical, or biological properties of any waters that will render them harmful or detrimental to: public health, safety or welfare; domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses; livestock, wildlife, including birds, fish or other aquatic life.

POLLUTION: NON-POINT SOURCE pollution is generated by various land use activities rather than from an identifiable or discrete source, and is conveyed to waterways through natural processes, such as rainfall, storm runoff, or ground water seepage rather than direct discharge.

POLLUTION: POINT SOURCE pollution is traceable to a discrete point or pipe.

PRELIMINARY PLAN: A drawing of a major subdivision for the purpose of study and review and which, if approved, permits proceeding with the preparation of the final plat.

PRIMARY CONTAINMENT FACILITY: A tank, pit, container, pipe or vessel of first containment of a liquid or chemical.

PROFESSIONAL ENGINEER: A Professional Engineer registered in the State of Ohio.

PUBLIC AMENITY: Those features, services, and facilities that serve or enhance the experience of citizens in public spaces.

PUBLIC FACILITIES: Any building or service center purchased with public funds, used to serve the public or available for community activities such as the Town hall, library, schools, community centers, trailheads, and parking lots.

RAINBARRELS AND CISTERNS: Cisterns are designed to store stormwater for irrigation during dry periods, rather than channeling it away. Cistern collection systems may be designed to be installed beneath permeable pavement areas allowing for maximum storage capacity. Rain barrels are smaller and are designed to collect individual residential stormwater from roof drainage.

RAINWATER AND LAND DEVELOPMENT: Ohio's standards for storm water management, land development, and urban stream protection. The most current edition of these standards shall be used with this regulation.

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REDEVELOPMENT: Reconstruction, reuse or change in use of any developed property including but not limited to the following: reconstruction, additions or alterations of already developed land that does not intensify use over what is allowed by zoning and other land use regulations.

RELEASE: Any unplanned or improper discharge, leak, or spill of a potential contaminant including a hazardous material.

RENEWABLE ENERGY: Energy obtained from sources that are essentially inexhaustible (unlike, for example, fossil fuels, of which there is a finite supply). Renewable sources of energy include conventional hydroelectric power, wood, waste, geothermal, wind, photovoltaic, and solar thermal energy.

RETAIL: The selling of goods, wares, or merchandise directly to the ultimate consumer or persons without a resale license.

RETENTION: A practice designed to store storm water runoff by collection as a permanent pool of water without release.

RIPARIAN AREA: A transitional area between flowing water and terrestrial ecosystems, which provides a continuous exchange of nutrients and woody debris between land and water. This area is at least periodically influenced by flooding. Riparian areas, if appropriately sized and managed, help to stabilize banks, limit erosion, reduce flood size flows and/ or filter and settle out runoff pollutants, or perform other functions.

RIPARIAN SETBACK: The real property adjacent to a designated watercourse to protect the riparian area and stream from impacts of development, and streamside residents from impacts of flooding and land loss through erosion. The Riparian Setback are those lands located in the area defined by the criteria set forth.

RIPRAP: A combination of large stone, cobbles and boulders used to line channels, stabilize storm sewer outfalls and reduce runoff velocities.

RUNOFF: The portion of rainfall, melted snow, or irrigation water that flows across the ground surface and is eventually conveyed to water resources or wetlands.

SECONDARY CONTAINMENT FACILITY: A second tank, catchment pit, pipe, or vessel that limits and contains liquid or chemical leaking or leaching from a primary containment area; monitoring and recovery are required by state regulations.

SEDIMENT: The soils or other surface materials that are transported or deposited by the action of wind, water, ice, gravity, or any combination of those forces, as a product of erosion.

SEDIMENTATION: The deposition or settling of sediment.

SETBACK: A designated transition area around water resources or wetlands that is left in a natural, usually vegetated, state so as to protect the water resources or wetlands from runoff pollution. Soil disturbing activities in this area are restricted by this regulation.

SHALLOW/SURFICIAL AQUIFER: An aquifer in which the permeable medial (sand and gravel) starts at the land surface or immediately below the soil profile.

SITE DESIGN: Refers to the placement of buildings, parking, paths, streets, and landscaping on a parcel of land usually depicted by a site plan.

