

Article 50. Gas Stations/Fuel Centers

Section 50.1: Purpose and Intent

The purpose of this article is to regulate the development of gas stations and fuel centers within the township to promote public health, safety, and welfare. This section sets out requirements for site design, landscaping, lot coverage, parking, and access management while ensuring compatibility with adjacent land uses and minimizing adverse impacts on surrounding areas.

Section 50.2: Definition of Gas Station/Fuel Center

A Gas Station/Fuel Center is a facility designed for the sale of motor vehicle fuel (gasoline, diesel, electric vehicle charging, etc.), which may also include accessory uses such as a convenience store, car wash, vehicle service, and minor repairs. This definition includes standalone fuel stations as well as those integrated with other retail operations.

Section 50.3: Site Design Requirements

A. **Minimum Lot Size:** Gas stations/fuel centers shall be located on lots of at least one acre.

B. **Setbacks:**

1. **Buildings and Pumps :**

- a. **Front Yard:** 50 feet from public right-of-way.
- b. **Side and Rear Yard:** 20 feet from any adjacent property line.
- c. **Adjacent Residential Zoning District or property:**
 - i. Pumps: 100 feet
 - ii. Buildings: 50 feet
 - iii. Air Compressors: 100 feet
 - iv. Commercial Fueling: 175 feet

2. **Drive Aisles and Loading Areas :**

- a. **Front Yard:** Minimum setback of 20 feet from public right-of-way.
- b. **Side and Rear Yard:** Minimum setback of 8 feet from any adjacent property line.
- c. **Adjacent Residential Zoning District or property:** 100 feet from adjacent property line.

C. **Lighting Plan Required :**

1. **Lighting :**

- a. Any parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be arranged and designed so as to deflect the light away from adjoining or opposite residential property and public streets.
- b. Exterior lighting shall be shaded wherever necessary to avoid casting direct light upon any property located in a Residential District or upon any public street.

Section 50.4: Landscaping Requirements

- A. **Buffer Areas:** A landscaped buffer of at least 15 feet shall be required along all property lines abutting residential districts or public right-of-way. The buffer shall consist of a combination of evergreen trees and shrubs.
 - 1. An 8 foot masonry wall shall be required.
- B. **Parking Lot Landscaping:** A minimum of 10% of the parking lot area shall be landscaped with trees and other vegetation, with islands provided at intervals of no more than every 10 parking spaces.
- C. **Perimeter Screening :**
 - 1. An 8 foot screen setback 8 feet from the adjacent property line shall be required between any residential property or zoning district and the gas station. The required buffer yard shall be landscaped as described above.
 - 2. A combination of deciduous trees shall be planted a minimum of 16 feet on center along all right of ways.
- D. **Native Species Only:**
 - 1. Please see: [Native Plants Lists | Ohio Department of Natural Resources](https://ohiodnr.gov/discover-and-learn/safety-conservation/about-ODNR/nature-preserves/Documents/native-plants-lists) - <https://ohiodnr.gov/discover-and-learn/safety-conservation/about-ODNR/nature-preserves/Documents/native-plants-lists>

Section 50.5: Lot Coverage and Impervious Surface Limitations

- A. **Maximum Lot Coverage:** The combined area of buildings, parking, and paved surfaces shall not exceed 70% of the total lot area.
- B. **Stormwater Management:** Adequate stormwater management shall be provided, with the inclusion of pervious materials where feasible and compliance with applicable stormwater regulations, stormwater plans shall be provided by a professional civil engineer, and must be reviewed by the Montgomery County Engineer with approval before construction may begin.

Section 50.6: Parking Requirements

- A. **Vehicle Parking:** A minimum of one parking space shall be provided for every 250 square feet of retail or service area. A minimum of three parking spaces must be designated for employees.
- B. **Electric Vehicle Charging Stations:** For every 10 gas pumps, at least one electric vehicle (EV) charging station shall be provided.
- C. **Bicycle Parking:** A minimum of two bicycle parking spaces shall be provided.
- D. **No overnight parking / No extended parking .**

