Franklin County
Zoning Resolution

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PREFACE
SECTION 1.00 HISTORY

Zoning was initiated in unincorporated Franklin County, Ohio, in November 1948. In November 1966 a new zoning resolution and zoning map was adopted by the County Commissioners, but the 1948 zoning resolution and map was left mostly intact, with the result that both the 1948 and 1966 zoning resolutions coexisted (some 1948 text sections were merged or deleted in Section 725 of the 1966 resolution). In 1993 the Franklin County Zoning Department began the process of a comprehensive code revision to finally merge the 1948 and 1966 zoning codes. The intent was to eliminate duplication and modernize areas of the code.

This resolution, upon its adoption, deletes the 1948 zoning text in its entirety and merges all the 1948 districts into the closest modern district. This resolution also revises many sections of the 1966 resolution and is the composite of both the 1966 text and the 1996 revisions. Since the 1996 adoption, several amendments have been made to clarify language and text amendments adopted that provide flexible standards for the changing atmosphere of Franklin County.

SECTION 1.10 - ZONING AND A COMPREHENSIVE PLAN

This preface is provided to guide the understanding, application and administration of the Franklin County Zoning Resolution by setting forth the purpose and nature of zoning, the organization of the Zoning Resolution and the intent of the zoning districts.

Ohio Revised Code (hereafter referred to as ORC) 303.02 enables County Commissioners to regulate building and land use in unincorporated territory for public purpose. Section 303.02 states that "commissioners may *in accordance with a comprehensive plan* regulate by resolution the location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, and trailer coaches..."

A comprehensive plan is not statutorily required to be a separate document, and may in fact, be the zoning resolution if it formulates the reasons for its existence in a planned manner. The variety and intensity of land uses achievable in any area are largely dependent on the type and level of public services available, particularly water and sewer. In Franklin County, the City of Columbus is the primary provider of public water and sewer service. It is the city's policy to require lands to annex either to Columbus or to one of its sister village /cities prior to extension of Columbus water and sewer. Due to this policy, urban densities are not obtainable in much of unincorporated Franklin County.

There are portions of Franklin County for which area or township plans may be appropriate. Annexations will continue to reduce the unincorporated territory, and without urban services most areas must remain low density. There are pockets of certain townships, which have county water and sewer service, but these areas are limited. Township plans, provide important direction for land use and zoning decisions, and are incorporated here by reference.

For that reason, the preface of this zoning resolution establishes the policies, which are the comprehensive plan to which ORC 303.02 refers, and to which this resolution adheres.

SECTION 1.11 - POLICIES OF THE FRANKLIN COUNTY ZONING RESOLUTION

The policies, which are the comprehensive countywide plan underpinning this zoning resolution are stated as follows:

a.) *To provide reasonable opportunities for every type of legal land use, subject to realistic limitations on availability of needed services.*

b.) *To provide appropriate separations or buffering between incompatible land uses.*

c.) *To group compatible land uses in arrangements which create stable real estate values and good neighborhoods.*

d.) *To protect the environmental resources of clean air and water, prime agricultural soils, mature vegetation, and to prevent soil erosion so as to maintain a balance of the natural and man made environment.*

e.) *To provide opportunities for a variety of housing types, sizes and costs so as to create affordable housing opportunities for all.*

f.) *To avoid exclusionary regulations which could result in the creation of concentrations of poverty.*

g.) *To preserve viable agricultural opportunities and to protect agricultural lands to sustain a local circle of food production and consumption.*

h.) *To preserve open space throughout the county while allowing appropriate development to occur.*

i.) *To provide reasonable opportunities for commercial and industrial real estate development to help sustain and strengthen the local economy and provide good jobs.*

j.) *To recognize those statutorily zoning-exempt land uses.*

k.) *To consider relevant plans and policies of townships, and of municipalities covering unincorporated areas within their logical growth path.*

l.) *To encourage the use of architects, landscape architects, land planners and other design professionals to design land developments, which fit the land and community and are aesthetically pleasing.*

m.) *To prevent suburban sprawl on ubiquitous large lots, which reduce the land available for useable open space and agriculture.*

SECTION 1.20 - PURPOSE OF ZONING

This Zoning Resolution shall regulate buildings and land use for the purpose of promoting public health, safety and morals (general welfare) throughout Franklin County. Zoning accomplishes this purpose by encouraging appropriate use of lands, stabilizing and preserving the value of property, preventing congestion and hazards in the street, securing safety from fire, flood, water contamination, air pollution and other dangers, providing adequate light, air and open space, preventing the overcrowding of land and avoiding undue concentrations of population.

Furthermore, these regulations should guide a desirable comprehensive pattern of land uses upon which to plan and provide adequate roads and highways, water supply, sewer facilities, schools, parks, and other essential public facilities and services.

SECTION 1.30 - NATURE OF ZONING

The Zoning Resolution divides the unincorporated territory of Franklin County into zoning districts. There are specified uses of land allowed for each district and the regulations are uniform throughout the zoning district.

Zoning districts are delineated to reflect similar existing land uses, availability of public water and sewer or lack thereof, access, location, need for additional uses, and physical constraints such as soils, drainage and flooding. The zoning districts may be changed to encourage appropriate growth and development, and are based on consistent land use plans or policies.

SECTION 2.00 - THE RESIDENTIAL DISTRICTS

The general nature and intent of application for each of the Zoning Districts is set forth in the following statements.

SECTION 2.10 - RURAL DISTRICT (Section 302)

The Rural District is intended for agricultural and residential development in the County where the conservation of resources is important or where appropriate urban use of the land cannot be achieved because of the lack of urban services, most importantly centralized water and sanitary sewer. The principal permitted uses are agriculture, residential subdivisions and farm dwellings.

The intent of these **Rural District Regulations** is to protect farmland, lands in current agricultural use valuation, prime agricultural soils, open land and residential land from the intrusion and premature development of urban uses not performing a function necessary to the agricultural and residential use of the land or meeting the social, cultural or economic growth needs of the County. Because land in the **Rural District** is the most subject to being placed in another Zoning District as growth of the County occurs, such changes should be made with due concern to the protection of established uses.

SECTION 2.11 - (LDR) LOW DENSITY RESIDENTIAL DISTRICT (Section 304)

The Low Density Residential Zoning District is intended for areas of the county without public water or sanitary sewer service where land is to be subdivided into large residential lots with on lot well and wastewater disposal systems. Maximum density is one single family dwelling unit per 2 acres.

SECTION 2.12 - (R-1) RESTRICTED SUBURBAN RESIDENTIAL DISTRICT (Section 305)

The Restricted Suburban Residential District is provided in areas of the County with: a.) Low-density residential development where central water and sanitary sewer facilities are not available; b.) Land of unusual or irregular topography or where drainage, soil or bedrock characteristics pose limitations for development. Maximum density is one single family dwelling unit per acre in R-1.

SECTION 2.13 - (R-2) LIMITED SUBURBAN RESIDENTIAL DISTRICT (Section 306)

R-2 is provided in sections of the County with moderately low-density single family residential development, and access to centralized water and sewer systems. Densities are 2 units per acre.

SECTION 2.14 - (R-4) SUBURBAN RESIDENTIAL DISTRICT (Section 308)

The Suburban Residential District is provided in sections of the County with moderate density single-family residential development served by centralized water and sewer Maximum density is four (4) single-family dwelling units per acre.

SECTION 2.15 - (R-8) RESTRICTED URBAN RESIDENTIAL DISTRICT (Section 312)

The Restricted Urban Residential District is intended for urban neighborhoods served by centralized water and sanitary sewer which have developed with lot sizes of approximately 7,200 square feet for single-family homes and with allowances for two-family and townhouse dwellings with 5,000 square feet of lot size per unit.

SECTION 2.16 - (R-12) URBAN RESIDENTIAL DISTRICT (Section 315)

The Urban Residential District is provided for urban neighborhoods of the County with high density single-family residential development that is urban in character and contains a substantial proportion of two-family structures. Land which appears appropriate for such development may also be included in this Zoning District. Such land must be served by centralized water and sewer, with adequate capacity. Densities are approximately twelve (12) units per acre.

SECTION 2.17 - (R-24) SUBURBAN APARTMENT RESIDENTIAL DISTRICT (Section 318)

The Suburban Apartment Residential District is provided in recognition of sections of the County that are served with centralized water and sanitary sewer and were previously developed for high-density apartment structures.

SECTION 2.18 - (RMH) RESIDENTIAL MANUFACTURED HOUSING DISTRICT (Section 319)

The Residential Manufactured Housing District is intended to give opportunities for fee simple ownership of manufactured homes (which meet the 1974 H.U.D mobile home code, but which do not meet the Franklin County CABO One and Two Family Dwelling Code) on individual single family lots in manufactured housing subdivisions. This is intended to add opportunities for affordable manufactured housing outside of so called "mobile home parks". A perimeter greenbelt is required where it abuts a residential development of CABO approved single family homes, but otherwise the regulations conform to the comparable residential zone it overlays.

SECTION 3.00 - THE PLANNED RESIDENTIAL DISTRICTS

Land to be included in Planned Residential Districts is intended to be designed to preserve unique natural features of the landscape or man made structures using cluster or free form designs which would better achieve this goal than would standard zoning. Such designs should be developed in recognition of the existing and potential development character of the vicinity to assure provision of adequate public utilities, streets, community facilities and compatible land uses, including useable public open space as a centerpiece of the plan and use of effective buffers in return for the exemption from conventional zoning.

SECTION 3.10 - (PR-6) PLANNED LOW DENSITY RESIDENTIAL DISTRICT (Section 405)

The Planned Low Density Residential District is intended to provide latitude in the arrangement and design of primarily single family dwellings based on a unified development plan conceived and carried out for an entire area. Within this district, appropriate and reasonable population density is maintained while a variety of dwelling units is allowed. Natural features such as topography and drainage ways should be maintained in a natural state so far as possible on a unified and integrated basis to maximize desirability and stability as a residential area. Centralized water and sewer are required.

SECTION 3.20 - (PR-10MHP) PLANNED MANUFACTURED HOUSING RESIDENTIAL DISTRICT (Section 410)

The Planned Manufactured Housing Residential District is provided for manufactured housing at a density of up to ten (10) units per acre. Centralized water and sanitary sewer are required.

SECTION 3.30 - (PUD) PLANNED UNIT DEVELOPMENT DISTRICT (Section 412)

The Planned Unit Development District is intended to provide latitude in the arrangement and design of primarily two-family or town house dwelling structures based on a unified development plan conceived and carried out for a limited amount of land. Such limitation on the amount of land to be developed in this district should be based on such land's relationship to adjacent development in terms of the vicinity's overall density and total population even though a variety of dwelling types and arrangements may be allowed that are different from that on the adjacent land. Natural features such as topography and drainage ways should be used, as well as internal arrangements, so as to achieve a unified and integrated development to maximize desirability and stability of the entire residential area. Useable open space should be a core element of the plan. Centralized water and sanitary sewer are required.

SECTION 3.40 - FARM VILLAGES (Section 415)

Farm Villages are an alternative form of subdivision which allow for clustering of single family residential houses on individual lots which are smaller and have less frontage than would normally be allowed in Rural areas in exchange for permanent preservation of surrounding farmland. The overall density of the Rural district, which is overlaid, is not changed, being one dwelling for each two and a half (2.5) acres of gross tract area. The individual lot size, however, may be reduced to 15,000 square feet, with an additional 6,000 square feet of adjacent open space buffer between the house lot and preserved agricultural lands, which must total two (2) acres of agricultural land preserved for each dwelling proposed.

The overall number of farm village dwelling units is based on a conventional subdivision yield plan. The farm village plan, if approved through a rezoning process, may add fifteen percent (15%) to the number of dwelling units allowed by the conventional yield plan provided all water supply, wastewater disposal, street design, open space and agricultural land preservation standards are met.

The intent of the Farm Village concept is to preserve agricultural land forever on the perimeter of the county's urban fringe, by concentrating density in a village and transferring the development rights of the surrounding farmland to that village forever.

SECTION 3.50 - OSCAR LOTS (Section 416)

Oscar Lots are intended to permit pie shaped large lots in the Rural zone where there is not enough land or facilities to accomplish a Farm Village, but where preservation of some common open space is desirable, while reducing driveway entrances along county, state and township roads. All lots must front on a C shaped, or eyebrow private looped access road so no driveway cuts enter to the parallel public road. Lots sizes may be reduced to two (2) acres in each single-family house lot, provided that the overall density of the plat is two and a half (2.5) acres per lot. The required common open space in the eyebrow of the lot is for the common use of the individual lot owners and is maintained as permanent open space by a required homeowner's association. The Oscar Lots must be rezoned as an overlay district to the Rural Zone, and must be platted in accordance with the county subdivision regulations.

SECTION 4.00 - THE COMMERCIAL DISTRICTS

The Commercial Zoning Districts are intended to promote a convenient and efficient distribution of a broad range of retail goods and services: (1.) to meet consumer demands, (2.) to satisfy commercial land use space requirements, (3.) to achieve a stable and compatible land use pattern, and (4.) to encourage a visually satisfying urban environment.

SECTION 4.10 - (SO) SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT (Section 322)

The Suburban Office and Industrial District is provided for office and institutional land uses in outlying suburban areas. **The Suburban Office and Institutional District** is intended for offices and institutions that may locate independently or in small clusters and that desire buildings or groups of buildings surrounded by landscaped open areas adjacent to, but separated from the concentrations of people and traffic of retail, wholesale and industrial areas in the community. The space, location and aesthetic needs of these uses make a suburban location near residential neighborhoods or rural countryside desirable.

SECTION 4.20 - (NC) NEIGHBORHOOD COMMERCIAL DISTRICT (Section 325)

The Neighborhood Commercial District is intended to encourage groupings of small retail establishments to promote convenient shopping to residential neighborhoods. More restrictive requirements for light, air and open space are necessitated in this district than in other Commercial Zoning Districts.

SECTION 4.30 - (CC) COMMUNITY COMMERCIAL DISTRICT (Section 328)

The Community Commercial District is intended to encourage the concentration of a broad range of individual commercial establishments which constitute an area of general commercial activity. A **Community Commercial District** should be centrally located and accessible to the population served, and will normally be developed at the intersection of thoroughfares at distances one or more miles apart.

SECTION 4.40 - (CS) COMMUNITY SERVICE DISTRICT (Section 332)

The Community Service District is provided in recognition of the need for large item commercial sales, service and repair establishments. The **Community Service District** is intended for sales, service, repair, and certain processing establishments serving a large trade area, usually a whole community. The trade area population served by these establishments requires easy access to major traffic routes. The **Community Service District** provides an appropriate setting and environment for the location of wholesale or retail sales of major vehicle dealers and miscellaneous aircraft, marine and automotive dealers which entail extensive, permanent, visible outside storage and display areas.

SECTION 5.00 – THE PLANNED COMMERCIAL DISTRICTS

SECTION 5.10 - (SCPD) SELECT COMMERCIAL PLANNED DISTRICT (Section 420)

The Select Commercial Planned District is intended to provide a flexible approach to commercial developments in unincorporated Franklin County. Non-residential development of a specified type, character and mix may be suitable with proper controls, using the SCPD as a transitional zoning district.

The **Select Commercial Planned District** is intended to provide controls necessary to ensure compatibility between the select commercial area with the surrounding environment. Performance criteria are included.

SECTION 5.20 - (PSC) PLANNED SHOPPING CENTER DISTRICT (Section 427)

The Planned Shopping Center District is provided in recognition that many commercial establishments seek to develop within unified commercial areas usually under single ownership and control, and typically called "shopping centers". These centers have all necessary services and facilities comprehensively provided in accordance with a predetermined development plan. Because these concentrations of retail and service establishments are generally stable and offer unified internal arrangement and development, potentially detrimental effects can be better controlled. For these reasons, the **Planned Shopping Center District** is allowed greater development latitude and usually will occur in close proximity to the residential areas served. The **Planned Shopping Center District** is intended to provide areas with adequate development and expansion space, parking, service, utilities and other facilities. Buildings within this District are to be architecturally attractive and compatible. The tract is to be well landscaped. Parking and loading areas are to be screened and pedestrian-vehicular separation achieved. The relationship among individual establishments is to be harmonious, and inasmuch as the principal tenant and the size of the center have much to do with its physical character, relationship to the community and economic success, these factors should be of concern in considering a **Planned Shopping Center District** application. It is intended that the **Planned Shopping Center District** and the area surrounding it be protected from the intrusion of dissimilar land uses, except those clearly complimentary, supplementary and physically compatible with the development of the center and the vicinity.

SECTION 5.30 - (PHS) PLANNED HIGHWAY SERVICE DISTRICT (Section 435)

The Planned Highway Service District is provided for land uses, which serve the traveler. Such uses are commercial service types and typically seek locations adjacent to heavily traveled cross-country roadways near freeway interchanges.

The **Planned Highway Service District** is intended to provide highway service areas having adequate development space, parking, services, utilities and other facilities. Because the development of the **Planned Highway Service District** takes place in accordance with a development plan, adequate separation from adjacent areas of other land use can be achieved.

SECTION 6.00 - THE INDUSTRIAL DISTRICTS

The Industrial Zoning Districts are intended to define and protect areas suitable for the development of a variety of industrial activities, and to set forth Development Standards for the mutual protection of industrial development and areas for other land use activity in the vicinity. Industry should be protected from the intrusion of other land uses, which neither perform a function appropriate to an industrial environment nor provide an essential service to the establishments or the employees of the industrial area.

The Industrial Zoning Districts are intended to encourage the development and maintenance of industrial areas, dispersed throughout the County, thus providing a variety of location opportunities to industrial establishments. Important in determining the location and size of these industrial areas is the accessibility of the location to regional transportation facilities (especially highways), the availability of public utilities and the adequacy of fire and police protection. The topography of the area should be relatively level with no flood hazard. These industrial areas may be in close proximity to other land use areas, but wherever possible, appropriate physical features should be maintained as boundaries.

SECTION 6.10 - (RI) RESTRICTED INDUSTRIAL DISTRICT (Section 342)

The Restricted Industrial District is provided for industrial uses, which seek locations in suburban areas or in very close proximity to residential areas. These industrial uses generally require a minimum of services and facilities and generate little industrial traffic. They typically operate within an enclosed structure and have little or no adverse effect on adjacent land by producing noise, odor, dust, smoke, glare or hazard.