SMART GROWTH: Environmentally-sensitive land development with the goals of minimizing dependence on auto transportation, reducing air pollution, and making infrastructure investments more efficient.

SOIL AND WATER CONSERVATION DISTRICT: An entity organized under ORC Chapter 1515 referring to either the Soil and Water Conservation District Board or its designated employees, hereinafter referred to as the Summit County Soil and Water Conservation District (SWCD).

SOIL DISTURBING ACTIVITY: Clearing, grading, excavating, filling, or other alteration of the earth's surface where natural or human made ground cover is destroyed and that may result in, or contribute to, erosion and sediment pollution.

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SOIL AMENDMENTS: Any material added to a soil to improve its physical properties, such as water retention, permeability, water infiltration, drainage, aeration and structure. There are two broad categories of soil amendments: organic and inorganic. Organic amendments come from something that is or was alive and include sphagnum peat, wood chips, grass clippings, straw, compost, manure, biosolids, sawdust and wood ash. Inorganic amendments are either mined or man-made and include vermiculite, perlite, tire chunks, pea gravel and sand. Organic amendments improve soil aeration, water infiltration, and both water- and nutrient-holding capacity.

SPILL RESPONSE PLANS. Detailed plans for control, recontainment, recovery, and cleanup of hazardous material releases, such as during fires or equipment failures.

SPOT ZONING: Spot zoning occurs when a small area of land or section is zoned differently from that of adjacent properties.

SPRAWL: Large lot, low density development that consumes open space. A pattern of development characterized by unplanned growth which does not take into account long term zoning and land use planning and management principles. In particular, it results in the use of undeveloped land without account for use of growth activity centers, transportation and water resource infrastructure needs. It further does not result in the benefits of reuse, redevelopment, in-fill and mixed use land use techniques, as well as incentive based programs (i.e. development agreements and TDR).

STABILIZATION: The use of Best Management Practices (BMPs), such as seeding and mulching, that reduce or prevent soil erosion by water, wind, ice, gravity, or a combination of those forces.

STEEP SLOPE: Any land area where the greatest amount of slope over any one hundred (100) foot distance is greater than twelve (12%) percent.

STEEP SLOPE, EXTREME: Any land area where the greatest amount of slope over any one hundred (100) foot distance is greater than thirty (30%) percent.

STORMWATER POLLUTION PREVENTION PLAN (SW3P): The plan which describes all the elements of the stormwater strategy implemented during and after construction. The plan addresses erosion control and abatement of excess stormwater runoff quality.

STORMWATER TREATMENT PRACTICES (STPs): Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

STORMWATER QUALITY TREATMENT: The removal of pollutants from urban runoff and improvement of water quality, accomplished largely by deposition and utilizing the benefits of natural processes.

STREAMS: A surface watercourse with a well-defined bed and bank, either natural or artificial, which confines and conducts continuous or periodic flowing water in such a way that terrestrial vegetation cannot establish roots within the channel. Further, a stream must appear on at least one of the following maps: USGS topographical map, Summit County Riparian Setback map, or soils maps located in the Soil Survey for Summit County, Ohio, USDA, Natural Resources Conservation Service (RCS).

STREETSCAPE: Refers to an overall view of a street or to the visual character of a street as determined by elements such as building scale and design, access, amenities, street width, landscaping, open space and view.

STRIP COMMERCIAL DEVELOPMENT: Continuous or intermittent linear roadside development located outside designated growth centers, generally one store deep. Strip development is generally characterized by multiple roadway access points, highly visible off-street parking; an assortment of commercial uses with direct access to abutting roads.

SUBDIVISION: A tract of land that has been divided into separate lots for sale and development.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition, would be equal to, or would exceed, 50% of the market value of the structure before the damage occurred.

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SUSTAINABLE DEVELOPMENT: Meeting the needs of the present without endangering the ability of future generations to meet their needs. A move to benchmark the synergies among the following areas will serve to note that an improvement or decline in one area contributes to an improvement or decline in connected areas. Areas include: A vibrant, caring, just society; a healthy, nurturing environment; and a diverse, growing economy.