Section 50.7: Access Management

50.7.1 Driveway Access

- A. **Maximum Driveways :** A gas station or fuel center shall be permitted a maximum of **two driveways** for vehicular access. These driveways must be designed to minimize conflict points and ensure smooth traffic flow on adjacent public roads.
- B. **Driveway Width :** Each driveway shall have a maximum width of **35 feet** to safely accommodate vehicle entry and exit. For gas stations with high truck traffic, the driveway width may be increased upon approval.
- C. **Driveway Separation :**
 - 1. Driveways must be spaced at least **100 feet** apart from each other and must maintain a minimum distance of **50 feet** from any street intersection.
 - 2. For gas stations located on **State Roads** , driveways must be separated by at least **300 feet** from other driveways or intersections, measured from the centerline of each driveway.
 - 3. On **County Roads** , driveways shall be spaced a minimum of **200 feet** apart under the same measurement guidelines.
- D. **Driveway Proximity to Intersections :** The **Ohio Department of Transportation (ODOT)** recommends specific minimum corner clearance distances based on the road's speed limit and functional classification.
 - 1. For roads with a **35 mph speed limit** , the minimum driveway clearance from an intersection shall be **150 feet**.
 - 2. For roads with a **45 mph speed limit** , the minimum clearance from an intersection shall be **300 feet**.
 - 3. For roads with a speed limits in excess of **55 mph** , minimum clearance distances from an intersection shall be **500 feet**.
- E. **Corner Clearance Guidelines :** Two-way driveways shall not overlap with turning lanes. Driveways within the boundaries of a turn lane shall be limited to right-in/right-out movements to prevent traffic backups and collisions.
- F. **Sight Distance :** The location of the driveway shall provide adequate sight distance for vehicles entering and exiting the driveway to ensure they can safely merge into or cross

traffic. The standards established in ODOT's **Location and Design Manual** for **Intersection Sight Distance (ISD)** and **Stopping Sight Distance (SSD)** shall be the standard for driveway clearance. These sight distance requirements depend on the road's speed and shall be verified in field conditions to maximize safety. A **sight distance evaluation** shall be prepared by a certified engineer and is required as part of the permit application process.

50.7.2 Access Permits and Compliance

- A. **Access Permits** : Any gas station or fuel center accessing a **State Road** must obtain an access permit from the **Ohio Department of Transportation (ODOT)** . Similarly, access permits for **County Roads** must be obtained from the **Montgomery County Engineer's Office** . These permits must be secured before construction begins.
- B. **Turn Lane and Deceleration Lane Requirements** :
 - 1. **Right-turn deceleration lanes** may be required for gas stations located along high-traffic **State and County Roads** to ensure safe access. The need for such lanes will be determined based on traffic volume and road classification.
 - 2. **Left-turn lanes** on **State Roads** may be required when traffic impact studies indicate a significant volume of turning movements. **ODOT** standards will guide these requirements.
 - 3. Turn lane requirements for **County Roads** will be determined by the **Montgomery County Engineer** based on the results of a **Traffic Impact Study (TIS)** .

50.7.3 Internal Circulation

- A. **Design for Vehicle Circulation** : Gas stations shall provide adequate **internal circulation** to separate fueling areas, parking areas, and service lanes. Traffic must be directed clearly to avoid congestion and ensure smooth movement within the site.
- B. **Signage and Marking** : Clear signage and pavement markings shall guide vehicles within the site, including directing traffic to fueling positions, parking spaces, and other service areas. Internal driveways must be free from obstruction to ensure safe vehicle and pedestrian movement.
- C. **Service Vehicles** : Dedicated access lanes for service vehicles, such as fuel delivery trucks, must be provided to prevent interference with customer traffic.

50.7.4 Pedestrian Access

- A. **Pedestrian Safety** : Safe and accessible pedestrian routes must be established from public sidewalks or other off-site pedestrian pathways to the main entrance of the gas station, convenience store, or associated retail areas and shall be separated from vehicular use areas by bollards, curbs or parking barriers.
- B. **Marked Crosswalks** : Crosswalks must be clearly marked across access points crossing public sidewalks, internal driveways, and areas with vehicular traffic to ensure safe

pedestrian movement between parking areas, fueling stations, and building entrances and along public rights-of-way and sidewalks.

- C. **ADA Compliance** : Pedestrian access routes shall be designed in compliance with the **Americans with Disabilities Act (ADA)** standards, providing appropriate ramps, tactile warnings, and signage for accessibility.

50.7.5 Shared Access and Traffic Impact Management

- A. **Cross-Access Easements** : When feasible cross-access easements are required to connect adjacent properties, reducing the need for multiple access points along busy roads. Such easements improve traffic flow by allowing vehicles to travel between properties without re-entering the main roadway.
- B. **Shared Access Driveways** : Where feasible, gas stations should utilize **shared access driveways** with adjacent properties to reduce the number of driveways, particularly along high-traffic **State and County Roads** . Shared driveways must comply with the spacing and sight distance requirements outlined above, and joint use agreements must be submitted for approval with the permit application.
- C. **Traffic Impact Study (TIS)** : A **Traffic Impact Study** may be required to assess the potential impact of the gas station on traffic flow and safety. The study must be conducted by a certified traffic engineer and meet the standards of **ODOT** or the **Montgomery County Engineer** , depending on jurisdiction.