The **Restricted Industrial District** is intended to encourage areas of industrial use with architecturally attractive structures surrounded by landscaped yards. Such industrial development may be in close proximity to other land use areas, but is best accomplished at the periphery of such areas.

SECTION 6.20 - (LI) LIMITED INDUSTRIAL DISTRICT (Section 344)

The Limited Industrial District is provided for a broad range of industrial activities which are more intense than those permitted in the Restricted Industrial District. Outdoor storage, general warehouse-related truck traffic, service vehicles and equipment may occur in this district. Although the Limited Industrial District permits a wide range of industrial uses, the district does not permit several of the more intense uses permitted in the General Industrial District.

SECTION 6.30 - (GI) GENERAL INDUSTRIAL DISTRICT (Section 346)

The General Industrial District is provided for heavy manufacturing and extensive industrial uses not provided for in other Industrial Zoning Districts. These industrial uses generally require large sites and a total range of services and facilities, including appropriate access to highly developed and integrated transportation facilities. These industries typically operate from enclosed structures, but often have large open storage and service areas where some part of the production process may take place.

SECTION 6.40 - (PIP) PLANNED INDUSTRIAL PARK DISTRICT (Section 444)

The Planned Industrial Park District is provided for many industrial establishments which seek to develop within unified industrial areas having all necessary services and facilities comprehensively provided in accordance with a predetermined development plan. Because these industrial areas are generally stable and offer unified internal arrangement and development, potentially detrimental effects can be better controlled. For this reason, the **Planned Industrial Park District** is allowed greater development latitude.

Buildings within this district are to be architecturally attractive and well landscaped. Plant parking, storage, loading and processing operations are to be screened.

SECTION 7.00 - THE SPECIAL DISTRICTS

The Special Zoning Districts are intended to provide for land of unique character or developmental requirements not adequately provided in the Standard Districts.

SECTION 7.10 - FLOODPLAIN DISTRICT (Section 610)

The Floodplain District is to regulate flood prone land along certain rivers, creeks, streams and other natural water courses as identified by the Federal Emergency Management Agency (FEMA) so as to make Franklin County landowners eligible for flood insurance under the National Flood Insurance Program. To avoid personal loss and expenditure of public funds for the control of such flooding, it is the purpose of these regulations to prevent obstruction of the water channel and to protect structures and property from flood damage.

SECTION 7.20 - EXCAVATION AND QUARRY DISTRICT (Section 620)

The Excavation and Quarry District is to regulate mining of limestone, gravel, sand and other minerals and to ensure the rehabilitation of the extracted areas.

SECTION 7.30 - OIL AND GAS DISTRICT (Section 630)

The Oil and Gas Districts are provided in recognition of the potential resources of oil and natural gas in Franklin County. The **Oil and Gas District Regulations** are intended to protect the citizens of Franklin County and to protect property from the danger of fire, explosion, gas, public nuisances and other hazards dangerous to public health, safety and welfare as a result of the drilling for and production of oil and natural gas. These **Oil and Gas District Regulations** are further intended to insure the preservation of land development which may exist in close proximity to these mineral deposits and to assure the rehabilitation of the extracted area.

SECTION 7.40 - EXCEPTIONAL USE DISTRICT (Section 640)

The Exceptional Use District is provided for uses which create unique demands upon public health, safety and general welfare. The **Exceptional Use District** is intended to allow these uses to be suitably located and developed to appropriate and necessary standards of development in relation to other land uses and development with a minimum of conflict.

SECTION 7.50 - BIG AND LITTLE DARBY CREEKS CRITICAL RESOURCE PROTECTION DISTRICT (Section 650)

The Big and Little Darby Creeks were designated as national scenic rivers in 1994 to protect water quality and wildlife. and at the request of the United States Department of the Interior, Franklin County adopted a protection district around the creeks in 1995.

SECTION 7.60 - AIRPORT ENVIRONS (NOISE) OVERLAY DISTRICT (Section 660)

The Airport Environs (Noise) Overlay District recognizes the areas surrounding airports impacted by aircraft noise. Pursuant to Part 150 noise studies, airport overlay zones of noise, called ldn, or day/night average decibel readings, were established. This district realizes that continuous noise exposure beyond certain levels may adversely impact certain land uses.

ARTICLE I
GENERAL PROVISIONS

SECTION 100 - AUTHORITY AND PURPOSE FOR ZONING RESOLUTION

100.01 - AUTHORITY

This Zoning Resolution is adopted under authority granted to Ohio counties by the Legislature of the State of Ohio in Chapter 303, **Ohio Revised Code.** This Resolution and all provisions contained herein shall be known as the Franklin County Zoning Resolution and may be cited as such or as the Zoning Resolution.

100.02 - PURPOSE OF ZONING

The purpose of this Zoning Resolution is as prescribed by Section 303.02, **Ohio Revised Code.**

SECTION 105 - SCOPE OF THE ZONING RESOLUTION

105.01 - TERRITORIAL LIMITS

The provisions of this Zoning Resolution shall apply to all land in the unincorporated territory of Franklin County except as is included in a township zoning resolution adopted in accordance with Chapter 519, **Ohio Revised Code,** or in a township in which this Zoning Resolution has been repealed in accordance with Section 303.25, **Ohio Revised Code.**

SECTION 110 - APPLICATION OF THE ZONING RESOLUTION

110.01 - EXEMPT FROM REGULATION

The regulations set forth in this Zoning Resolution shall affect all land, every structure and every use of land or structure, except agriculture, public utilities and railroads as are now specifically exempt by law or as may be hereafter amended by law or as is exempted by paragraph 110.015.

110.011 - AGRICULTURE

a.) As used in this section, 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; timber, 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.

Agriculture shall not be prohibited on lots greater than five acres. The use of any land for agricultural purposes or the construction or use of building or structure incidental to the use for agricultural purposes of the land on which such buildings or structures are located shall not be prohibited on lots greater than five acres and no zoning certificate shall be required for any such building or structure. **(Ohio Revised Code** 303.21)

b.) In any platted subdivision approved under ORC section 711.05, 711.09, or 711.10 or an area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one (1) side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, agriculture shall be regulated by the following provisions and SECTION 115 - REGULATION OF AGRICULTURE:

- Agriculture is prohibited on lots of one (1) acre or less, except as permitted under SECTION 115 - REGULATION OF AGRICULTURE. This does not prohibit gardening related to a residence.

- Buildings or structures incident to the use of land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres must conform to setbacks, size and height requirements for the underlying zone and any applicable provisions of SECTION 115 – REGULATION OF AGRICULTURE.

- Dairying and animal and poultry husbandry are permitted on lots greater than one (1) acre but not greater than five (5) acres until thirty five percent (35%) of the lots in the subdivision are developed with at least one (1) building, structure or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under section 4503.06 of the Ohio Revised Code. After thirty five percent (35%) of the lots in the subdivision are so developed, ongoing dairying and animal and poultry husbandry shall be considered a non-conforming use pursuant to section 303.19 of the Ohio Revised Code. No new dairying, animal or poultry husbandry shall commence on such lots after thirty five percent (35%) of the lots are developed with structures.

Note: Agriculture, agricultural structures, dairying, animal and poultry husbandry on lots greater than five (5) acres in size are zoning exempt. (Agricultural structures must meet floodplain regulations in flood prone areas.)

- Farm markets which derive at least fifty percent (50%) of their gross income from produce raised on farms owned or operated by the market owner in a normal crop year are permitted in any zone, subject to the following regulations.

1. Buildings less than one hundred and forty-four (144) square feet must be placed at least fifteen (15) feet outside the road right-of-way so as to safely allow for adequate customer off street parking. Seasonal farm markets may use grassed areas for parking. Permanent farm markets must be paved or graveled parking.

2. For buildings larger than one hundred and forty-four (144) square feet, off-street parking must be provided at the ratio of one (1) space for each four hundred (400) square feet of farm market. Seasonal parking may be grassed areas, but permanent parking must be graveled or paved and provided egress in accordance with the recommendation of the Franklin County Engineer. Setbacks are the same as for any structure in the underlying zone.

110.012 - PUBLIC UTILITIES AND RAILROADS

Public utilities or railroads shall not be prohibited in respect to the location, erecting, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any buildings or structures for the operation of its business except as otherwise provided for in Section 302.0394. (**Ohio Revised Code** 303.21)

110.013 - SALE OR USE OF ALCOHOLIC BEVERAGES

The sale or use of alcoholic beverages shall not be prohibited by zoning in areas where the establishment and operation of any retail business, hotel, lunchroom or restaurant is permitted. (Section 303.21, **Ohio Revised Code)**

110.014 - OUTDOOR ADVERTISING

Outdoor advertising shall be classified as a business use and be permitted (and regulated by Section 541 of this ordinance) in all districts zoned for industry, business, trade or lands used for agricultural purposes. (**Ohio Revised Code** 303.20)

110.015 - GOVERNMENTAL FUNCTIONS

Any local, State or Federal activity carried on for the purpose of administrative, protective, executive, legislative or judicial function shall not be prohibited.

110.02 - DEVELOPMENT

New development, including the subdivision of land, construction and the use of land or structures shall conform with the regulations for the Zoning District in which such development is located.

110.021 - NEW SUBDIVISION

The subdivision or resubdivision of land shall not create lots less than the minimum size required for the Zoning District in which such land is located.

110.022 - NEW STRUCTURES

New structures and/or developments shall be permitted only on lots subdivided to meet the requirements of this Zoning Resolution and in accordance with the **Subdivision Regulations of Franklin County, Ohio,** and shall conform with the **development standards** of the Zoning Districts in which such construction is permitted, except as is otherwise provided for in paragraph 110.041.

110.023 - NEW USES

Any new use of land or structure shall be a permitted use or a conditional use for the Zoning District in which such use is to be located.

110.03 - EXISTING CONFORMING LOTS, STRUCTURES OR USES

Lots, structures or the use of lots and/or structures which conform with the regulations of the Zoning District in which they are located may be continued and may be altered, extended or changed in accordance with the following:

110.031 - CONFORMING LOTS

A conforming lot may be changed, altered, enlarged or reduced in dimension; provided however, that the remaining lot and/or resulting lots shall conform to the **development standards** for the Zoning District in which the lot is located.

110.032 - CONFORMING STRUCTURES

A conforming structure may be altered, reconstructed, or extended only in such manner as will comply with the **development standards** of the Zoning District in which the structure is located.

110.033 - CONFORMING USES

A conforming use may be expanded, modified or changed only in such a manner as will comply with the **permitted uses,** or **conditional use** regulations and with the development standards of the Zoning District in which the conforming use is located.

110.04 - NON-CONFORMING LOTS, STRUCTURES OR USES

Existing lots, structures and accessory development or the use of lots and/or structures which would be prohibited under the regulations for the Zoning District in which they are located shall be considered as non-conforming.

It is the intent of this Zoning Resolution to permit these non-conforming situations to continue until they are removed, but not to encourage their continued use or expansion, except as follows:

110.041 - NON-CONFORMING LOTS

The construction of a conforming structure and/or the conduct of a permitted use shall be allowed on a lot or parcel of record which has an area and/or lot width less than that required for such structure or permitted use in the Zoning District in which the lot is located, provided current setbacks and separations between structures can be met and public health requirements are satisfied for water supply and wastewater disposal, and the lot abuts a public street.

The construction of a conforming structure and/or the conduct of a permitted use shall be allowed on a non conforming lot of record having at least sixty (60) feet abutment on an improved, publicly maintained right-of-way.

Variance of any other development standard as described above, shall be obtained only through action of the Board of Zoning Appeals in accordance with the provisions of ARTICLE VIII BOARD OF ZONING APPEALS.

Such non-conforming lots which must, for public health purposes, construct on-site water supply and/or wastewater disposal systems, may not divide or convey adjacent lots in common ownership and of continuous frontage with other land in the same ownership on the effective date of this amendment to the Zoning Resolution, if such conveyance would plunge the effective lot size below that required for public health standards. Otherwise, development shall be permitted only in accordance with the **development standards** of the Zoning District in which such ownership is located.

110.042 - NON-CONFORMING STRUCTURES AND DEVELOPMENT

Structures and/or accessory development, which by reason of size, type and/or location on the lot, or otherwise in conflict with the regulations of the Zoning District in which they are located may be altered, reconstructed or extended only in such manner that the alteration, reconstruction or extension will comply with the **development standards** of the Zoning District in which the structure and/or accessory development is located.

Such alteration, reconstruction, or extension shall include such additional development and compliance with the **development standards** of the Zoning District as would be required of a new structure and/or accessory development to the extent practicable and so that the spirit and intent of the development standards are accomplished.

110.043 - NON-CONFORMING USES

The non-conforming use of a lot and/or a structure may be continued, expanded or changed, subject to the following:

1. Change of a non-conforming use shall be allowed to a **permitted use** of the Zoning District in which the non-conforming use is located.

2. On approval of an appeal to the Board of Zoning Appeals, a non-conforming use may be changed to a use found to be more nearly in character with the Zoning District in which the non-conforming use is located.

3. On approval of an appeal to the Board of Zoning Appeals, a non-conforming use may be expanded

4. No non-conforming use may be reestablished where such non-conforming use has been discontinued for a period of at least two (2) years. The non-conforming use of any structure damaged by fire, explosion, flood, riot or act of God may be continued and used as before any calamity, provided the building or structure has not been destroyed to an extent of more than one-half (1/2) of its fair value, and provided such reconstruction is started within twelve (12) months of such calamity and is continued in a reasonable manner until complete.

SECTION 115 –REGULATION OF AGRICULTURE

115.02 - APPLICABILITY

a) Pursuant to Ohio Revised Code Section 303.21, Section 115 applies to lots that meet the criteria outlined in Section 110.011(b) above.

115.04 - REGULATION OF APIARIES

115.042 – Purpose and Intent

a) The purpose of this section is to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of bees in populated areas.

b) The following findings are hereby made in relation to apiaries and honey bees:

    1) Honey bees are beneficial to humans and to Ohio in particular, by providing agricultural fruit and vegetable pollination services in tandem with home garden vegetable and fruit production and by furnishing honey, beeswax and other useful products.

    2) Ohio is among the leading states in honey production and honey bee assisted agricultural products throughout the United States and the world.

    3) Domestic strains of honey bees have been selectively bred for desirable traits, including gentleness, honey production, reduced swarming, pollination attributes and other characteristics which are desirable to foster and maintain.

    4) Gentle strains of honey bees can be maintained within populated areas in reasonable densities to fill the ecological niche and exclude unwanted and undesirable races of bees, without causing a nuisance if the honey bees are properly located, carefully managed and maintained.

115.044 - Establishment and Applicability

a) No person shall engage in apiculture without a certificate of zoning compliance that specifically identifies apiculture.
b) Notwithstanding compliance with the various requirements of this section, a beekeeper shall be prohibited from keeping in any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.

115.046 - Development Standards

a) **Allowed densities** – It shall be unlawful to keep more than the following number of colonies on any tract of land, based upon the size or configuration of the tract on which the apiary is situated:
   1) one quarter acre or less – two (2) colonies
   2) more than one-quarter acre but less than one-half acre – four(4) colonies
   3) more than one-half acre – six (6) colonies

b) **Yards and Location on Lot** – Any structure used for apiculture shall comply with the following yard and setback requirements:
   1) Be located in a side or rear yard
   2) Be located at least 10 feet from any property line, subject to the requirements of subsection (e) below
   3) In the absence of a principal structure must be located behind the building line as defined SECTION 504 – BUILDING LINES ALONG PUBLIC RIGHTS-OF-WAY
   4) If the total area of structures used for apiculture does not exceed 65 square feet, the structures are not considered accessory buildings. Otherwise, all structures used for apiculture are accessory buildings and must comply with SECTION 512 – ACCESSORY BUILDINGS

c) **Hive Registration** – All honey bee colonies shall be registered with the Ohio Department of Agriculture. Operators (beekeepers) granted a certificate of zoning compliance to operate an apiary must maintain a valid annual apiary registration. Beekeepers must comply with the Ohio Apiary Law.

d) **Hive Type -** All honey bee colonies shall be kept in Langstroth-type hives with removable frames, which shall be kept in sound and usable condition.

e) **Fencing of Flyways -** In each instance in which any colony is situated within 25 feet of a public or private property line of the tract upon which the apiary is situated, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a flyway barrier in the following manner so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over the property lines in the vicinity of the apiary. Any fence shall comply with SECTION 501 – FENCE REQUIREMENTS and the following:
   1) Height: six (6) feet in height
   2) Materials: consisting of a solid wall, fence, dense vegetation or combination thereof that is parallel to the property line
   3) Location: extends 10 feet beyond the colony in each direction

f) **Water -** Each beekeeper shall ensure that a convenient source of water is available to the bees at all times during the year so that the bees are less likely to congregate at swimming pools, pet watering bowls, bird baths or other water sources where they may cause human, bird or domestic pet contact.

g) **Queens** – Beekeepers are strongly encouraged to maintain all colonies with marked queens. In any instance in which a colony exhibits unusual aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition toward swarming, beekeepers are encouraged to promptly re-queen the colony with another marked queen. Queens shall be selected from European stock bred for gentleness and non-swarming characteristics.

115.048 – Certificate of Zoning Compliance Required

No one shall engage in apiculture without a zoning certificate as provided for in SECTION 705.02 – CERTIFICATE OF ZONING COMPLIANCE and this subsection.

a) **Information required** – In addition to the requirements of Section 705.022, applicants seeking to engage in apiculture must provide the following on the site plan or in accompanying documentation in conjunction with an application for a zoning certificate:
    1) A copy of a current, valid apiary registration from the Ohio Department of Agriculture
    2) Hive type
    3) Location of hives
    4) Location of and manner of fencing of flyways, if required under Section 115.046(b)
    5) Location of nearby water
    6) A copy of a signed, written agreement under Section 115.048(b), if applicable
    7) Any other relevant information related to the operation of the apiary, if requested by the Administrative Officer

b) **Operation** – It shall be presumed for purposes of this Section 115.04 that the beekeeper is the person or persons who own or otherwise have the present right of possession and control of the tract upon which a hive or hives are situated. The presumption may be changed by a written agreement authorizing another person to maintain the colony or colonies upon the tract setting forth the name, address, and telephone number of the other person who is acting as the beekeeper.