TIME-OF-TRAVEL DISTANCE: The distance that groundwater will travel in a specified time. This distance is generally a function of the permeability and slope of the aquifer.

TOWN CENTER: A small, compact center with a core of mixed-use residential, commercial and community service uses. These centers incorporate local-scale economic and social functions that are integrated with housing. The center has a recognizable center and pedestrian scale and orientation.

TOWNSHIP: Throughout this regulation, this shall refer to the Township, an unincorporated subdivision in the State of Ohio, its designated representatives, boards, or commissions.

TRANSFER OF DEVELOPMENT RIGHTS (TDR): The conveyance of development rights by deed, easement, or other legal instrument authorized by local law to another parcel of land and the recording of that conveyance. It may cause the creation of sender zones for development credits and receiver zones for these additional credits. This effectively reduces the density in the sender zones and increases the density in the receiver zones.

TREE BOX FILTERS: Mini-bioretenion systems installed beneath trees that can be very effective at controlling runoff, especially when distributed throughout the site. Runoff is directed to the tree box, where it is cleaned by vegetation and soil before entering a catch basin. The runoff collected in the tree-boxes helps irrigate the trees. Tree box filters are ideal for situations where infiltration is undesirable or not possible, such as with clay soils, karst topography, high groundwater conditions, close proximity to buildings, steep slopes, contaminated soils, brownfield sites, highly contaminated runoff, maintenance facilities, and gas stations.

UNSTABLE SOILS: A portion of land determined by the Township to be prone to slipping, sloughing, or landslides, or otherwise identified by the U.S. Department of Agriculture Natural Resource Conservation Service methodology as having low soil strength.

UTILITIES: Facilities serving the public by means of a network of wires or pipes, and structures ancillary thereto. Included are systems for the delivery of natural gas, electricity, telecommunications services, and water for the disposal of sewage.

VARIANCE FOR A RIPARIAN SETBACK: A modification of the enforcement of the Riparian Setback regulations which will not be contrary to the public interest and where, due to conditions peculiar to this property and not the result of the action of the applicant, a literal enforcement of the regulation would result in undue hardship to the applicant.

VISIONING: A process of citizen involvement to determine values and ideals for the future of a community and to transform those values and ideals into manageable and feasible community goals.

WALKABILITY: The extent to which the built environment is walking friendly which is based on land use mix; street connectivity; residential density orientation and placement of homes; places to go to near the majority of homes; and street designs that work for people.

WATERCOURSE: Any natural, perennial, or intermittent, channel, creek, stream, river, or brook having banks, a defined bed, and a definite direction of flow, either continuously or intermittently flowing.

WATERSHED: The total area above a given point on a watercourse that contributes water to its flow.

WATERSHED DELINEATION: Mapping of a watershed requires identification of the topography and the accumulation and direction of surface water runoff and exit through the lowest "pour point" of a drainage boundary.

WATER RESOURCE: Any public or private body of water including lakes and ponds, as well as any brook, creek, river, or stream having banks, a defined bed, and a definite direction of flow, either continuously or intermittently flowing.

WELL: Any excavation made by digging, boring, drilling, driving, or other method for the purpose of removing ground water from an aquifer, except a monitoring well used to extract samples of ground water or for the purpose of determining the quality, quantity, or level of ground water.

Chapter 10:

Definitions

WETLANDS: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. (40 CFR 232, as amended). Wetlands shall be delineated by a site survey approved by the Township using delineation protocols accepted by the U.S. Army Corps of Engineers and the Ohio EPA at the time of application of this regulation. If a conflict exists between the delineation protocols of these two agencies, the delineation protocol that results in the most inclusive area of wetlands shall apply. In reviewing this wetland delineation, the Township may consult with a representative of the Ohio Environmental Protection Agency, Division of Surface Water; the U.S. Army Corps of Engineers; the Summit County Soil and Water Conservation District; or other technical experts as necessary. Any costs associated with such consultations may be assessed to the applicant or their designated representative.

WETLAND SETBACK: Those wetland areas within the Township that fall within the setback area set forth by all applicable requirements.

ZONING: A map and ordinance text which divides a political subdivision into land use “zone” and specifies the types of uses, setbacks, lot size, and size restrictions for buildings within that zone.