Section 50.8: Conditional Use Approval Standards

All gas stations/fuel centers are subject to conditional use approval in Harrison Township. The Board of Zoning Appeals shall consider the following criteria:

- A. **Compatibility**: The proposed gas station must be compatible with the surrounding land uses, particularly in relation to nearby residential areas.
- B. **Traffic Impact**: A traffic impact study may be required to demonstrate that the proposed gas station will not adversely affect traffic flow or safety in the surrounding area.
- C. **Environmental Impact**: Compliance with all environmental regulations, particularly concerning fuel storage, groundwater protection, and air quality, shall be demonstrated.
- D. **Public Health and Safety**: Measures shall be taken to ensure that the proposed gas station will not pose any undue health or safety risks to the public, such as through the storage of hazardous materials or increased risk of accidents.

Section 50.9: Stacking Spaces and Drive-Through Configuration and Design

Gas stations and fuel centers with drive-through services (e.g., convenience store, car wash, or food service) shall be subject to the following stacking space and drive-through configuration requirements to ensure efficient on-site circulation, reduce congestion, and minimize traffic impacts on adjacent roads:

50.9.1 Stacking Space Requirements

A. **Minimum Stacking Spaces :**

1. **Fuel Pumps** : A minimum of two stacking spaces per fueling position is required. Stacking spaces shall not obstruct access to parking spaces or entrances/exits to the property or internal circulation on the site.
2. **Truck/Trailer Fuel Pumps** : A stacking space shall be provided for each truck/trailer designated fuel pump at facilities with less than 10 designated truck/trailer fuel pumps within one-quarter mile of a highway interchange.
3. **Drive-Throughs** : For drive-through facilities (e.g., car washes or food service), a minimum of **six stacking spaces** shall be provided from the point of service or order window. Additional stacking spaces may be required based on projected traffic volumes.

B. **Stacking Space Dimensions :**

1. Each standard stacking space shall be a minimum of **20 feet in length** and **10 feet in width** to accommodate standard vehicles.
2. Stacking spaces for Truck/Trailer Fuel Pumps shall be a minimum of 45 feet.

C. **Overflow Contingency :**

1. Overflow stacking areas shall be provided where there is potential for high demand, such as peak hours or special promotions. These areas should be designed to prevent spillover onto public roads or parking areas.

50.9.2 Drive-Through Configuration and Design

A. **Location and Separation :**

1. The drive-through lane(s) shall be located to avoid conflicts with primary circulation routes, parking areas, pedestrian paths, and fuel pump access.
2. **Drive-through lanes** must be separated from general parking and circulation areas by means of a curb or landscaped buffer at least **three feet wide** , to ensure that traffic in the drive-through lane does not interfere with other on-site traffic.

B. **Clear Signage and Markings :**

1. **Directional signage** shall be provided to guide vehicles to the entrance of the drive-through facility and stacking lanes, ensuring clear and unobstructed access.
2. **Pavement markings** indicating "Drive-Through" or "Enter/Exit" must be provided to facilitate orderly traffic flow within the site.

C. Escape Lane :

1. A minimum of one **escape lane** shall be provided adjacent to the drive-through lane to allow vehicles to exit the drive-through queue without having to proceed through the full length of the lane. The escape lane shall be at least **12 feet wide** and clearly marked.

D. Canopies and Weather Protection :

1. For drive-throughs associated with food service or other retail operations, canopies or other weather protection features may be provided over the service windows and drive-through lanes to protect customers and employees during transactions. These features must comply with all height clearance requirements and not interfere with safe traffic circulation.

E. Vehicle Queue Overflow Management :

1. A management plan may be required for handling excessive queuing during peak hours, especially for drive-through car washes or food services. This plan should detail measures such as on-site staff to direct traffic or temporary queue holding areas during busy periods.

50.9.3 Car Wash Specific Design Requirements

A. Entrance and Exit Lanes :

1. The entrance and exit lanes of a car wash facility must be separated from the fueling areas and other customer service areas by a landscaped buffer or curbing.
2. Car wash exits should be designed to allow for at least **two vehicle drying spaces** or equivalent space, preventing back-ups into the car wash tunnel.