115.06 – COMMUNITY GARDENS

115.062 – Purpose and Intent

a) Pursuant to Ohio Revised Code Section 303.21, Section 115 applies to lots that meet the criteria outlined in Section 110.011(b) above.

b) The purpose of this section is to establish certain requirements of sound practices for establishment and operation of community gardens, which are intended to provide an opportunity for citizens to grow food, ornamental crops, and other plants in a shared environment while providing adequate protections to participants and the surrounding area.

c) The following findings are hereby made in relation to community gardens:
    1) Community gardens are beneficial to Franklin County residents, by providing nutritious food at affordable costs, encouraging self-reliance, stimulating social interaction and community engagement, creating income-generating opportunities and economic development, and preserving green space.

    2) Economically challenged areas of Franklin County lack access to fresh produce, and community gardens provide the opportunity for residents in these areas to access healthy, affordable food choices.

    3) Community gardens provide physical, emotional and mental health benefits to residents who engage in community gardening.

4) Recent studies indicate a correlation between community gardens and reduced crime, increased neighborhood pride and desirability, and increased property values.

115.064 – Establishment and Applicability

a) Community gardens are a permitted use in the following zones: residential, multifamily, commercial, mixed-use, open space, industrial, institutional and vacant land, subject to the following regulations.

b) Community gardens shall consist of land used for the cultivation of fruits, vegetables, plants, flowers, or herbs by multiple users, as defined in SECTION 720 – DEFINITIONS.

c) No operator shall establish or operate a community garden without a certificate of zoning compliance that specifically identifies a community garden.

d) Notwithstanding compliance with the various requirements of this section, the operator of a community garden shall maintain the property in productive use during the growing season.

d) At the end of each growing season annual vegetation shall be cut down to a height of not more than 6 inches above ground level.

115.066 – Development Standards

a) **Water Supply** – The land shall be served by a water supply sufficient to support the cultivation practices used on the site.

b) **Location and Building Coverage** – Any structure used in conjunction with a community garden shall comply with the following requirements:
   1) Be located at least 10 feet from any property line.
   2) In the absence of a principal structure, structures must be located behind the building line as defined in SECTION 504 – BUILDING LINES ALONG PUBLIC RIGHTS-OF-WAY, or as defined by any applicable planned district or overlay district.
   3) If the total area of structures used in conjunction with a community garden does not exceed 65 square feet, the structures are not considered accessory buildings. Otherwise, all structures used for community gardens are accessory buildings and must comply with SECTION 512 – ACCESSORY BUILDINGS.
   4) No building or structures shall be permitted on the site except as permitted above. The following are not considered structures for the purposes of this section, provided they do not exceed a reasonable size: benches, bike racks, cold-frames, hoop houses, raised/accessible planting beds, compost or waste bins, picnic tables, garden art, rain barrel systems, and children's play areas.

c) **Soil Testing** – Prior to establishing a community garden, site operators shall obtain soil testing for, at minimum, total heavy metals: lead, cadmium, chromium, nickel, zinc, and copper. For sites containing soils not suitable for gardening, site operators shall use raised planting beds with suitable soils for gardening.

d) **Gardening Chemicals and Integrated Pest Management** – Community gardens are encouraged to adopt Integrated Pest Management (IPM) principles, as defined in SECTION 720 – DEFINITIONS, and to avoid the use of synthetic fertilizers and pesticides. Community gardens are encouraged to use a minimal amount of synthetic fertilizers and/or pesticides if necessary.

e) **Operating procedures** – Site users must have an established set of operating rules addressing the following:
    a) Governance structure of the garden
    b) Hours of operation
    c) Maintenance and security requirements and responsibilities
    d) Identification of a garden coordinator to perform the coordinating role for the management of the community gardens
    e) Any assignment of garden plots to be done in a fair and impartial manner according to the operating rules established for that garden.
    f) The name, telephone number and email address of the garden coordinator and a copy of the operating rules shall be kept on file with the Franklin County Economic Development and Planning Department.

f) **Offsite drainage** – The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent property.

g) **Sales** – There shall be no retail sales on site, except as permitted for produce grown on the site. On-site farm markets shall comply with SECTION 110.01 – AGRICULTURE.

h) **Signage** – All signs shall comply with SECTION 541 – SIGN AND BILLBOARD REGULATIONS.

i) **Fences** – All fences shall comply with SECTION 501 – FENCE REQUIREMENTS.

115.068 – Certificate of Zoning Compliance Required

No operator shall establish or operate a community garden without a zoning certificate as provided for in SECTION 705.02 – CERTIFICATE OF ZONING COMPLIANCE and this subsection.

a) **Information required** – In addition to the requirements of Section 705.022, applicants seeking to engage in community gardening must provide the following on the site plan or in accompanying documentation in conjunction with an application for a zoning certificate:
    1) Method of water supply
    2) Documentation of soil testing, including laboratory report, unless raised planting beds are used
    3) Operating procedures detailing all requirements in 115.066(g)
    4) The name, telephone number and email address of the garden coordinator
    5) Location of any proposed structure
    6) Location of any proposed fence

7) Explanation of method to control water runoff
8) Explanation of information provided to minimize fertilizer use
9) A copy of a signed, written agreement under Section 115.068(b), if applicable
10) Any other relevant information related to the operation of the community garden, if requested by the Administrative Officer

b) **Operation** – It shall be presumed for purposes of this Section 115.06 that the operator of the community garden is the person or persons who own or otherwise have the present right of possession and control of the tract upon which the community garden is situated. The presumption may be changed by a written agreement authorizing another person to maintain the community garden upon the tract setting forth the name, address, and telephone number of the other person who is acting as the operator.

115.08 - REGULATION OF CHICKENS, DUCKS AND RABBITS

115.082– Purpose and Intent

a) Pursuant to Ohio Revised Code Section 303.21, SECTION 115.08 – REGULATION OF CHICKENS, DUCKS AND RABBITS applies to lots that meet all of the following:

1) Lot meets the criteria outlined in SECTION 110.011(b).
2) Lot is located in a residential zoning district as identified in SECTION 2.00 –THE RESIDENTIAL DISTRICTS and SECTION 3.00 – THE PLANNED RESIDENTIAL DISTRICTS.
3) Lot is used primarily for one- or two-family dwelling purposes.

b) The purpose of this section is to establish certain requirements for the keeping of chickens, ducks and rabbits on lots smaller than 5 acres, which are intended to prevent nuisances to occupants of nearby properties and prevent unsanitary or unsafe conditions.

c) The following findings are hereby made in relation to chickens, ducks and rabbits:

1) Keeping chickens, ducks and rabbits provides access to fresh, healthful food products.
2) Keeping chickens, ducks and rabbits is a productive and sustainable use of land.
3) Chickens, ducks and rabbits can be kept on lots smaller than 5 acres without causing a nuisance if appropriate practices and limits are observed.

115.084 - Establishment and Applicability – No person shall engage in the keeping of chickens, ducks or rabbits without a certificate of zoning compliance that specifically identifies such use in compliance with the requirements of SECTION 115.08 – REGULATION OF CHICKENS, DUCKS AND RABBITS.

115.086- Types and Number of Animals

a) **Prohibited poultry** – No person shall keep any roosters, geese, peafowl, or turkeys on lots smaller than 5 acres.

b) **Allowed densities for keeping any combination of chickens, ducks, and rabbits –** When both poultry and rabbits are kept on a parcel smaller than 5 acres, the method for determining the

allowed numbers of animals shall be as follows: each one (1) chicken, duck or rabbit shall count as one (1) point. It shall be unlawful to keep more animals than the point system below allows:

1) Smaller than 0.5 acres – 4 points maximum
2) 0.5 acres to less than 1.0 acres – 8 points maximum
3) 1.0 acres to less than 2.5 acres – 16 points maximum
4) 2.5 acres to 5.0 acres – 24 points maximum

115.088 - Development Standards

a) **Yards and Location on Lot** – Any sheltering structure and outdoor areas used for keeping chickens, ducks or rabbits shall comply with the following yard and setback requirements:

1) Be located on a property containing a principal structure.
2) Be located in a side or rear yard.
3) Be located at least 10 feet from any property line.

b) **Sheltering Structures and Outdoor Areas** – All chickens, ducks and rabbits shall be kept in a sheltering structure or fenced outdoor area at all times.

1) All chickens, ducks and rabbits shall be provided with a covered, predator-proof sheltering structure, which shall be kept in sound and usable conditions. Sheltering structures shall be thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals.
2) If the total area of sheltering structure does not exceed 65 square feet or if the sheltering structure does not otherwise meet the definition of a building, the structure shall not be considered an accessory building.
3) There shall be no more than one (1) sheltering structure 65 square feet or smaller in size.
4) If the sheltering structure exceeds 65 square feet and meets the definition of a building such structure shall be considered an accessory building and must comply with the requirements of SECTION 512 – ACCESSORY BUILDINGS and the setback requirements of Section 115.088(a).
5) Any outdoor areas accessible to chickens, ducks, or rabbits shall be adequately fenced or otherwise bounded to contain the animals on the property.

c) **Screening** – Properties smaller than 1 acre must screen sheltering structures and outdoor areas used by chickens, ducks, or rabbits, from adjacent properties and from the public right-of-way. Fences used for screening shall be 6 feet in height, 100% opaque, and made of wood or other similar opaque fencing material that complies with SECTION 501.024 – Fence Materials.

d) **Feed Storage –** All feed shall be stored in rodent-proof containers.

e) **Manure –** Manure from chickens, ducks and rabbits must be disposed of in one of the following manners:

1) Household trash collection
   a. Manure must be bagged, placed in a waterproof container and disposed of with household trash.
2) Composted and applied onsite

a. Manure must be kept in a rodent-proof container designed to limit odors.
b. Containers must be located in a side or rear yard a minimum of 10 feet from property lines.
c. Finished compost may be applied onsite.

3) Directly applied onsite
   a. Manure applied directly onsite must be done in such a way as to prevent nuisance and polluted stormwater runoff.

115.0810 – Animal Products and Processing

a) **Sale of Animal Products –** The sale of animal products including but not limited to meat, eggs, and fur shall be prohibited unless in conformance with Section 110.011(b).

b) **Slaughtering and Butchering -** Chickens, ducks and rabbits may be slaughtered and butchered onsite only inside an accessory structure or otherwise out of public view. All waste must be bagged and disposed of with household trash to prevent nuisance and health hazards.

115.0812 – Certificate of Zoning Compliance Required

a) **Information required** –Applicants seeking to engage in keeping chickens, ducks or rabbits must apply for and receive a certificate of zoning compliance. If the applicant is someone other than the property owner, the application must include a notarized statement of support, signed by the property owner. In addition to the requirements of SECTION 705.022 – Application for Certificates, the following information must be included on the site plan or in accompanying documentation:

   1) A description of the type and number of animals to be kept
   2) Coop or shelter type
   3) Location of coop or shelter with all setbacks from property lines indicated. If using a portable coop or shelter, indicate the yard area in which the coop or shelter will be kept.
   4) Location and manner of containment of outdoor areas with all setbacks from property lines indicated. If using a portable containment system, indicate the yard area in which the system will be kept.
   5) Feed storage container location and type
   6) Location, method, and schedule of manure storage and disposal
   7) Any other relevant information related to keeping the animals, if requested by the Administrative Officer

b) **Operation** – The person or persons that keep the chickens, ducks or rabbits shall be the person or persons who own or otherwise have the present right of possession of the parcel upon which coops or shelters are situated.

c) **Conditions** - Notwithstanding compliance with the various requirements of this section, chickens, ducks and rabbits shall not be kept in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others. Chickens, ducks and rabbits shall be kept only in conditions that limit odors and noise and the attraction of insects and rodents so as not to cause a nuisance to occupants of nearby buildings or properties and not to cause health hazards. It is the responsibility of the person

keeping chickens, ducks or rabbits to be aware of and abide by all applicable local, state or federal requirements including but not limited to the Ohio Department of Agriculture's Ohio Livestock Care Standards and private deed or covenant restrictions.

ARTICLE II
ZONING DISTRICT MAP

SECTION 200 - ZONING DISTRICT MAP ADOPTED

200.01 - DIVISION OF LAND

All land in Franklin County within the scope of this Zoning Resolution is placed into Zoning Districts as is shown on the Zoning District Map of Franklin County, Ohio, which is hereby adopted and declared to be a part of this Zoning Resolution.

200.011 - FINAL AUTHORITY

The Zoning District Map, as legally amended from time to time by resolution of the Franklin County Commissioners or by referendum, shall be the final authority for the current Zoning District status of land under the jurisdiction of this Zoning Resolution. When the map is in dispute, the backup resolution signed by the Franklin County Commissioners creating the zone shall be the ultimate authority to resolve errors of penmanship, drafting or computer data entry error.

200.012 - LAND NOT OTHERWISE DESIGNATED

All land under this Zoning Resolution and not designated or otherwise included within another Zoning District on the Zoning District Map shall be included in the RURAL DISTRICT.

200.02 - IDENTIFICATION OF THE ZONING DISTRICT MAP

The Zoning District Map, with any amendments made thereon, shall be maintained by the Franklin County Development Department as a Geographic Information System map in computer, and/or a hard copy of the same, identified by the signatures of the Board of County Commissioners of Franklin County, Ohio, under the following words:

"Zoning District Map, Series No. _____, Franklin County, Ohio. Adopted by the Board of County Commissioners of Franklin County, Ohio."

_____ _____
Date

_____

_____
Board of County Commissioners

SECTION 201 - DESIGNATION OF ZONING DISTRICTS

201.01 - STANDARD ZONING DISTRICTS

The name and symbol for Standard Zoning Districts as shown on the Zoning District Map are as follows:

	NAME	SYMBOL
201.011 – RESIDENTIAL		
	Rural	R
	Low Density Residential	LDR
	Restricted Suburban Residential	R-1
	Limited Suburban Residential	R-2
	Suburban Residential	R-4
	Restricted Urban Residential	R-8
	Urban Residential	R-12
	Suburban Apartment Residential	R-24
	Residential Manufactured Home	RMH

Non-Conforming Residential (includes residential subdivisions or development including, but not limited to, any non-farm dwelling single family, two-family, apartment or townhouse dwelling or mobile home occupied as a residence, situated within a Commercial, Industrial or Rural District. Said non-conforming residential does not include motels, hotels, rooming or boarding houses, or dwelling units located within structures used and zoned for commercial or industrial purposes.)

201.012 - OFFICE		
	Suburban Office and Institutional	SO
201.013 - COMMERCIAL		
	Neighborhood Commercial	NC
	Community Commercial	CC
	Community Service	CS
201.014 - INDUSTRIAL		
	Restricted Industrial	RI
	Limited Industrial	LI
	General Industrial	GI

201.02 - PLANNED DEVELOPMENT ZONING DISTRICT

The name and symbol for Planned Development Zoning Districts as shown on the Zoning District Map or as prescribed by this Zoning Resolution are as follows:

	NAME	SYMBOL
201.021 - PLANNED RESIDENTIAL		
	Planned Residential	PR-6
	Planned Manufactured Housing Residential	PR-10
	Planned Unit Development	PUD
	Farm Village	Fm.Vill.
	Oscar Lots	Oscar
201.022 - COMMERCIAL AND SERVICE		
	Select Commercial Planned District	SCPD
	Planned Shopping Center	PSC
	Planned Highway Service	PHS
201.023 - PLANNED INDUSTRIAL		
	Planned Industrial Park	PIP

201.03 - SPECIAL DISTRICTS

The name and symbol or pattern for Special Districts as shown on the Zoning District Map or as prescribed by this Zoning Resolution are as follows:

201.031	Flood Plain	FP
201.032	Excavation and Quarry	EQ
201.033	Oil and Gas	OG
201.034	Exceptional Use	EU
201.035	Big and Little Darby Creeks Critical Resource Protection District	CRPD
201.036	Airport Environs (Noise) Overlay District	AEO

201.08 - LEGEND

There shall be a legend provided on the Zoning District Map which shall list the name and symbol for each Zoning District.

201.081 - USE OF COLOR OR PATTERN

In lieu of a symbol, a color or black and white pattern may be used on the Zoning District Map to identify each Zoning District as indicated in the Legend.

201.082 - EXPLANATORY NOTES

- The Rural District has no symbol and includes all land under this Zoning Resolution not designated or otherwise included within another Zoning District.

- A Residential Zoning District symbol is suffixed by a number which indicates the general number of dwelling units per acre of land obtainable under the regulations of the Residential Zoning District.

- A Planned Zoning District is prefixed by the letter "P".

SECTION 205 - INTERPRETATION OF ZONING DISTRICT BOUNDARIES

205.01 - RULES FOR DETERMINATION

When uncertainty exists with respect to the boundaries of Zoning Districts as shown on the Zoning District Map, the following rules shall apply:

205.011 - ALONG A STREET OR OTHER RIGHT-OF-WAY

Where Zoning District boundary lines are indicated as approximately following a center line of a street or highway, alley, railroad easement or other right-of-way, or a river, creek or other watercourse, such center line shall be the Zoning District boundary.

205.012 - ALONG A PROPERTY LINE

Where Zoning District boundary lines are indicated as approximately following a lot line, such lot line shall be the Zoning District boundary.

205.013 - PARALLEL TO RIGHT-OF-WAY OR PROPERTY LINE

Where Zoning District boundary lines are indicated as approximately being parallel to a center line or a property line, such Zoning District boundary lines shall be parallel thereto and, in the absence of specified dimension on the map, at such scaled distance therefrom as indicated on the Zoning District Map.

205.014 - ACTUAL CONFLICT WITH MAP

When the actual street or lot layout existing on the ground is in conflict with that shown on the Zoning District Map, the party alleging that such a conflict exists, shall furnish an actual survey for interpretation by the Board of County Commissioners.

ARTICLE III
STANDARD DISTRICT REGULATIONS

SECTION 300 - ADOPTION OF THE STANDARD ZONING DISTRICT REGULATIONS AND RULES OF APPLICATION

300.01 - REGULATION OF THE USE AND DEVELOPMENT OF LAND AND STRUCTURES

Regulations pertaining to the use of land and/or structures are hereby adopted or amended.

300.02 - RULES OF APPLICATION

The Standard District Regulations set forth in this ARTICLE III shall be interpreted and enforced according to the following rules:

300.021 - IDENTIFICATION OF USES

Listed uses are to be defined by their customary name or identification, except where they are specifically defined or limited in this Zoning Resolution.

When a listed use has a number preceding the name, it is the code number and activity title as listed in the **Standard Industrial Classification Manual,** Executive Office of the President, Bureau of the Budget, 1987 edition.

a.) Group code and title (two or three (3) digits) shall include all industry codes and titles listed in the group other than those specifically excepted.

b.) Industry code and title (two, three or four (4) digits) shall include all activities listed under the industry code other than those specifically excepted.

The full text of the listings in the **Standard Industrial Classification Manual** shall be a part of the definition of the use listed in this Zoning Resolution and is hereby adopted as a part of this ARTICLE III.

300.022 - PERMITTED USES

Only a use designated as a **Permitted Use** shall be allowed as matter of right in a Zoning District and any use not so designated shall be prohibited except, when in character with the Zoning District, such additional use may be added to the **Permitted Uses** of the Zoning District by amendment of this Resolution.

300.023 - CONDITIONAL USES

A use designated as a **Conditional Use** shall be allowed in a Zoning District when such **specific conditions as are stipulated in Section 815 of this ordinance are found to be met by the** Board **of Zoning Appeals.**

300.024 - DEVELOPMENT STANDARDS

The Development Standards set forth shall be the minimum allowed for development in a Zoning District. If the Development Standards are in conflict with the requirements of any other lawfully adopted rules, regulations or laws, the more restrictive or higher standard shall govern.

SECTION 302 - RURAL DISTRICT REGULATIONS

302.02 - PERMITTED USES - The following uses shall be permitted in the RURAL DISTRICT.

302.021 - Dwelling Structures - One-family dwelling structures.

a.) Land subdivision for one-family dwellings as follows:

1.) A lot of record on the date of adoption of this Zoning Resolution (1966) may be subdivided in accordance with the Franklin County Subdivision Regulations to provide up to four (4) residential lots, of less than five acres each providing the remaining portion of the lot is five (5) acres or more, and provided the following criteria are met:

aa.) The division of land shall be along an existing public street;
bb.) It shall not involve the opening, widening or extension of any street or road, and involve no more than five lots after the original tract has been completely subdivided;
cc.) It must be approved by the Franklin County Planning Commission.

2.) Further subdivision of lots smaller than five acres shall only be permitted in the Rural Zone within approved Oscar Lots or in Farm Villages, as provided in sections 415 and 416 respectively. Such lots require a zoning district overlay and must conform to the Franklin County Subdivision Regulations.

3.). The creation of tracts of more than five acres in size along existing roads, not involving any new streets or easements and each lot having the requisite frontage for its permitted or conditional use is not a formal subdivision. **Note**: These lots may not meet building department criteria for a building permit, since no subdivision review occurs by state exemption ORC 711.001 (B),(1), so their division does not guarantee they are buildable lots.

302.022 - Home Occupation (Business) - Home Occupation in association with a permitted dwelling and in accordance with the provisions of SECTION 511, ARTICLE V.

302.023 - Accessory Uses - Accessory buildings (detached garages, barns, sheds) and uses in association with agriculture or permitted dwellings as specified in SECTION 512, ARTICLE V.

302.024 - Schools and Parks

a.) Public or private schools offering general educational courses and having no rooms regularly used for housing or sleeping of students, provided it occupies a lot of not less than three (3) acres.
b.) Parks, playgrounds, and play fields open to the public without fee.

302.025 - Religious Uses Church or other place of worship, provided it occupies a lot of not less than three (3) acres and there is one (1) acre, or more per one hundred (100) seats or similar accommodations in the main assembly area. A parsonage, or minister's residence is permitted on the same lot, provided there is

adequate area for water supply and wastewater disposal if located on site.

302.026 - Adult Family Homes as provided for and defined in ORC Chapter 3722.

302.027 - Child Day Care - Child Day Care provided in-home for six (6)or fewer children who are not members of the immediate resident family, provided the day care is accessory to the use of the dwelling as a residence.

302.03 - CONDITIONAL USES - The following uses shall be allowed in the Rural District subject to approval in accordance with SECTION 815, ARTICLE VIII., and provided their respective conditions are met:

302.031 - Mobile or Manufactured Homes - A Mobile or Manufactured Home (for purposes of this section, includes Recreational vehicles, or campers) provided they meet the following conditions:

a.) Temporary residence for a period not to exceed eighteen (18) months.
b.) Water supply and sewage disposal are properly provided.

302.032 - Private School - Private school or college, with students in residence, provided:

a.) It occupies a lot of not less than one (1) acre per twenty-five (25) day students;
b.) Adequate land area exists to meet required setbacks, water supply and sewage disposal and off-street parking;
c.) Adequate area exists for indoor and outdoor recreation.
d.) Additional setbacks or buffering as may be necessary to not disrupt the neighboring residential uses.

302.033 - Cemetery - Cemetery, provided:

a.) Internment shall not be within one hundred (100) yards of a dwelling house, unless the owner of such dwelling house gives his consent, or unless the entire tract appropriated is a necessary addition to or enlargement of a cemetery already in use, as further provided in ORC 1721.03;
b.) A mausoleum shall not be within three hundred (300) feet of any property line;
c.) A crematory or other structure shall not be within three hundred (300) feet of any property line;
d.) Every cemetery company or association shall cause a plat of its grounds and of the lots laid out by it to be made and recorded or filed in the offices of the county recorder in accordance with ORC 1721.09.

302.034 - Associated Sales - Associated Sales as accessory to and in association with an agricultural permitted use. Such associated sales to cease upon cessation of the agricultural activity.

This shall include, but is not limited to, garden supplies with a nursery or greenhouse, milk products with a dairy, or imported produce with a permitted produce stand.

302.035 - Boarding of Animals - Kennel or other facilities for the care or boarding of animals, provided it occupies a lot of not less than five (5) acres. Building, pen or other enclosure so used shall not be within two hundred (200) feet of any property line. Veterinary Services, with outside runs are permitted, provided such outside runs are not within two hundred and fifty (250) feet of a residence.

302.036 - Borrow Pit - A borrow pit, provided it is less than 10,000 square feet in size, in accordance with the regulations of Section 620, Regulations for Excavation and Quarry, Article VI; and provided that such excavation and required rehabilitation shall be completed within one (1) year from the date of issuance of a Certificate of Zoning Compliance.

302.037 - Storage and Processing of Agricultural Products - Grain elevator, mill or other facilities for the storage, sorting or other preliminary processing of agricultural products including other than those produced on the premises.

Storage facilities shall not be within fifty (50) feet of side or rear lot line, except when along a railroad right-of-way.

302.038 - Child Day Care of more than six (6) children - Child day care for more than six (6) but less than twelve (12) children in a home shall be permitted provided:

a.) The child day care is accessory to the principal use of the dwelling as a residence.
b.) State licenses have been granted if necessary.
c.) Lot size is adequate to meet the sewage disposal and water supply needs.
d.) Adequate buffering to adjacent residential uses is provided as needed in accordance with Section 521.
e.) Off-street parking and maneuvering is provided so no car will back into roadway upon entering or leaving.
f.) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be placed on the structure, said sign not to exceed three square feet, single sided. Neither sign may be internally lit, nor made of plastic. If lighted, they must be lit by a steady indirect white light, and lit only during hours of operation.
g.) Day care must be provided in the residence, or, if it is to be provided in an accessory structure, that structure must meet the local building code, and no other conditional use shall be allowed on the lot.
h.) Adequate space indoors and outdoors is provided for recreation. Two hundred (200)square feet per child shall be provided outside.

302.039 - Accessory Apartment (Granny Flat) - An accessory apartment, as an independent dwelling unit, may be permitted, provided it meets the following conditions:

a.) The apartment must be located in the principal structure (which includes attached garages or areas over garages).
b.) Maximum size of the apartment dwelling unit shall not exceed 816 square feet.
c.) The structure must maintain a single-family residential appearance which blends with the principal structure and the neighborhood. An architectural rendering and floor plan must be provided and approved by the Board of Zoning Appeals. Said plans shall include a landscape plan, which be followed as approved.
d.) Public water and sewer must be provided, or the lot must be adequately sized for, and systems approved for water supply and wastewater disposal to serve both the principal residence and the accessory apartment.
e.) Off-street parking on a hard all-weather surface must be provided, two (2) spaces for the principal residence and two (2) spaces for the accessory apartment, 9' x 18' per space. No one space shall block another. Garages count as parking spaces.
f.) Maximum height of the accessory structure is twenty (20) feet at the peak. The accessory apartment may be located on the first or second floor.
g.) Minimum lot size- One and a half (1.5) times the lot size for the district.
h.) Minimum Road Frontage- One hundred and fifty (150) feet.
i.) Maximum lot coverage by structures- Twenty percent (20%).
j.) All structures must meet the current edition of the CABO One and Two family building and the Franklin County Plumbing Code.
k.) The property owner must live on-site, and the Granny Flat must be subservient to the principal use of the property as a dwelling.
l.) The apartment (Granny Flat) shall be occupied only by a member of the family of the owner of the principal residence. Family is defined in this ordinance.

302.0391 - Private Streets (Lanes) - Where back land is desired to be developed for low-density single-family house lots without public water or sanitary sewer service, private lanes may satisfy road frontage requirements provided the following conditions are met:

a.) The road right-of-way is dedicated on a subdivision plat, and a homeowner's association is created to care for its permanent maintenance.
b.) The subdivision is approved by the Franklin County Planning Commission.
c.) The roadway construction meets cross-sectional standards for gravel and pavement from the Franklin County Subdivision Regulations.
d.) There shall be no future extension off this road to additional lots which would engender more traffic.
e.) The right-of-way is wide enough to permit both road construction and drainage as may be necessary, and utility easements.
f.) The road surface shall be paved with either asphalt (bituminous concrete) or concrete.
g.) Due to the narrowness of the street, no on street parking shall be permitted.
h.) The roadway surface shall be at least the following width, depending on the number of houses to be served:

Number of Houses fronting on Private Lane	Width of pavement
1-4	16 feet
5-8	18 feet
More than 8	Normal subdivision public street

302.0392 - Ponds - Man made ponds may be excavated provided the following standards are met:

a.) For ponds equal to or less than 1,000 square feet:
- A Conditional Use permit shall not be required

b.) For ponds greater than 1,000 square feet:
- A Conditional Use permit shall be required
- A registered professional engineer must design the pond
- The pond must have an approved outlet(s) to a creek, river or adequate swale
- The pond shall be designed in accordance with, and reviewed by, the Franklin Soil and Water Conservation District
- A pond development plan shall be submitted to the Franklin Soil and Water Conservation District for review and approval. The plan must include the following:
  - location of principal and emergency spillway outlets
  - location of outlet discharge points
  - location of dam and pool area
  - proposed grade of pond and surrounding area
  - location of spoil
  - soil stabilization plan including seeding, mulching and fertilizing data
  - other information deemed reasonably necessary by the Franklin Soil and Water Conservation District or the Franklin County Development Department
- The Franklin Soil and Water Conservation District shall be responsible for construction inspections to assure the pond is completed in accordance with approved plans

302.0393 - Bed and Breakfast Inns - Provided the following conditions are met.

a.) No more than three (3) bedrooms are available for overnight lodging.
b.) Owner must reside on-site in the residence.
c.) Adequate off-street parking must be available.
d.) Adequate potable water and sewage disposal must be provided.
e.) Signs must comply with the Home Occupation sign requirements.
f.) Maximum length of stay of lodgers is two (2) weeks, to prevent the Inn from becoming a rooming house.

302.0394 - Telecommunication Towers (Adopted November 5, 1997) - As provided for in Section 303.211 of the Ohio Revised Code. Public Utilities or other functionally equivalent providers may site a telecommunication tower as a Conditional Use provided the following conditions are met:

1. The maximum height of a tower shall not exceed 150 feet;

2. The tower and any stabilization structures or guide wires shall not be placed closer than ten (10) feet from a side or rear property line;

3. The tower shall not be placed closer than 150 feet from any existing residential dwelling;

4. Minimum lot size for which a tower is to be placed shall be two (2) acres;

5. The tower shall be located a minimum of fifteen (15) feet from the edge of the existing right-of-way line or proposed right-of-way line as depicted in the Thoroughfare Plan as adopted by the Mid-Ohio Regional Planning Commission on October 6, 1961 and as amended from time to time, whichever right-of-way is greater;

6. Security fencing shall be provided to prevent uncontrolled access to the tower site;

7. The tower shall be designed to aesthetically complement the surrounding community. Towers shall be painted in a non-contrasting color minimizing visibility unless otherwise required by the FCC or FAA;

8. A landscaping plan must be submitted and approved by the Board of Zoning Appeal. An evergreen hedge planted three feet on center or an evergreen tree line planted five (5) feet on center is suggested. All existing vegetation shall be retained and maintained to the extent possible;

9. Advertising shall not be permitted anywhere on the tower or site with the exception of identification signs and no trespassing signs, which are required;

10. The tower shall not be artificially lighted except to assure safety or as required by the FAA;

11. Towers must be designed and certified by an engineer to be structurally sound and, at a minimum, in conformance with the Ohio Basic Building Code;

12. The tower shall be fully automated and unattended on a daily basis, and shall be visited only for periodic and necessary maintenance;

13. The applicant or tower provider shall demonstrate that the telecommunication tower must be located where it is proposed in order to service the applicant's service area and that no viable siting alternative exists. There shall be an explanation of why a tower at this proposed site is technically necessary;

14. Where the tower is located on a property with another principal use, the applicant shall present documentation that the owner of the property supports the application and that vehicular access is provided to the property. Reasonable access and circulation shall be provided to the tower.

15. Applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential co-location of other towers to the extent possible, the removal of the tower within one-hundred eighty (180) days after the site's use is discontinued, proof that other co-location opportunities have been explored and are unavailable and that notice has been provided as required in Section 303.211 of the Ohio Revised Code;

16. A tower may be attached to a residential or non-residential building or a structure that is a permitted use in the district; including, but not limited to, a church, a municipal or governmental building or facility, agricultural building, and a building or structure owned by a utility, provided conditions two (2) through fifteen (15) above are met and the tower height does not exceed twenty (20) feet above the existing building or structure to which the tower is attached.

17. No telecommunication tower shall be located within one thousand (1,000) feet of any historic site, historic district, public park, resource protection district or greenway.

Waiver of Conditional Use Permit

Exception #1 - Should a public telecommunication organization desire to site a tower on property that falls under the direct ownership of the County Commissioners or appropriate Township Trustees then a Zoning Compliance Certificate may be obtained in lieu of a Conditional Use Permit provided conditions 5, 6, 7, 11 and 15 are observed. Note: A GIS map of publicly owned sites is available at the Franklin County Development Department.

Exception #2 - Should a public telecommunication organization desire to co-locate a tower with either another existing tower or a utility structure (i.e. water tower) then a Zoning Compliance Certificate may be obtained in lieu of a Conditional Use Permit provided conditions 5, 6, 7, and 11 are observed.

302.04 - DEVELOPMENT STANDARDS

In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the RURAL DISTRICT.

302.041 - Lot Area and Coverage

a.) For each dwelling unit there shall be a lot area not less than 2.5 acres.

b.) For each other Permitted Use and Conditional Use, the lot area shall be adequate to meet the sanitation requirements of the County Board of Health, but shall not be less than that prescribed for such use.

c.) Only one (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty percent (20%) by structure. Exceptions: Churches and schools may have more than one principal structure per lot.

302.042 - Minimum Lot Width - For a one-family dwelling, there shall be a lot width of One hundred and fifty (150) feet or more at the front line of the dwelling (except for Oscar Lots and Farm Village lots, see sections 416 and 415 respectively). Unless otherwise provided here-in, such lot shall have access to and abut on an improved, dedicated, publicly maintained street right-of-way for a distance of at least one hundred and fifty (150) feet. Frontage may be reduced on a curved portion of a street (with a centerline radius of 500

feet or less) to one hundred (100) feet and on a cul-de-sac bulb to sixty (60) feet. Frontage may be provided on an approved private street, if the right-of-way is dedicated to allow emergency vehicle access and is permanently maintained by a responsible entity.

302.043 - Side Yard - For dwellings there shall be a total of side yards of twenty (20) feet or more with a minimum of eight (8) feet or more on one (1) side.

For structures permitted in Sections 302.024, 302.025, 302.032 and 302.033, there shall be a side yard of not less than twenty-five (25) feet, except when a larger side yard is required for such use, by these district regulations.

302.044 - Rear Yard - For main buildings, there shall be a rear yard of twenty percent (20%) or more of the lot depth, except that a rear yard of more than fifty (50) feet shall not be required.

302.045 - Front Yard - See Section 504.01

302.046 - Accessory Structures - See Section 512.

302.047 - Maximum Height – Thirty-eight (38) feet, measured from the average grade on the lowest side of the structure to the peak of the roof.

SECTION 304 - (LDR) LOW DENSITY RESIDENTIAL DISTRICT REGULATIONS

304.02 - PERMITTED USES - The following uses shall be permitted in the LOW DENSITY RESIDENTIAL DISTRICT:

304.021 - Dwelling Structures - One-family dwelling structures.

304.022 - Home Occupation (business) - Home occupation in association with a permitted dwelling, and in accordance with the provisions of Section 511, Article V.

304.023 - Accessory Uses - Accessory buildings (detached garages, barns and sheds) and uses in association with permitted dwellings as specified in Section 512, Article V, including: Domestic servant quarters (employed on the premises).

304.024 - Religious - Church or other place of worship provided it occupies a lot of not less than (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area. A parsonage, or minister's residence is permitted on the same lot, provided there is adequate space for a water well and wastewater disposal system if required on site.

304.025 - Child Day Care - Child day care provided in-home for six (6) or fewer children who are not members of the immediate resident family, provided the day care is accessory to the principal use of the dwelling as a residence.

304.026 - Public Schools and Parks - Public school offering general education courses and having no rooms regularly used for housing or sleeping of students, provided it occupies a lot of not less than five (5) acres. Parks, playgrounds, and play fields open to the public without fee [formerly a conditional use under 304.031].