B. Water Drainage :

1. Adequate drainage must be provided at the exit of any car wash to prevent water runoff into the stacking spaces or parking areas. Water used in the car wash must not accumulate on the drive-through lane.
2. Montgomery County water district special waste water management agreement shall be required for preliminary zoning approval.

Section 50.10: Management of Non-Conforming Gas Stations

In accordance with **Ohio Revised Code (ORC) 519.19** , the following guidelines govern the management of **non-conforming gas stations and fuel centers** :

50.10.1 Continuation of Legal Non-Conforming Uses

- A. **Right to Continue** : Any gas station or fuel center that becomes non-conforming due to the adoption of these regulations may continue operating as a **legal non-conforming use**, provided the use was lawful at the time it was established.
- B. **No Mandatory Phase-Out** : Per ORC 519.19, the township cannot force the cessation or phase-out of non-conforming gas stations or fuel centers based solely on their non-compliance with new zoning regulations, as long as the use continues without interruption or abandonment.

50.10.2 Expansion or Alteration of Non-Conforming Gas Stations

- A. **Restrictions on Expansion** : Any expansion or significant alteration of a non-conforming gas station or fuel center is prohibited unless the changes bring the site into **greater conformity** with current zoning regulations. Expansions that increase the non-conforming aspects of the property (e.g., increasing impervious surface area or adding more driveways) are not permitted.
- B. **Permitted Modifications** : Minor modifications, such as routine maintenance especially of paved surfaces, pavement markings, exterior building maintenance, repairs, or cosmetic updates, are allowed and do not require compliance with the new regulations, provided they do not involve structural changes or expansions that increase the building's footprint.

50.10.3 Reconstruction After Damage or Destruction

- A. **Restoration Limits** : If a non-conforming gas station is damaged or destroyed (e.g., by fire, flood, or other causes) to the extent that repairs exceed **50% of the structure's market value**, any reconstruction must comply fully with current zoning regulations. However, if the damage is less than 50%, the gas station may be restored to its prior non-conforming state.
- B. **Time Limit on Restoration** : The gas station must resume operations within **two years** of damage or destruction to retain its non-conforming status. If operations are not resumed within this period, the non-conforming use is considered abandoned, and any future use must conform to current zoning regulations.

50.10.4 Abandonment or Discontinuance

- A. **Discontinuance of Use** : If a non-conforming gas station discontinues its operations for a continuous period of **two years or more**, it is deemed abandoned under ORC 519.19. Any future use of the property must comply with the current zoning regulations, and the non-conforming status is forfeited.
- B. **Temporary Closures** : Temporary or seasonal closures do not constitute abandonment, provided there is intent to resume operations and no substantial changes to the property occur during the closure period.
- A. **Voluntary Phased Compliance** : Although the township cannot mandate phased compliance, it may work with gas station owners to develop **voluntary compliance plans**

that allow for incremental improvements over time. This approach enables businesses to gradually upgrade their sites without triggering immediate full compliance requirements.

50.10.5 Change of Ownership

Transfer of Non-Conforming Status : The non-conforming status of a gas station transfers with the property upon sale or change of ownership, as long as the use remains the same. Any changes in use or significant site alterations made by the new owner must comply with the current zoning regulations.

Section 50.11: Sign Regulations for Gas Stations

This section establishes sign regulations for gas stations and fuel centers to ensure signage is effective, safe, and aesthetically appropriate while minimizing visual clutter and maintaining consistency with the surrounding environment.

50.11.1 General Provisions

- A. **Compliance with Sign Code** : All signage must comply with the general township sign code, as well as any additional local, county, or state regulations. No sign shall be installed without first obtaining a sign permit from the township.
- B. **Illumination** : Signs may be **internally** or **externally illuminated** , provided the lighting is directed away from nearby residential properties and does not create glare or traffic hazards. **Flashing , blinking , or moving lights** are prohibited.
- C. **Prohibited Signs** : The following types of signs are prohibited for gas stations:
 - 1. **Flashing signs**
 - 2. **Animated or moving signs**
 - 3. **Roof signs**
 - 4. **Portable signs** , except as permitted for temporary use (see Section 12.5)
 - 5. **Dancing man signs, banners or flags**

50.11.2 Ground/Monument Signs

- A. **Location** : One **ground or monument sign** is permitted per street frontage, provided the sign is located entirely within the property line and does not obstruct sight lines for vehicles or pedestrians.
- B. **Size** : Ground/monument signs shall not exceed:
 - 1. A maximum height of **10 feet** from grade level.
 - 2. A maximum sign face area of **60 square feet** per side.
- C. **Changeable Copy** : Electronic **changeable copy** or manual reader boards (for displaying fuel prices, promotions, etc.) are permitted on ground/monument signs, provided they meet the following conditions:

1. The changeable copy area shall not exceed **50%** of the total sign face area.
2. Electronic message signs shall have **static displays only** , with no animation, flashing, or scrolling text. Messages may change no more frequently than every **10 seconds** .