304.03 - CONDITIONAL USE - The following uses shall be allowed in the LOW DENSITY RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

304.032 - Private Streets (lanes) - As provided in 302.0391

304.033 - Ponds - as provided for in 302.0392

304.034 - Telecommunication Towers - as provided for in 302.0394

304.04 - DEVELOPMENTAL STANDARDS

In addition to the provisions of Article V, General Development Standards, the following standards for arrangement and development of land and buildings are required in the Low Density Residential District:

304.041 - Lot Area and Coverage - For each dwelling unit there shall be a lot area of not less than two (2) acres. For each permitted use the lot area shall be adequate to meet the sanitation requirements of applicable health authorities, but shall not be less than that prescribed by this resolution for such use.
One (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty percent (20%) by structures. Churches and schools may have more than one permitted principal structure.

304.042 - Lot Width and Frontage - For each permitted use there shall be a lot width of two hundred (200) feet or more at the front line of the dwelling and such lot shall have access to, front, and abut on an improved, dedicated, publicly maintained right-of-way for a distance of two hundred (200) feet or more, except frontage only may be reduced on a curved portion of a street (with a center line radius of five hundred (500) feet or less) to one hundred and fifty (150) feet and on a cul-de-sac bulb to sixty (60) feet. Frontage may be provided on an approved private road if access is dedicated to allow permanent maintenance and emergency vehicles .

304.043 - Side Yard - For principal structures, there shall be a minimum side yard of twenty-five (25) feet per side yard required.

304.044 - Rear Yard - For principal structures, there shall be a rear yard of twenty percent (20%) or more of the lot depth, except a rear yard of more than seventy-five (75) feet shall not be required.

304.045 - Front Yard - As provided for in 504.01

304.046 - Accessory Structures - As provided for in Section 512

304.047 - Maximum Height – Thirty-eight (38) feet, as provided for in 302.047

SECTION 305 - (R-1) RESTRICTED SUBURBAN RESIDENTIAL DISTRICT REGULATIONS

305.02 - PERMITTED USES - Land and buildings in the RESTRICTED SUBURBAN RESIDENTIAL DISTRICT shall be used only for the following purposes:

305.021 - Dwelling Structures - One-family dwelling structures.

305.022 - Home Occupation (business) - Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

305.023 - Accessory Uses - Accessory buildings (detached garages, barns and sheds) and uses in association with permitted dwellings as specified in SECTION 512, ARTICLE V, including:

Domestic servant quarters (employed on the premises).

305.024 - Religious Uses - Church or other place of worship provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area.

305.025 - Schools and Parks - As provided for in 302.024

305.026 - Adult Family Homes - As provided for in ORC 3722

305.027 - Child Day Care, accessory to a residence - As provided for in 302.028

305.03 - CONDITIONAL USE - The following uses shall be allowed in the RESTRICTED SUBURBAN RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

305.032 - Private School - As provided for in 302.032

305.033 - Cemetery - As provided for in 302.033

305.034 - Child Day Care (more than six (6) children) - As an accessory use to the dwelling. As provided for in 302.038.

305.035 - Private Streets (lanes) - As provided for in 302.0391

305.036 - Ponds - As provided for in 302.0392

305.037 - Telecommunication Towers - As provided for in 302.0394

305.04 - DEVELOPMENT STANDARDS

In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the RESTRICTED SUBURBAN RESIDENTIAL DISTRICT.

305.041 - Lot Area and Coverage - For each dwelling unit there shall be a lot area not less than forty thousand (40,000) square feet per dwelling unit. Note: since centralized water and sewer are generally not available in the R-1 district, for each Permitted Use and Conditional Use the lot area shall be adequate to meet the sanitation requirements of the County Board of Health, but shall not be less than that prescribed for such use.

One (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty percent (20%) by structure. Exceptions: Churches and schools may have more than one (1) principal structure per lot.

305.042 - Lot Width - For a one-family dwelling there shall be a lot width of one hundred and fifty (150) feet or more at the front line of the dwelling, and such lot shall have access to and abut on an improved, dedicated, publicly maintained street right-of-way for a distance of one hundred and fifty (150) feet or more except frontage only may be reduced on a curved portion of a street (with a centerline radius of five hundred (500) feet or less) to one hundred (100) feet and on a cul-de-sac bulb to sixty (60) feet. Frontage may be provided on an approved private street if the right-of-way is dedicated to allow emergency vehicle access and is permanently maintained by a responsible entity.

For a Conditional Use, the lot width shall be adequate to meet the development standards of the RESTRICTED SUBURBAN RESIDENTIAL DISTRICT.

305.043 - Side Yard - For dwellings there shall be a total of side yards of twenty-five (25) feet or more with a minimum eight (8) feet on one (1) side.

For a Conditional Use or structures permitted in Section 305.024 and 305.025, except dwellings, and accessory structures thereto, there shall be a side yard on each side of a building of twenty-five (25) feet or more.

305.044 - Rear Yard - For main buildings, there shall be a rear yard of twenty percent (20%) or more of the lot depth, except that a rear yard of more than fifty (50) feet shall not be required.

305.045 - Front Yard as provided for in 504.01.

305.046 - Accessory Structures as provided for in Section 512.

305.047 - Maximum Height – Thirty-eight (38) feet, as provided for in 302.047.

SECTION 306 - (R-2) LIMITED SUBURBAN RESIDENTIAL DISTRICT REGULATIONS

306.02 - PERMITTED USE - Land and buildings in the LIMITED SUBURBAN RESIDENTIAL DISTRICT shall be used only for the following purposes:

306.021 - Dwelling Structures - One-family dwelling structures.

306.022 - Home Occupations (business) - Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

306.023 - Accessory Use - Accessory buildings (detached garages, barns, and sheds) and uses in association with permitted dwellings as specified in SECTION 512, ARTICLE V.

306.024 - Religious Uses - Church or other place of worship provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly areas.

306.025 - Schools and Parks - As provided for in 302.024

306.026 - Adult Family Homes - As provided for in ORC 3722

306.027 - Child Day Care - As provided for in 302.028, as accessory to a residence

306.03 - CONDITIONAL USE - The following uses shall be offered in the LIMITED SUBURBAN RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

306.032 - Private School and Child Care - As provided for in 302.032

306.033 - Cemetery - As provided for in 302.033

306.034 - Child Day Care (more than six (6) children) - As provided for in 302.038

306.035 - Private Streets (lanes) - As provided for in 302.0391

306.036 - Ponds - As provided for in 302.0392

306.037 - Telecommunication Towers - As provided for in 302.0394

306.04 - DEVELOPMENT STANDARDS

In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the LIMITED SUBURBAN RESIDENTIAL DISTRICT.

306.041 - Lot Area and Coverage - For each dwelling unit there shall be a lot area not less than twenty thousand (20,000) square feet per dwelling unit. Centralized water and sanitary sewer service is required.

For all other Permitted Use and Conditional Use, the lot area shall be adequate to meet the sanitation requirements of the County Board of Health, but shall not be less than that prescribed for such use.

306.042 - Only one (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty percent (20%) by structure. Exceptions: Churches and schools may have more than one (1) principal structure per lot.

306.043 - Lot Width - For a one-family dwelling, there shall be a lot width of one hundred (100) feet or more at the front line of the dwelling, and such lot shall have access to and abut on an approved, dedicated, publicly maintained street right-of-way for a distance of sixty (60) feet or more. Frontage may be provided on an approved private street if the right of way if dedicated to allow emergency vehicle access and is permanently maintained by a responsible entity.

For a Conditional Use, the lot width shall be adequate to meet the development standards of the LIMITED SUBURBAN RESIDENTIAL DISTRICT.

306.043 - Side Yard - For dwellings there shall be a total of side yards of twenty (20) feet or more with a minimum of eight (8) feet on one (1) side.

For a Conditional Use or structures permitted by Section 306.024 and 306.025, there shall be a side yard on each side of a building of twenty-five (25) feet or more.

306.044 - Rear Yard - For main buildings, there shall be a rear yard of twenty percent (20%) or more of the lot depth, except that a rear yard of more than fifty (50) feet shall not be required.

306.045 - Front Yard as provided for in Section 504.01.

306.046 Accessory Structures as provided for in Section 512.

306.047 Maximum Height – Thirty-eight (38) feet, as provided for in 302.047.

SECTION 308 - (R-4) SUBURBAN RESIDENTIAL DISTRICT REGULATIONS

308.02 - PERMITTED USE - Land and buildings in the SUBURBAN RESIDENTIAL DISTRICT shall be used only for the following purposes:

308.021 - Dwelling Structures - One-family dwelling structures

308.022 - Home Occupation (business) - Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

308.023 - Accessory Uses - Accessory buildings (detached garages, barns and sheds) and uses in association with permitted dwellings as specified in SECTION 512, ARTICLE V.

308.024 - Religious Uses - Church or other place of worship provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area.

308.025 - Schools and Parks - As provided for in 302.024

308.026 - Adult Family Homes - As provided for in ORC 3722

308.027 - Child Day Care - As accessory to the use of the dwelling as residence. As provided for in 302.028.

308.03 - CONDITIONAL USE - The following uses shall be allowed in the SUBURBAN RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

308.031 - Dwelling Structures - Two-family dwelling structures, provided the lot size is at least 17,000 square feet.

308.034 - Cemetery - As provided for in 302.033

308.035 - Child Day Care (more than six (6) children) - As accessory to the use of the dwelling as a residence and as provided for in 302.038.

308.036 - Telecommunication Towers - As provided for in 302.0394

308.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the SUBURBAN RESIDENTIAL DISTRICT.

308.041 - Lot Area and Coverage - Minimum 8,500 square feet for single-family dwellings, 17,000 for two family dwellings. Centralized water and sanitary sewer is required.

For all other Permitted Use and Conditional Use, the lot area shall be adequate to meet the sanitation requirements of the County Board of Health, but shall not be less than that prescribed for such use.

308.042 - Only one (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty percent (20%) by structure. Exceptions: Churches and schools may have more than one (1) principal structure.

308.043 - Lot Width - For a dwelling, there shall be a lot width of eighty (80) feet or more at the front line of the dwelling, and such lot shall have access to and abut on an improved, dedicated, publicly maintained street right-of-way for a distance of sixty (60) feet or more.

For a Conditional Use, the lot width shall be as determined to be adequate by the Board of Zoning Appeals to meet the development standards of the SUBURBAN RESIDENTIAL DISTRICT.

308.043 - Side Yard - For dwellings there shall be a total of side yards of twenty (20) feet or more with a minimum of eight (8) feet on one (1) side.

For a Conditional Use or structures permitted by Section 308.024-.025, except dwellings and accessory structures thereto, there shall be a side yard on each side of a building of twenty-five (25) feet or more.

308.044 - Rear Yard - For main buildings, there shall be a rear yard of twenty percent (20%) or more of the lot depth, except that a rear yard of more than fifty (50) feet shall not be required.

308.045 - Front Yard - As provided for in Section 504.01.

308.046 - Accessory Structures - As provided for in Section 512.

308.047 - Maximum Height – Thirty-eight (38) feet, as provided for in Section 302.047.

SECTION 312 - (R-8) RESTRICTED URBAN RESIDENTIAL DISTRICT REGULATIONS

312.02 - PERMITTED USE - Land and buildings in the RESTRICTED URBAN RESIDENTIAL DISTRICT shall be used only for the following purposes:

312.021 - Dwelling Structures - One-family dwelling structures.

312.022 - Home Occupation (business) - Home Occupation is associated with a permitted dwelling and in accordance with the provisions of SECTION 511.

312.023 - Accessory Uses - Accessory buildings (detached garages, barns and sheds) and uses in association with permitted dwellings as specified in SECTION 512.

312.024 - Religious Uses - Church or other place of worship, provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area.

312.025 - Schools and Parks - As provided for in 302.024.

312.026 - Adult Family Homes - As provided for in ORC 3277.

312.027 - Child Day Care - Accessory to the dwelling as a residence, as provided for in 302.028.

312.03 - CONDITIONAL USE - The following uses shall be allowed in the RESTRICTED URBAN RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815.

312.031 - Dwelling Structures

a.) Two-family dwelling structures, provided that the density requirements of 312.041 can be met.

b.) Town House structures (vertically attached single-family units), provided the density requirements of 312.041 are met.

312.032 - Child Day Care (more than six (6) children) - As accessory to the use of a dwelling as a residence, as provided for in 302.038.

312.034 - Cemetery - As provided for in 302.033.

312.035 - Telecommunication Towers - As provided for in 302.0394.

312.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the RESTRICTED URBAN RESIDENTIAL DISTRICT.

312.041 - Lot Area and Coverage - Centralized water and sanitary sewer is required.

a.) For each one-family structure there shall be a lot area not less than seventy-two hundred (7,200) square feet per dwelling unit.

b.) For each two-family structure, there shall be a lot area not less than ten thousand (10,000) square feet per two-family structure.

c.) Townhouses: For each dwelling unit more than two (2) in a structure, there shall be not less than five thousand (5000) square feet of lot area per dwelling unit. Maximum four (4) townhouses per structure.

d.) Only one (1) principal use shall be permitted on a lot, except where other arrangement is allowed in the approval of a Conditional Use, but no lot shall be covered more than thirty-five percent (35%) by structure and required off-street parking. Exceptions: Churches and schools may have more than one (1) principal structure per lot.

312.042 - Lot Width - For a one-family dwelling, there shall be a lot width of sixty (60) feet or more at the front line of the dwelling, and such lot shall have access to and abut on an improved, dedicated, publicly maintained street right-of-way for a distance of thirty (30) feet or more.

For a two-family dwelling, there shall be a lot width of seventy-five (75) feet or more at the front line of the dwelling, and for each dwelling unit more than two (2) there shall be required an additional forty (40) feet of lot width at the front line of the dwelling, and such lot shall have access to and abut on a public right-of-way for a distance of sixty (60) feet or more.

For a Conditional Use, the lot width shall be adequate to meet the development standards of the RESTRICTED URBAN RESIDENTIAL DISTRICT, except for the consideration of a Conditional Use on an existing platted lot or lots, these lot width requirements may be reduced where lot area and coverage, side yard and rear yard requirements are otherwise complied with.

312.043 - Side Yard - For a one-family dwelling there shall be a minimum of six (6) feet.

For dwellings with two (2) or more dwelling units, there shall be a side yard not less than one-fourth (1/4) the sum of the height of the structure, and the length of the wall most nearly parallel to the side lot line; but in no case shall the side yard be less than fifteen (15) feet.

For Conditional Use or structures permitted by Section 312.024-.025, except dwellings and accessory structures thereto, there shall be a side yard on each side of the building of twenty-five (25) feet or more.

312.044 - Rear Yard - For main buildings there shall be a rear yard of twenty percent (20%) or more of the lot depth, except a rear yard of more than thirty (30) feet shall not be required.

312.045 - Front Yard - As provided for in Section 504.01.

312.046 - Accessory Structures - As provided for in Section 512.

312.047 - Maximum Height – Thirty-eight (38) feet, as provided for in 302.047.

SECTION 315 - (R-12) URBAN RESIDENTIAL DISTRICT REGULATIONS

315.02 - PERMITTED USE - Land and buildings in the URBAN RESIDENTIAL DISTRICT shall be used only for the following purposes:

315.021 - Dwelling Structures

a.) One-family dwelling structures.

b.) Two-family dwelling structures.

c.) Town House structures.

315.022 - Home Occupation (business) - Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

315.023 - Accessory Uses - Accessory buildings (detached garages, barns and sheds) and uses in association with permitted dwellings as specified in SECTION 512, ARTICLE V.

315.024 - Religious Uses - Church or other place of worship provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area.

315.025 - Schools and Parks - As provided for in 302.024.

315.026 - Adult Family Homes - As provided for in ORC 3722.

315.027 - Child Day Care - As accessory to the use of a dwelling as a residence. As provided for in 302.028.

315.03 - CONDITIONAL USE - The following uses shall be allowed in the URBAN RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

315.031 - Dwelling Structures - Apartment structures containing not more than four (4) dwelling units per structure.

315.035 - Child Day Care - As accessory to the use of a dwelling as a residence (more than six (6) children). As provided for in 302.038.

315.036 - Cemetery - As provided for in 302.033.

315.037 - Telecommunication Towers - As provided for in 302.0394.

<u>315.04 - DEVELOPMENT STANDARDS</u> - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the URBAN RESIDENTIAL DISTRICT.

315.041 - Lot Area and Coverage - Centralized water and sanitary sewer are required.

a.) For each one-family structure there shall be a lot area not less than six thousand (6,000) square feet per dwelling.

b.) For each two-family structure there shall be a lot area not less than seventy-two hundred (7,200) square feet per two-family structure.

c.) For each dwelling unit more than two (2) in a structure, there shall be not less than twelve hundred (1,200) square feet of additional lot area per additional dwelling unit.

d.) Only one (1) principal use shall be permitted on a lot, and such lot shall not be covered more than thirty percent (35%) by structure and required off-street parking. Exceptions: Churches and schools may have more than one principal structure per lot.

315.042 - Lot Width

a.) For a one-family dwelling, there shall be a lot width of fifty-five (55) feet or more at the front property line, and such lot shall have access to and abut on an improved, dedicated, publicly maintained street.

b.) For a two-family dwelling, there shall be a lot width of sixty-five (65) feet or more at the front property line and for each dwelling unit more than two (2), there shall be required an additional ten (10) feet of lot width, and such lot shall have access to and abut on a public right-of-way.

c.) For a Conditional Use, the lot width shall be adequate to meet the development standards of the URBAN RESIDENTIAL DISTRICT.

315.043 - Side Yard - For dwellings there shall be a minimum of five (5) feet.

For a Conditional Use, except dwellings and accessory structures thereto, there shall be a side yard on each side of a building of twenty-five (25) feet or more.

315.044 - Rear Yard - For main buildings there shall be a rear yard of twenty percent (20%) or more of the lot depth.

315.045 - Front Yard as provided for in Section 504.01

315. 046 - Accessory Structures as provided for in Section 512.

315.047 - Maximum Height – Thirty-eight (38) feet, as provided for in Section 302.047.

SECTION 318 - (R-24) SUBURBAN APARTMENT RESIDENTIAL DISTRICT REGULATIONS

318.02 - PERMITTED USE - Land and buildings in the SUBURBAN APARTMENT RESIDENTIAL DISTRICT shall be used only for the following purposes:

318.021 - Dwelling Structures

a.) Two-family dwelling structures.

b.) Town House dwelling structures.

c.) Apartment dwelling structures containing not more than three (3) stories of dwelling units, and/or twelve (12) dwelling units.

318.022 - Home Occupation (business) - Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

318.023 - Accessory Uses - Accessory buildings and uses in association with permitted dwellings as specified in Section 512, ARTICLE V.

318.024 - Schools and Parks - As provided for in 302.024.

318.026 - Religious Uses - Church or other place of worship, provided it occupies a lot of not less than three (3) acres and there is one (1) acre or more per one hundred (100) seats of similar accommodations in the main assembly area.

318.027 - Child Day Care - As accessory to use of a dwelling as a residence. For six (6) or fewer children, as provided for in 302.028.

318.03 - CONDITIONAL USE - The following uses shall be allowed in the SUBURBAN APARTMENT RESIDENTIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

318.031 - Dwelling Structures - An apartment dwelling structure of more than three (3) stories of dwelling units and/or containing more than twelve (12) dwelling units provided the overall density of the district is not exceeded.

318.033 - Flexible Arrangement of Structures - Arrangement of structures in accordance with the provisions of SECTION 506, ARTICLE V.

318.034 - Telecommunication Towers - As provided for in 302.0394.

318.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the SUBURBAN APARTMENT RESIDENTIAL DISTRICT.

318.041 - Lot Area and Coverage - For each main structure, there shall be a lot area not less than seventy-two hundred (7,200) square feet. Centralized water and sewer are required.

For each dwelling unit, there shall be provided a minimum of eighteen hundred (1,800) square feet of lot area, and land shall not be developed at a higher density than twenty-four (24) dwelling units per acre devoted to permitted uses.

Unless approved per Section 318.033, only one (1) main structure shall be permitted on a lot, and such lot shall not be covered more than thirty-five percent (35%) by structure and required off-street parking.

318.042 - Lot Width - For a two-family dwelling, there shall be a lot width of sixty (60) feet or more at the front line of the dwelling, and for each dwelling unit more than two (2), there shall be required an additional ten (10) feet of lot width. However, a lot width at the front line of the dwelling shall not be required to exceed one hundred and fifty (150) feet. Such lot shall have access to and abut on an improved, dedicated, publicly or privately maintained street right-of-way for a distance of two-thirds (2/3) of the required lot width; but such distance shall not be required to exceed one hundred (100) feet.

For a Conditional Use, the lot width shall be adequate to meet the development standards of the SUBURBAN APARTMENT RESIDENTIAL DISTRICT.

318.043 - Side Yard - For dwellings or associated accessory buildings, there shall be a side yard not less than one-sixth (1/6) the sum of the height of the structure and the length of the wall most nearly parallel to side lot line; but in no case shall the side yard be less than eight (8) feet.

For a Conditional Use or structures permitted by Sections 318.024-.025, except dwellings and accessory structures thereto, there shall be a side yard on each side of a building of twenty-five (25) feet or more.

318.044 - Rear Yard - For main buildings, there shall be a rear yard of twenty percent (20%) or more of the lot depth, except a rear yard of more than thirty (30) feet shall not be required.

318.045 - Maximum Height – Thirty-eight (38) feet.

SECTION 319 - (RMH) RESIDENTIAL MANUFACTURED HOME DISTRICT REGULATIONS

319.01 - INTENT - The Manufactured Home District is intended to provide affordable housing opportunities to people who wish to own their own manufactured home and lot. The RMH district is an overlay district, which may be placed over the R-1, R-2, R-4, or R-8 districts as approved by the zoning map amendment process. It is the intent of this zone to create affordable home ownership alternatives in Franklin County by creating a residential subdivision, which is reserved exclusively for manufactured homes.

319.02 - PERMITTED USES IN THE DISTRICT

319.021 - New single wide or double wide manufactured homes which meet the United States Department of Housing and Urban Development 1974 Manufactured (mobile home) Housing Construction Safety Standards (1974 HUD Code).

The manufactured home must also:

a.) Front on an approved public or private subdivision street created to service the lots. No manufactured home lots in the RMH zoning district may have access to an existing township, county, or state road.

b.) The structure is affixed to a permanent (slab, crawl space or full) foundation and is connected to appropriate utilities. The indicia of mobility (axles, trailer tongue, running lights, etc.) shall be removed prior to placement on a permanent foundation.

c.) The structure has a width of at least fourteen (14) feet at one point, and a total living area, excluding garages, porches, or attachments of at least nine hundred (900) square feet.

d.) The structure has a six (6)-inch minimum cove overhang, including appropriate guttering; a "A" roof with a minimum roof pitch of 3/12, and conventional siding (lap, clapboard [man made materials such as vinyl and aluminum are acceptable], shake, stucco, masonry, etc.)

e.) The structure was manufactured after January 1, 1995 in accordance with ORC 3781.06, (F).

319.022 - Home Occupation (business) - Home occupation in association with a permitted dwelling (manufactured home), and in accordance with Article V, Section 511.

319.023 - Accessory Uses - Accessory buildings (detached garages, barns and sheds) and uses in association with permitted dwellings as specified in Section 512, Article V.

319.024 - Religious Uses - As provided for in 302.026. Minimum lot size is equal to that required for a residence in the district, with the lot size as required by 302.026.

319.025 - Schools and Parks - As provided for in 302.024.

319.026 - Child Day Care - Six (6) or fewer children as accessory to a residence. As provided for in 302.028.

319.03 - CONDITIONAL USE - The following uses shall be allowed in the RESIDENTIAL MANUFACTURED HOME DISTRICT subject to approval in accordance with Section 815.

319.031 - Private School and Child Care - As provided for in 302.032.

319.032 - Private Streets (lanes) - As provided for in 302.0391.

319.033 - Telecommunication Towers - As provided for in 302.0394.

319.04 - DEVELOPMENT STANDARDS - The RMH zone may be overlaid on the R-1. R-2, R-4, or R-8 zones by the Rural Zoning Commission upon petition for such zoning change by the landowner of a parcel of land. The development standards for the RMH lots and dwellings are the same as are imposed on the underlying zone. If the RMH district abuts a single family Residential or Rural district, whether in the unincorporated County or an incorporated area, a fifty (50) foot wide vegetated and landscaped buffer area, with sixty percent (60%) opacity must be provided between the RMH district and the abutting residential district. This fifty (50)-foot buffer may be provided either on the rear of each RMH lot or it may be provided as a reserve.

SECTION 322 - (SO) SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT REGULATIONS

322.02 - PERMITTED USE - The following uses shall be permitted in the SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT.

322.021 - Residential - Dwellings ancillary to permitted uses.

322.022 Administrative, Professional, Institutional, and Business Offices

OMB SIC Group Code	Type of business
0742	Veterinary Services, without outdoor pens or runs
0752	Animal specialty services without outdoor pens or runs (exclusive of horse breeding)
43	US Postal Service
4724	Travel Agencies
481	Telephone and Communication Offices
483	Radio and Television Broadcasting
484	Cable Television Offices
60	Depository Institutions (banks)
61	Non Depository Institutions
62	Security/ commodity brokers
63	Insurance Carriers
64	Insurance Brokers
65	Real Estate
67	Investment Companies
73	Business Services/offices
782	Motion Picture Distribution services
783	Motion Picture Theaters
784	Video tape/disc rental
791	Dance Studios
792	Talent producers, entertainers
80	Health and Medical Services
81	Legal Services
82	Educational Services, libraries, schools
83	Social Services
84	Museums, Galleries
86	Membership Organizations
87	Engineering , Personnel, Management Services
899	Professional Services not otherwise classified
91-97	Government, public offices

<u>322.03 - CONDITIONAL USE</u> - The following uses shall be allowed in the SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT provided a site plan showing building layout, parking and access is approved, in accordance with ARTICLE VIII Section 815.

322.031 - Drive-In or drive through Facility - Drive-in, drive through, or outdoor service facilities developed in association with a PERMITTED USE, provided no outdoor voice amplification call box or menu board is located within one hundred (100) feet of a residence.

322.032 - Other Conditional Uses

074	Veterinary Services (large and small animals, with outdoor runs, provided such runs are not within two hundred (200) feet of a residence
581	Eating and Drinking Places (except those establishments offering or featuring entertainment including totally nude, topless, bottomless, strippers, male or female impersonators, or similar entertainment or services as defined in Section 720, Article VII)
702	Rooming and Boarding Houses
704	Organization Hotels and Lodging Houses on Membership Basis
722	Photographic Studios, including Commercial Photography
723	Beauty Shops
724	Barber Shops
726	Funeral Service and Crematories
7391	Research, Development, and Testing Laboratories

<u>322.04 - DEVELOPMENT STANDARDS</u> - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the SUBURBAN OFFICE AND INSTITUTIONAL DISTRICT.

322.041 - Minimum Lot Size - No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS.

a.) One (1) or more main buildings or PERMITTED USES may be placed on a lot; however, main and accessory structures shall not occupy more than fifty percent (50%) of a lot, nor in total gross floor area exceed eighty percent (80%) of the lot area.

b.) At least twenty percent (20%) of the lot must be landscaped open space.

322.042 - Lot Width - No minimum lot width is required; however, all lots shall abut a street and have adequate width to provide the yard space required by these DEVELOPMENT STANDARDS.

322.043 - Minimum Side Yard

a.) When adjacent to a residential district or planned commercial or residential district, the side yard shall be at least one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the side lot line. In no case shall the setback be less than fifteen (15) feet.

b.) When adjacent to another commercial district, the side yard shall be at least ten (10) feet, unless fireproof walls of adjacent buildings are attached, in which case no side yard is required.

322.044 - Minimum Rear Yard - When adjacent to a residential district or planned district, the rear yard shall be at least one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the rear lot line, but in no case shall it be less than fifteen (15) feet.

322.045 - Front Green Belt - A landscaped area of at least fifteen (15) feet in width shall be provided between the existing street right of way line, or as depicted on the Franklin County thoroughfare plan, current edition, whichever is greater, and any structure or paved area. The green belt requirements shall supersede any permission for encroachment into front setback as may be permitted in Section 504.012; the green belt shall be provided.

322.046 - Minimum Front Building Setback Line - All buildings shall be setback a distance measured from the street centerline to the building a distance equal to the width of the existing right of way, or right of way as proposed on the Franklin County Thoroughfare Plan, current edition as adopted and amended by the Mid Ohio Regional Planning Commission, whichever is greater. However, where a property adjoins a limited access right of way, a building line shall be established fifty (50) feet from the property line adjoining the limited access line. Where property adjoins a limited access right of way, accessory structures may be permitted within the established building line on condition that a setback of not less than five (5) feet from the property line is provided.

322.047 - Maximum Height – Thirty-eight (38) feet.

SECTION 325 (NC) NEIGHBORHOOD COMMERCIAL DISTRICT REGULATIONS

325.02 - PERMITTED USE - Uses permitted in the Suburban Office Zoning District shall be permitted uses in the Neighborhood Commercial Zoning District. The following uses shall also be permitted in the NEIGHBORHOOD COMMERCIAL DISTRICT:

325.021 - Retail - Stores, personal services, business and professional offices Residential uses are permitted if ancillary to a permitted commercial use.

523	Paint, wallpaper, glass stores.
5251	Hardware Stores
539	Miscellaneous General Merchandise
54	Food Stores
56	Clothing Stores
581	Eating and Drinking Places (except those establishments offering or featuring entertainment including totally nude, topless, bottomless, strippers, male or female impersonators, or similar entertainment or services as defined in Section 720, Article VII)
591	Drug Stores and Proprietary Stores
592	Liquor Stores
5941	Sporting Goods
5942	Book Store (but not adult book stores as defined in Section 720)
5943	Stationary Stores
5944	Jewelry Stores
5945	Hobby and toy shops
5946	Camera and photo supply shops
5947	Gift Shops
5948	Luggage and Leather Goods
5949	Sewing shops
5992	Florists
5993	Tobacco stores
5994	News Dealers
5995	Optical Goods (glasses, etc.)
721	Laundry, cleaning and garment services
7215	Self Service Laundries
722	Photography Studios
723	Beauty Shops
724	Barber Shops
725	Shoe Repair Shops, Shoe Shine Parlors
726	Funeral Parlors
727	Pressing, Alteration, and Garment Repair
7291	Tax Return Preparation
7299	Miscellaneous personal services
784	Video Tape/disc rental

<u>325.03 - CONDITIONAL USE</u> - The following uses shall be allowed in the NEIGHBORHOOD COMMERCIAL DISTRICT subject to approval in accordance with SECTION 815, ARTICLE VIII.

325.031 - Automotive Services as follows

554	Gasoline Service Stations provided no portion of a structure or its appurtenances, including ancillary, associated, or auxiliary equipment, shall be located in front of the established building line.
7538	General Auto Repair shops
7542	Car washes

Provided the following conditions are met:

a.) No exterior storage of damaged autos
b.) A fifteen (15)-foot perimeter landscaped green belt must be maintained around the perimeter of the lot.
c.) All pole lighting must be downward cast to avoid glare off the property.
d.) Solid fence or dense evergreen shrubbery at least five (5) feet high at planting shall be used to screen any adjacent <u>permitted</u> uses in this zone, or adjacent to a residential use.

325.032 - Drive-in Facility - Drive-in/drive through or outdoor service facility developed in association with a PERMITTED USE, provided a site plan showing building layout, parking and access is approved. No voice amplified menu board is permitted within one hundred (100) feet of a residence.

325.033 - Other Conditional Uses Permitted - Uses permitted as a Conditional Use in the Suburban Office Zoning District shall be Conditional Uses in the Neighborhood Commercial Zoning District.

<u>325.04 - DEVELOPMENT STANDARDS</u> - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the NEIGHBORHOOD COMMERCIAL DISTRICT.

325.041 - Minimum Lot Size - No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS.

325.042 - Lot Width - No minimum lot width is required; however, all lots shall abut a street and have adequate width to provide the yard space required by these DEVELOPMENT STANDARDS.

325.043 - Minimum Side Yard – Fifteen (15) feet.

a.) When adjacent to a residential district or planned district, the side yard shall be one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the side lot line. In no case shall the setback be less than fifteen (15) feet.

b.) When adjacent to another commercial district, the side yard shall be at least ten (10) feet, unless fireproof walls of adjacent buildings are attached, in which case no side yard is required.

325.044 - Minimum Rear Yard – Twenty (20) feet. A rear yard shall be required adjacent to a Residential Zoning District or a Planned Development Zoning District as listed in SECTION 201, ARTICLE II. Such required rear yards shall be not less than one-fourth (1/4) the sum of the height and length of the wall most nearly parallel to the rear lot line, but in no case shall be less than twenty (20) feet. A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet wide.

325.045 - Front Green Belt - A landscaped area at least fifteen (15) feet in width shall be provided between the existing street right of way line, or as depicted on the Franklin County Thoroughfare Plan, current edition, whichever is greater, and any structure or paved area. Green belt requirements shall supersede any parking lot encroachment permitted in Section 504.012; the green belt shall be provided.

325.046 - Front Building Setback - All buildings shall be setback a distance measured from the street centerline to the building a distance equal to the width of the existing street right-of-way, or right-of-way as shown on the Franklin County Thoroughfare Plan, current edition as adopted and amended by the Mid Ohio Regional Planning Commission, whichever is greater. However, where a property adjoins a limited access right of way, a building line shall be established fifty (50) feet from the property line adjoining the limited access line. Where property adjoins a limited access right of way, accessory structures may be permitted within the established building line on condition that a setback of not less than five (5) feet from the property line is provided.

325.047 - Minimum Landscaped Open Space – Twenty percent (20%) of the lot area shall be landscaped open space.

325.048 - Maximum Height – Thirty-eight (38) feet.

SECTION 328 (CC) - COMMUNITY COMMERCIAL DISTRICT REGULATIONS

328.02 - PERMITTED USE - All uses permitted in the NC and SO zones, as well as the following uses shall be permitted in the COMMUNITY COMMERCIAL DISTRICT.

328.021 - Retail stores, personal services, and business offices as provided for in NC and SO districts, and those categories listed below: Residential uses are permitted if ancillary to a permitted commercial use.

OMB SIC Group Code	Type of Use
078	Landscape services
412	Taxicabs
4513	Air/land Courier services
52	Building Material/Garden Supplies (except 5271 mobile home/manufactured home dealers)
53	General Merchandise Stores
554	Gasoline Service Station
57	Furniture and Home Furnishing stores
58	Eating and Drinking Places (except those establishments offering or featuring entertainment including totally nude, topless, bottomless, strippers, male or female impersonators, or similar entertainment or services, as defined in Section 720, Article VII)
59	Miscellaneous Retail
72	Miscellaneous personal services
75	Automotive Services
784	Video Tape/disc rental
79	Amusement and Recreation services, (except 7948, which requires EU zone).
9999	Adult entertainment - sale of adult books, magazines, videos, and adult performances (including nude dancing) provided the following standards are met and the required zoning compliance is applied for:

A.) Such uses shall not be permitted within five hundred (500) feet of:
   1.) Church
   2.) School
   3.) Park or playground
   4.) Residence or residential district

B.) Such uses shall not be permitted within one thousand (1000) feet of another adults-only use.

C.) For any township that requires a license under Section 503.41 of the Ohio Revised Code, the applicant shall provide a certified copy of the license issued by the township.

<u>328.03 - CONDITIONAL USE</u> - The following uses shall be allowed in the COMMUNITY COMMERCIAL DISTRICT, subject to approval in accordance with SECTION 815, ARTICLE VIII.

328.031 - Drive-in or drive through Facility or Open Display - Drive-in, drive through, or outdoor service, or open display facility, developed in association with a PERMITTED USE, except for 5541Gasoline Service Station, when all of its lot lines are twenty-five (25) feet or more from a Residential Zoning District to a Planned Residential Zoning District as listed in SECTION 201, ARTICLE II. No amplified voice menus shall be permitted within one hundred (100) feet of a residence.

328.035 - Other Conditional Uses Permitted - Uses permitted as a Conditional Use in the Suburban Office and Neighborhood Commercial Zoning Districts shall be Conditional Uses in the Community Commercial Zoning District.

<u>328.04 - DEVELOPMENT STANDARDS</u> - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the COMMUNITY COMMERCIAL DISTRICT.