50.11.3 Canopy Signs

- A. **Location** : Gas stations may display **canopy signs** on the canopy structure above the fueling pumps. These signs shall be mounted flush against the canopy.
- B. **Size**: Canopy signs shall not exceed:
 1. **One square foot of sign area per linear foot** of canopy frontage facing the public street.
 2. A maximum height of **three feet** for any individual sign element.
- C. **Illumination** : Canopy signs may be internally illuminated, but no part of the sign shall flash or move.

50.11.4 Wall Signs (Identification/Branded Signs)

- A. **Number of Signs**: Each gas station is permitted one wall sign per public street frontage. For gas stations located on lots that have multiple street frontages, a wall sign may be placed on each side of the building that faces a public street.
- B. **Total Area Calculation**: The total area of wall signs for gas stations shall be calculated based on the linear frontage of the building that faces a public street. The maximum area permitted for wall signs is one square foot of sign area per linear foot of building frontage.
- C. Wall signs shall not extend above the top of the wall of the building.
- D. The sign should be mounted flush to the wall and may not project more than 15 inches from the surface.
- E. **Additional Wall Signs** : If the building faces more than one public street, a secondary wall sign may be permitted on the other street-facing wall, provided the combined total area of all wall signs does not exceed the above limits.
- F. **Exceptions** : Non branded or logo signs that are “sub text of messaging” may be included as separate channel mount letters or panel signs as long as the total sign area for wall signs does not exceed the permitted sign area.

50.11.5 Temporary and Promotional Signs

- A. **Temporary Signs** : Gas stations may display **temporary promotional signs** , including banners and window signs, for special events or sales, subject to the following conditions:
1. Temporary signs shall be displayed for no more than **30 days** at a time, with a maximum of **four temporary sign permits** allowed per year.
 2. Banners shall not exceed **32 square feet** in area and must be securely affixed to a building or other permanent structure.
- B. **Window Signs** : Non-permanent window signs (e.g., decals or posters) are allowed on the inside of windows, but the total area of window signs shall not exceed **25% of the window surface** .

50.11.6 Directional and Informational Signs

- A. **Quantity**: Directional and Informational signs do not count as wall signs, but are limited to one set per façade.
- B. **Location and Size** : Gas stations may display **directional signs** to guide traffic flow and designate fueling areas, service lanes, or parking. These signs shall:
1. Not exceed **4 square feet** in area.
 2. Not exceed a height of **4 feet** from grade level.
 3. Be located entirely within the property and not obstruct sight lines.
- C. **Fuel Price Signs** : Signs displaying fuel prices are permitted, either integrated into the ground/monument sign or mounted separately on the building or canopy, provided they:
1. Do not exceed **24 square feet** in total area.
 2. Use static displays only (no scrolling or flashing).
- D. **Menu Boards/Signs**: Signs designed to display drive through menus which are mounted to the building or on poles or monuments adjacent to the building shall count towards the total wall sign area for that building frontage.
1. Do not exceed **24 square feet** in total area.
 2. Use static displays only (no scrolling or flashing).

50.11.7 Maintenance and Safety

- A. **Maintenance** : All signs must be kept in good repair, free from rust, corrosion, peeling paint, or missing elements. Broken or damaged signs must be repaired or removed within **30 days** .
- B. **Safety** : Signs must be securely fastened and constructed to withstand wind, weather, and other elements, in compliance with local building and safety codes. No sign shall obstruct pedestrian walkways, driveways, or create hazards for traffic visibility.

- C. **Sign Bond Requirement:** All gas stations shall be required to post a sign bond to ensure the removal of permanent signs when the business or use is terminated or abandoned. The bond shall be posted at the time of the sign permit application and must remain in effect for the duration of the sign's existence. The amount of the bond shall be determined based on the following criteria:
1. The bond amount shall be \$100 per square foot of sign area, with a minimum bond of \$1,000 for each permanent sign.
 2. The bond ensures that the property owner or responsible party removes the sign within 90 days of the business's closure or cessation of use.
 3. If the property owner fails to remove the sign within the designated time frame, the township may use the bond to cover the costs of removal and site restoration.