328.041 - Minimum Lot Size - No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS and the following provisions:

328.042 - Minimum Lot Width - No minimum lot width is required; however, all lots shall abut a street and have adequate width to provide the yard space required by these DEVELOPMENT STANDARDS.

328.043 - Minimum Side Yard

a.) When adjacent to a residential district or planned commercial district, the side yard shall be at least one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the side lot line. In no case shall the setback be less than fifteen (15) feet.

b.) When adjacent to another commercial district, the side yard shall be at least ten (10) feet, unless fireproof walls of adjacent buildings are attached, in which case no side yard is required.

328.044 - Minimum Rear Yard - A rear yard shall be required adjacent to a Residential Zoning District or a Planned Residential Zoning District as listed in SECTION 201, ARTICLE II. These required rear yards shall be not less than one-fourth (1/4) the sum of the height and width of the building, except when adjacent to a dedicated alley of not less than twenty (20) feet. A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet wide.

328.045 - Front Green Belt - A landscaped area of at least fifteen (15) feet in width shall be provided between the street right of way line and any structure or paved area. Green belt requirements supersede and parking encroachment in to the building setback permitted in Section 504.012; the green belt shall be provided.

328.046 - Minimum Front Building Setback - All buildings shall be setback a distance measured from the street centerline to the building equal to the width of the existing right of way, or right of way as proposed on the Franklin County Thoroughfare Plan, current edition as adopted and amended by the Mid Ohio Regional Planning Commission, whichever is greater. However, where a property adjoins a limited access right of way, a building line shall be established fifty (50) feet from the property line adjoining the limited access line. Where property adjoins a limited access right of way, accessory structures may be permitted within the established building line on condition that a setback of not less than five (5) feet from the property line is provided.

328.047 - Minimum Landscaped Open Space – Fifteen percent (15%) of the gross lot area shall be permanently landscaped.

328.048 - Maximum Height – Forty (40) feet.

328.049 - Screening of Exterior Storage - Exterior storage (except new material or finished products or vehicles as provided in 332.046) shall not be permitted adjacent to a residential or planned district unless screened by a one hundred percent (100%) opaque, eight (8) foot wall or vegetative buffer.

SECTION 332 (CS) COMMUNITY SERVICE DISTRICT REGULATIONS

332.02 - PERMITTED USE - All uses permitted in the SO, NC, and CC districts shall be permitted in the CS district. The following additional uses shall also be permitted in the COMMUNITY SERVICE DISTRICT. Residential uses are permitted if ancillary to a permitted commercial use.

332.021 Retail Sales

OMB SIC Group Code	Type of Use
55 (except for 5561)	Retail sales of: Automobiles (new and used; see 332.046) Boats " " Motorcycles " " Gasoline Service Stations
70 (except 703)	Hotels and motels
76	Miscellaneous Repair Shops
78	Motion Pictures (except for adult entertainment), which is not permitted in the CS district.) Note: See adult entertainment regulations in CC zone for adult theaters and bookstores).

332.03 - CONDITIONAL USE - The following uses shall be allowed in the COMMUNITY SERVICE DISTRICT, subject to approval in accordance with SECTION 815, ARTICLE VIII, provided they can meet the following conditions:

1.) A thirty (30)-foot landscaped green belt and eighty percent (80%) opaque perimeter evergreen screening, six (6) foot high is provided when adjacent to residential uses and /or zones.

2.) A thirty (30) foot wide front "greenbelt" or landscaped area is provided between the existing street right-of-way line, or the proposed right-of-way line on the Franklin County Thoroughfare Plan, whichever is greater, and any structure or paved area.

3.) All lighting shall be directed downward. No lighting shall be directed outward from buildings toward surrounding properties.

4.) When abutting residential zones, there shall be no exterior storage other than two (2) axle vehicles weighing less than six thousand (6,000) pounds unless such storage is completely enclosed by a solid eight (8) foot fence or one hundred percent (100%) opaque evergreens.

5.) A landscape plan prepared by a registered landscape architect, and a building elevation (rendering) are approved by the Board of Zoning Appeals.

332.031 - Trade Services - Trade services establishments engaged in the general construction, maintenance, or repair of real of other tangible property.

Contractors

0731	Horticultural Services
l5l	General Building Contractors
l6l	Highway and Street Construction, except Elevated Highways
171	Plumbing, Heating, and Air Conditioning
172	Painting, Paper Hanging, and Decorating
173	Electrical Work
174	Masonry, Stonework, Tile Setting, and Plastering
175	Carpentry and Wood Flooring
176	Roofing and Sheet Metal Work
177	Concrete Work
178	Water Well Drilling
179	Miscellaneous Special Trade Contractors
5561	Recreational Vehicles
5271	Mobile Homes, new and used

332.032 - Storage and Wholesaling - Establishments primarily engaged in transporting, storing, handling, or selling merchandise to retailers, industrial, institutional, or professional users, or to other wholesalers, or acting as agents in buying or selling merchandise for such persons or companies.

421	Trucking, Local and Long Distance
422	Public Warehousing
501	Motor Vehicles and Automotive Equipment (not dismantling)
502	Home Furnishings
503	Lumber and other Construction materials
504	Professional and Commercial Equipment and supplies
506	Electrical Goods
507	Hardware and Plumbing and Heating Equipment and Supplies
508	Machinery, Equipment and Supplies
509	Miscellaneous Wholesalers, except 5093, scrap and waste
5561	Recreational Vehicles, new and used
5271	Mobile Homes, new and used

332.033 - Local Processing - Establishments engaged in processing food and kindred products or printed matter primarily for local consumption.

2013	Sausages and Other Prepared Meat Products
2015	Poultry and Small Game Dressing and Packing, Wholesale
2024	Ice Cream and Frozen Desserts
2051	Bread and Other Bakery Products, Except Biscuits, Crackers, and Pretzels

2071	Candy and Other Confectionery Products
2086	Bottled and Canned Soft Drinks and Carbonated Waters
2097	Manufactured Ice
271	Newspapers: Publishing, Publishing and Printing
272	Periodicals: Publishing, Publishing and Printing
275	Commercial Printing
279	Service Industries for the Printing Trade

332.034 - Retail Sales - Drive-in/drive-thru, or outdoor service or open display, developed in association with a permitted use, except for 544, Gasoline service station when all of its lot lines are twenty-five (25) feet or more from a residential zoning district. No amplified voice menus shall be permitted within one hundred (100) feet of a residence.

332.035 - Other Conditional Uses Permitted Uses permitted, as a Conditional Use in the Suburban Office, Neighborhood Commercial and Community Commercial Zoning Districts shall be Conditional Uses in the Community Service Zoning District.

332.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the COMMUNITY SERVICE DISTRICT.

332.041 - Minimum Lot Size

a.) For uses listed in SIC Code #55, one (1) acre in size abutting a public street or 32,670 square feet (3/4 acre) of lot size for a corner lot abutting two (2) intersecting streets.

b.) For all other uses in the COMMUNITY SERVICE DISTRICT, there is no minimum lot size required; however, lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS.

332.042 - Minimum Lot Width.

a.) For uses other than those listed in SIC Code #55, there is no minimum lot width required; however, all lots shall abut a public street right-of-way and have adequate width to provide the yard space required by these DEVELOPMENT STANDARDS.

b.) For uses listed in SIC Code #55, there shall be a lot width of not less than two hundred (200) feet abutting on and having access to a public street right-of-way depicted as a major arterial street on the Franklin County Thoroughfare Plan, current edition. The lot abutment on a public street may be reduced to a sum of one hundred and seventy-five (175) feet for a corner lot abutting two (2) intersecting major arterial streets.

c.) At least twenty percent (20%) of the lot must be landscaped open space.

332.043 - Minimum Side Yard.

a.) When adjacent to a residential district or planned commercial or residential district, the side yard shall be at least one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the side lot line, or twenty-five (25) feet, whichever is greater.

b.) When adjacent to another commercial district, the side yard shall be at least ten (10) feet, unless fireproof walls of adjacent buildings are attached, in which case no side yard is required.

332.044 - Minimum Rear Yard.

a.) When adjacent to a residential use, residential district, or planned district, the rear yard shall be at least one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the rear lot line, or twenty-five (25) feet, whichever is greater. When abutting other commercial or industrial zones the rear yard may be reduced to zero provided fire separation requirements between buildings are met.

b.) A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet wide.

332.045 - Front Green Belt - A landscaped area of at least fifteen (15) feet in width shall be provided between the existing street right-of-way line, or the right-of-way as depicted on the Franklin County Thoroughfare Plan, current edition, whichever is greater, and any structure or paved area. Green belts shall supersede any parking encroachment into setbacks permitted BY Section 504.012; the greenbelt shall be provided.

332.046 - SUPPLEMENTARY DEVELOPMENT STANDARDS - for Motor Vehicle Dealers (new and used cars), Motor Vehicle Dealers (used cars only), Aircraft, Marine, Boat, Motorcycle, Recreational vehicle, Mobile home and Automotive Dealers:

a.) All areas within required yard areas and parking setback areas shall be maintained with grass or natural vegetation and shall be properly maintained.

b.) Repair and service of automotive and marine items shall be conducted wholly within an enclosed structure permanently located on the lot.

c.) All exterior lighting shall be designed to prevent direct glare on adjoining residential zoning as listed in SECTION 201, ARTICLE II; and all lighting details shall be submitted for approval by the Board of Zoning Appeals. No "string lights" shall be permitted.

d.) The required parking setback shall be established by the appropriate placement of bumper guards designed to prohibit direct access from the display area onto the public road right-of-way. Bumper guards may be concrete cast, landscaping timbers or vertical poles all of which are permanently attached to the ground and designed to prohibit direct access to the public road.

e.) Attention-getting devices such as banners, posters, pennants, ribbons, streamers, spinners or other similar moving devices shall be prohibited.

f.) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at the property line on which such loudspeaker or noise attention-getting device is used, the noise level emitted from such loudspeaker shall not be above a decibel level of seventy (70), as measured at any property line.

332.047 - Minimum Front Building Setback Line - All buildings shall be setback a distance measured from the street centerline to the building equal to the width of the existing right-of-way, or right of way as proposed on the Franklin County Thoroughfare Plan, current edition, whichever is greater.

However, where a property adjoins a limited access right-of-way, a building line for principal structures shall be established fifty (50) feet from the property line adjoining the limited access line, five (5) feet for accessory structures.

332.048 - Screening of Exterior Storage - Exterior storage (except new materials, finished products or vehicles as provided in 332.046) shall not be permitted adjacent to a residential or planned district unless screened with a one hundred percent (100%) opaque wall or vegetative buffer.

SECTION 342 - (RI) RESTRICTED INDUSTRIAL DISTRICT REGULATIONS

342.02 - PERMITTED USE - The following uses shall be permitted in the RESTRICTED INDUSTRIAL DISTRICT.

342.021 - Manufacturing

152	Residential Building Contractors
203	Canning and Preserving Fruits, Vegetables, and Sea Foods (except 2031, Canned and Cured Sea Foods, and 2036, Fresh or Frozen Packaged Fish)
205	Bakery Products
2071	Candy and Other Confectionery Products
23	Apparel and other textile products
27	Printing and Publishing
283	Drugs
314	Footwear, except Rubber
315	Leather Gloves and Mittens
316	Luggage
317	Handbags and other Personal Leather Goods
323	Glass Products, made of Purchased Glass
342	Cutlery, Hand Tools and Hardware
345	Screw machine products
3571	Electronic computers
3575	Computer terminals
3578	Calculating and Accounting Equipment
366	Communication Equipment
367	Electronic Components and Accessories
38	Instruments and related products
39	Miscellaneous small manufacturing industries
412	Taxicabs
43	US Postal Service
44	Water Transportation
48	Communication Services

342.022 - Wholesaling

502	Furniture and Home Furnishings
503	Dry Goods and Apparel
504	Groceries and Related Products
506	Electrical Goods
507	Hardware and Plumbing and Heating Equipment and Supplies
508	Machinery, Equipment and Supplies

5094 Tobacco and its Products
5095 Beer, Wine, and Distilled Alcoholic Beverages
5096 Paper and its Products
5097 Furniture and Home Furnishings
58 Eating and Drinking Places (except those allowing adult entertainment).

342.03 - CONDITIONAL USE - The following uses shall be allowed in the RESTRICTED INDUSTRIAL DISTRICT, subject to approval in accordance with SECTION 815, ARTICLE VIII.

342.031 - Laboratories - provided the following conditions are met:

1.) No radioactive or hazardous waste is generated or stored within five hundred (500) feet of a residence.

2.) No electronic, electric or magnetic interference is generated which exceeds the limits of the property lines.

7391 Research, Development and Testing Laboratories

342.032 - Other

342.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the RESTRICTED INDUSTRIAL DISTRICT.

342.041 - Minimum Lot Size

a.) There is no minimum lot size if public water and sanitary sewer are provided. If they are not provided, minimum lot size shall be forty thousand (40,000) square feet or larger, according to the requirements for on site wastewater treatment systems.

b.) Lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS and the following provisions:

1) **Enclosure -** A use allowed in this district shall operate entirely within an enclosed structure, emitting no dust, smoke, noxious odor or fumes outside this structure, and producing a noise level audible at the property line no greater than the average noise level occurring on any adjacent street.

2) **Screening Exterior Uses -** Open service areas and loading docks shall be screened by walls or fences at least six (6) feet but not more than eight (8) feet in height. These walls or fences shall have an opaqueness of seventy-five percent (75%) or more, so as to effectively conceal service and loading operations from adjoining streets and from a Residential Zoning District or a Planned Development District as listed in SECTION 201, ARTICLE II.

342.042 - Minimum Lot Width - All lots shall have adequate lot width to provide the yard space required by these DEVELOPMENT STANDARDS. All lots must have at least one hundred (100) feet of frontage on an accepted public street or fifty (50) feet of frontage on an approved private industrial street.

342.043 - Minimum Side Yards - (For main and accessory structures, parking and open service and loading areas) :

Minimum side yard shall be provided as follows:

a.) One-third (1/3) the sum of the height and length of the wall most parallel to the interior lot line, or fifteen (15) feet, whichever is greater. If fireproof industrial walls are used on abutting industrial lots, the side yard may be reduced to zero (0).

b.) One-third (1/3) the sum of the height and length of the wall most parallel to the exterior lot line abutting a residential or planned district or twenty-five (25) feet, whichever is greater.

342.044 - Rear Yards - (For main and accessory structures) - A minimum rear yard shall be provided equal to the following:

a.) One-third (1/3) the sum of the height and length of the wall most nearly parallel to the interior lot line, or fifteen (15) feet, whichever is greater.

b.) One-third (1/3) the sum of the height and length of the wall most nearly parallel to the exterior lot line when adjacent to a residential or planned district, or twenty-five (25) feet, whichever is greater.

342.045 - Maximum Building Height – Forty (40) feet

342.046 - Front Green Belt - A landscaped area of at least thirty (30) feet in width shall be provided between the existing street right-of-way line, or the right of way line as depicted on the Franklin County Thoroughfare Plan, whichever is greater, and any structure or paved area. Green belts shall supersede any parking encroachment into setbacks permitted under Section 504.012; the greenbelt shall be provided.

342.047 - Minimum Landscaped Open Space – Thirty percent (30%) of the lot area must be landscaped open space in accordance with a landscape plan by a registered landscape architect.

SECTION 344 - (LI) LIMITED INDUSTRIAL DISTRICT REGULATIONS

344.02 - PERMITTED USE - The following uses shall be permitted in the LIMITED INDUSTRIAL DISTRICT.

344.021 - Restricted Industrial Districts - Any PERMITTED USE of the RESTRICTED INDUSTRIAL DISTRICT shall be permitted in the LIMITED INDUSTRIAL DISTRICT.

344.022 - Manufacturing

15	Building Construction; General contractors and Operative Builders
16	Heavy Construction Contractors
17	Special Trade Contractors, except demolition landfills
2013	Sausages and Other Prepared Meat Products
202	Dairy Products
204	Grain Mill Products
208	Beverage Industries
22	Textile Products
24	Lumber and Wood Products
25	Furniture and fixtures
264	Converted Paper and Paperboard Products, except Containers and Boxes
265	Paperboard Containers and Boxes
267	Misc. corrugated paper products
313	Boot and Shoe Cut Stock and Findings
319	Leather Goods, not elsewhere classified
326	Pottery and related products
328	Cut Stone
336	Nonferrous Foundries
3444	Sheet Metal Work
3591	Machine Shops, Jobbing and Repair
363	Household Appliances
364	Electric Lighting and Wiring Equipment
365	Household audio and video equipment
369	Miscellaneous Electrical Machinery, Equipment and Supplies
37	Transportation Equipment
393	Musical Instruments and Parts
394	Toys, Amusements, Sporting and Athletic Goods
395	Pens, Pencils and Other Office and Artists' Materials
396	Costume Jewelry, Costume Novelties, Button and Miscellaneous Notions, except Precious Metal
398	Miscellaneous Manufacturing Industries
399	Manufacturing Industries, not elsewhere classified

40 Railroads
41 Local and interurban transit
42 Trucking and Warehousing
43 US Postal Service
45 Transportation by air
46 Pipelines, except natural gas
47 Transportation Services
49 Electric, Gas and Sanitary services, except sanitary landfills and waste disposal sites, which require Exceptional Use zoning

50 Wholesale Trade, durable goods
51 Wholesale trade, non-durable goods
598 Fuel dealers

344.03 - Other Permitted uses

344.032 - Commercial Establishments - Commercial establishments normally associated with and intended to serve the industrial establishments of their employees.

581 Eating and Drinking Places

602 Commercial and Stock Savings Banks
612 Savings and Loan Associations
614 Personal Credit Institutions
615 Business Credit Institutions

801 Offices of Physicians and Surgeons
802 Offices of Dentists and Dental Surgeons
803 Offices of Osteopathic Physicians
807 Medical and Allied Services
891 Engineering and Architectural Services
893 Accounting, Auditing, and Bookkeeping Services

9999 Adult entertainment, according to the standards of 328.02.

344.033 - Administrative Offices - Administrative offices primarily engaged in general administrative supervision, purchasing, accounting and other management functions.

344.034 - Personal and Consumer Services - Personal services generally involving the care and maintenance of tangible property or the provision of intangible services for personal consumption intended to serve the industrial establishments or their employees.

Personal

723 Beauty Shops
724 Barber Shops

725 Shoe Repair Shops, Shoe Shine Parlors, and Hat Cleaning Shops
727 Pressing, Alterations and Garment Repair
729 Miscellaneous Personal Services

Business

731 Advertising
732 Consumer Credit Reporting Agencies, Mercantile Reporting Agencies, and Adjustment and Collecting Agencies
733 Duplicating, Addressing, Blueprinting, Photocopying, Mailing, Mailing List, and Stenographic Services
736 Private Employment Agencies
739 Business Services, not elsewhere classified (except 7391, Research, Development, and Testing Laboratories)

344.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the LIMITED INDUSTRIAL DISTRICT.

344.041 - Minimum Lot Size

a.) There is no minimum lot size if public water and sanitary sewer are provided. If they are not provided, minimum lot size shall be forty thousand (40,000) square feet, or larger according to the requirements for on-site wastewater treatment systems.

b.) Lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS and the following provisions:

1.) Enclosure- a use allowed in this district shall entirely enclose its primary operation within a structure. Walls or fences shall screen open storage and service areas and loading docks at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of eighty percent (80%) or more, so as to effectively conceal production, storage, service, and loading operations from adjoining streets and from a Residential Zoning District or a Planned Development District as listed in SECTION 201, ARTICLE II.

2) PERMITTED USES of this district may be developed in accordance with the DEVELOPMENT STANDARDS of SECTION 342, RESTRICTED INDUSTRIAL DISTRICT.

344.042 - Minimum Lot Width - All lots shall have adequate lot width to provide the yard space required by these DEVELOPMENT STANDARDS. All lots must have at least one hundred (100) feet of frontage on either an accepted public street, or fifty (50) feet of frontage on approved private Industrial Street.

344.043 - Minimum Side Yards - (For main and accessory structures, parking and open storage, service and loading areas):

a.) One-third (1/3) the sum of the height and length of the wall most parallel to the interior lot line, or fifteen (15) feet, whichever is greater.

b.) Where fireproof industrial buildings abut, no side yard is required.

c.) When abutting a residential or planned district, one-third (1/3) the sum of the height and length of the wall most parallel to the exterior lot line abutting a residential or planned district, or fifty (50) feet, whichever is greater.

344.044 - Rear Yards shall be provided as follows: (For main and accessory structures)

a.) Abutting commercial or industrial lots: One-third (1/3) the sum of the height and length of the wall most nearly parallel to the rear lot line, or fifteen (15) feet, whichever is less.

b.) Abutting Residential or Planned Districts: One-third (1/3) the sum of the height and length of the wall most nearly parallel to the rear lot line, or fifty (50) feet, whichever is greater.

344.045 - Maximum Height – One hundred (100) feet. Chimneys, spires, and appurtenant structures to the principal use may be up to one hundred fifty (150) feet. Communications antennae are exempt from zoning height restrictions, but must comply with Federal Communications and Federal Aviation Requirements.

344.046 - Front Green Belt - A landscaped area of at least twenty (20) feet in width shall be provided between the existing street right of way line and any structure or paved areas. Green belts shall supersede any parking lot encroachment into setbacks permitted in Section 504.12; the greenbelt shall be provided.

344.047 - Front Yard Setback - Structures shall setback from the road:

a.) Fronting on public streets: Setback shall be measured from the centerline of the paved street a distance equal to the width of the street right-of-way, or the width of the right-of-way as shown on the Franklin County Thoroughfare Plan, whichever is greater. No building shall be erected, reconstructed, or altered nearer to the street line or lines than the average setback observed by the industrial buildings on the same side of the street or streets within the same block.

b.) Fronting on private industrial streets: The structures shall setback a distance from the centerline of the road equivalent to the width of the existing street right-of-way.

344.048 - Minimum Landscaped Open Space – Twenty percent (20%) of the lot area must be landscaped open space for industrial lots of ten (10) acres or less. For industrial lots of greater than ten (10) acres, so long as required perimeter greenbelts and yard setbacks to adjacent non industrial uses are provided, overall green space may be reduced to ten percent (10%) of the gross site area.

SECTION 346 - (GI) GENERAL INDUSTRIAL DISTRICT REGULATIONS

346.02 - PERMITTED USE - The following uses shall be permitted in the GENERAL INDUSTRIAL DISTRICT.

364.021 - Restricted Industrial District - Any Permitted USE of the RESTRICTED INDUSTRIAL DISTRICT shall be permitted in the GENERAL INDUSTRIAL DISTRICT.

346.022 - Limited Industrial District - Any PERMITTED USE of the LIMITED INDUSTRIAL DISTRICT shall be permitted in the GENERAL INDUSTRIAL DISTRICT.

346.023 - Manufacturing

1795	Demolition landfills
2072	Chocolate and Cocoa Products
2073	Chewing Gum
21	Tobacco Products
242	Sawmills and Planning Mills
243	Millwork, Veneer, Plywood, and Prefabricated Structural Wood Products
244	Wooden Containers
249	Miscellaneous Wood Products
312	Industrial Leather Belting and Packing
32	Stone, clay, glass, and concrete products
332	Iron and Steel Foundries
339	Miscellaneous Primary Metal Industries
341	Metal Cans
342	Cutlery, Hand Tools and General Hardware
343	Heating Apparatus (except electric) and Plumbing Fixtures
344	Prefabricated Structural Metal Products
345	Screw Machine Products, and Bolts, Nuts, Screws, Rivets and Washers
346	Metal Stampings
347	Coating, Engraving, and Allied Services
348	Miscellaneous Fabricated Wire Products
349	Miscellaneous Fabricated Metal Products
351	Engines and Turbines
352	Farm Machinery and Equipment
353	Construction, Mining,, and Materials Handling Machinery and Equipment
354	Metalworking Machinery and Equipment
355	Special Industry Machinery,, except Metalworking Machinery
356	General Industrial Machinery and Equipment
357	Office, Computing and Accounting Machines
358	Service Industry Machines
359	Miscellaneous Machinery, except Electrical
361	Electric Transmission and Distribution

362 Electrical Industrial Apparatus
363 Household Appliances
364 Electric Lighting and Wiring Equipment
365 Radio and Television Receiving Sets, except Communication Types
366 Communication Equipment
367 Electronic Components and Accessories
369 Miscellaneous Electrical Machinery, Equipment and Supplies
371 Motor Vehicles and Motor Vehicle Equipment
372 Aircraft and Parts
373 Ship and Boat Building and Repairing
374 Railroad Equipment
375 Motorcycles, Bicycles and Parts
379 Miscellaneous Transportation Equipment

346.03 - CONDITIONAL USE - Provided the following performance standards are met, the following uses shall be allowed in the GENERAL INDUSTRIAL DISTRICT. A conditional use permit is required pursuant to SECTION 815, ARTICLE VIII, but if the standards of this section are met, such conditional use permit shall not be unreasonably denied.

a.) The use of chemicals or compounds which decompose by detonation, are radioactive, or considered extremely hazardous by the Franklin County Chemical Emergency Preparedness Advisory Council (CEPAC) shall be reviewed by CEPAC and their recommendations for location, and buffer distances to incompatible uses shall be used as criteria for the conditional use permit. CEPAC is the local chemical emergency response organization required by the Super fund Reallocation Act Title III.

b.) The use of compounds, materials or chemicals which by their processing emit stench, or otherwise foul odors, shall propose appropriate odor remediation as may be required by the OEPA.

c.) Users of highly explosive materials or processes shall provide precautionary safety design standards as part of their conditional use application so as to reasonably to protect the safety of the immediate neighborhood from industrial accidents, spills, accidental release or explosion. CEPAC shall be consulted in the location of such uses.

346.031 - Manufacturing Conditional Uses

191 Guns, Howitzers, Mortars, and Related Equipment
192 Ammunition, except for Small Arms
193 Tanks and Tank Components
194 Sighting and Fire Control Equipment
195 Small Arms
196 Small Arms Ammunition
199 Ordinance and Accessories, not elsewhere classified

20	Food products not elsewhere listed
2077	Rendering plants
281	Industrial Inorganic and Organic Chemicals
282	Plastics Materials and Synthetic Resins, Synthetic Rubber, Synthetic and other Man Made Fibers, except Glass
283	Drugs
284	Soap, Detergents and Cleaning Preparations, Perfumes, Cosmetics and Other Toilet Preparations
285	Paint, Varnishes, Lacquers, Enamels and Allied Products
286	Gum and Wood Chemicals
287	Agricultural Chemicals
289	Miscellaneous Chemical Products
291	Petroleum Refining
295	Paving and Roofing Materials (Petroleum, asphalt and tar
299	Miscellaneous Products of Petroleum and Coal
301	Tires and Inner Tubes
302	Rubber Footwear
303	Reclaimed Rubber
306	Fabricated Rubber Products, not elsewhere classified
307	Miscellaneous Plastics Products
329	Abrasive, Asbestos, and Miscellaneous Nonmetallic Mineral Products
331	Blast Furnaces, Steel Works, and Rolling and Finishing Mills
332	Iron and Steel Foundries
333	Primary Smelting and Refining of Nonferrous Metals
334	Secondary Smelting and Refining of Nonferrous Metals and Alloys
335	Rolling, Drawing, and Extruding of Nonferrous Metals
339	Miscellaneous Primary Metal Industries
473	Stockyards
5093	Scrap and Waste Materials
5936	Secondhand Automotive Tire, Battery, and Accessory Dealers

346.032 - Other Industrial Use - Any other lawful industrial use.

<u>346.04 - DEVELOPMENT STANDARDS</u> - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings shall be required in the GENERAL INDUSTRIAL DISTRICT.

346.041 - Minimum Lot Size - No minimum lot size is required, however lot size shall be adequate to provide the yard space required by these DEVELOPMENT STANDARDS and the following provisions:

1) A use allowed in this district shall entirely enclose or screen its primary operation, open storage and service areas, and loading docks by walls or fences at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of seventy-five percent (75%) or more, so as to effectively conceal production, storage, service, and loading operations from adjoining streets and from a Residential Zoning District or a Planned Development District as listed in SECTION 201, ARTICLE II.

2) PERMITTED USES of this district may be developed in accordance with the DEVELOPMENT STANDARDS of SECTION 344, LIMITED INDUSTRIAL DISTRICT.

346.042 - Lot Width - All lots shall abut a public street for a distance of one hundred (100) feet or more and have adequate lot width to provide the yard space required by these DEVELOPMENT STANDARDS.

346.043 - Side Yards - For main and accessory structures, including open production, storage, service, and loading areas,

a.) When adjacent to a residential district or planned commercial district, the side yard shall be at least one-fourth (1/4) the sum of the height of the structure and the length of the wall most nearly parallel to the side lot line. In no case shall the setback be less than fifteen (15) feet.

b.) When adjacent to another industrial district the side yard may be reduced to zero (0) when fireproof separations are provided between buildings.

346.044 - Rear Yards

Minimum Rear Yard

a.) When adjacent to a residential district or planned district, the rear yard shall be at least one-third (1/3) the sum of the height of the structure and the length of the wall most nearly parallel to the rear lot line, but in no case shall it be less than fifty (50) feet.

b.) When abutting commercial or industrial lots, the rear yard shall be one-third (1/3) the sum of the height and length of the wall most nearly parallel to the rear lot line, or fifteen (15) feet, whichever is less.

c.) When abutting a rail spur, no rear setback is required.

346.045 - Maximum Height – One hundred (100) feet. Chimneys, spires and appurtenant structures to the principal use may be up to one hundred fifty (150) feet. Communications antennae are exempt from zoning height restrictions, but must comply with Federal Communications and Federal Aviation requirements.

346.046 - Front Green Belt - A landscaped area of at least fifteen (15) feet in width shall be provided between the existing street right-of-way line, and any structure or paved area. Green belts shall supersede any parking encroachment permitted in Section 504.012; the green belt shall be provided.

346.047 - Front Yard Setback - Structures shall setback from the road:

a.) Fronting on public streets: Setback shall be measured from the centerline of the paved street a distance equal to the width of the street right of way, or the width of the right-of-way as shown on the Franklin County Thoroughfare Plan, whichever is greater. No building shall be erected, constructed, reconstructed or altered nearer to the street line or lines than the average setback observed by the industrial buildings on the same side of the street or streets within the same block.

b.) Fronting on private industrial streets: The structures shall setback a distance from the centerline of the road equivalent to the width of the existing street right-of-way.

346.048 - Minimum Landscaped Open Space - At least fifteen percent (15%) of the lot area must be landscaped open space for industrial lots of five (5) acres or less. For industrial lots larger than five (5) acres, so long as required perimeter green belts and minimum yards to non-industrial uses are provided, overall green space may be reduced to seven percent (7%) of the gross acreage.

ARTICLE IV
PLANNED DEVELOPMENT PROCEDURES AND REGULATIONS

SECTION 400 - PROCEDURES AND REGULATIONS FOR PLANNED DEVELOPMENT DISTRICTS ADOPTED

400.01 - PROCEDURES FOR THE ESTABLISHMENT OF A PLANNED DEVELOPMENT ZONING DISTRICT - Planned Development Zoning Districts may be established by application in accordance with the provisions of ARTICLE VII and the specific requirements of the PLANNED DEVELOPMENT ZONING DISTRICT petitioned.

400.02 - REGULATIONS OF THE USE AND DEVELOPMENT OF LAND AND STRUCTURES - Regulations pertaining to the use and development of land and/or structures within each PLANNED DEVELOPMENT DISTRICT are hereby established and adopted.

400.03 - RULES OF APPLICATION - The PLANNED DEVELOPMENT REGULATIONS set forth in this ARTICLE IV shall be interpreted and enforced according to the following rules.

400.031 - Identification of Uses - Listed uses are defined by their customary name or identification and further clarified by use of SIC codes, except where they are specifically defined or limited in this Zoning Resolution.

400.032 - Permitted Uses - Only uses designated as a **Permitted Use** are allowed as a matter of right in a PLANNED DEVELOPMENT ZONING DISTRICT and any use not so designated is prohibited. Additional uses found to be in character with the proposed development may be approved as a part of the Development Plan.

400.033 - Procedures - The procedures and conditions set forth for the determination of PLANNED DEVELOPMENT DISTRICTS and developments therein apply unless a written statement is submitted by the applicant clearly documenting why such procedures and/or conditions should not apply in the specific case. Such statement shall accompany the application and is subject to approval by the Board of County Commissioners.

400.034 - Development Standards - The Development Standards set forth are the minimum allowed for development in a PLANNED DEVELOPMENT ZONING DISTRICT.

SECTION 405 - (PR-6) PLANNED LOW DENSITY RESIDENTIAL DISTRICT REGULATIONS

405.02 - PERMITTED USE - Land and buildings in the PLANNED LOW DENSITY RESIDENTIAL DISTRICT may be used only for the following purposes.

405.021 - Residential Development - Detached single-family dwellings in a unified manner in accordance with the approved Development Plan.

405.022 - Home Occupation - Home Occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

405.023 - Accessory Use - Accessory buildings and uses in association with a permitted dwelling as specified in SECTION 512, ARTICLE V, including:

1.) Office facilities for the management function, including property sales necessary to the development and operation of the area included in the Development Plan.

2.) Other facilities or amenities, including recreation facilities provided
for the use of the residents,
provided they are an approved part of the Development Plan.

405.024 - Schools and Parks

* Public and private schools offering general educational courses and having no rooms regularly used for housing or sleeping of students.

* Parks, playgrounds, and play fields open to the public without fee.

405.025 - Religious - Church or other place of worship provided it occupies a lot adequate for all structures, required setbacks, water supply and sewage disposal, and off-street parking. No minimum lot size is established, but at least one (1) acre or more per one hundred (100) seats shall be provided in the main assembly area.

405.03 - PROCEDURE - The following procedure applies in placing land in the PLANNED LOW DENSITY RESIDENTIAL DISTRICT.

405.031 - Submission of Application - The owner or owners of a tract of land twenty-five (25) acres or more in area may request that the Zoning District Map be amended to include such tract in the PLANNED LOW DENSITY RESIDENTIAL DISTRICT in accordance with the provisions of ARTICLE VII.

The tract size may be reduced to ten (10) acres when the proposed development involves only single-family dwellings.

There is no minimum tract size if all adjacent lands are platted or developed.

405.032 - Development Plan - Five (5) copies of a Development Plan shall be submitted with the application to amend the Zoning District Map.

The Plan shall be drawn and sealed by an architect registered in the state of Ohio, and shall include in text or map form: (preliminary sketch plans are encouraged to be submitted to the Franklin County Technical Review Committee for appropriateness and comments).

1. The proposed location and size of residential portions of the site, including the type, density and total number of units for each portion as well as a total number for the entire site.

2. The proposed size, location, and use of non-residential portions of the site, including useable open areas, parks, playgrounds, school sites, and other areas and spaces with the suggested ownership of such areas and spaces.

3. The proposed provision of centralized water and sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.

4. The anticipated traffic generation and proposed traffic circulation patterns, including public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, the existing street system, and showing other evidence of reasonableness as may be necessary.

5. The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, and easements.

6. The relationship of the proposed development to existing and future land use in the surrounding area, community facilities, services and other public improvements.

7. Depiction of soil types, site topography in two (2) foot contour intervals, watercourses, surface water bodies, mature vegetation, wetlands and other natural features on the site as well as illustration of how they are incorporated into the project design.

8. Depiction of existing utility easements, surface and subsurface drainage improvements, well and/or wastewater facilities and other site improvements.

9. Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights, and the engineering feasibility data which may be necessary.

405.033 - Basis of Approval - The basis for approving a PLANNED LOW DENSITY RESIDENTIAL DISTRICT application shall be:

l.) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;

2.) That the proposed development is in conformity with all applicable development policies, community plans or portion(s) thereof;

3.) That the proposed development advances the general welfare of the County and the immediate vicinity;

4.) And that the benefits of allowing a flexible arrangement of structures and overall project design justify the deviation from standard residential development requirements included in this Zoning Resolution, with an emphasis on the preservation of natural features and the provision of dedicated, centralized, and unified open space.

405.034 - Effect of Approval - The Development Plan as approved by the Franklin County Commissioners constitutes an amendment to the PLANNED LOW DENSITY RESIDENTIAL DISTRICT REGULATIONS as they apply to the land included in the approved amendment.

Approval is for a period of three (3) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the **Subdivision Regulations for Franklin County, Ohio.** Unless the required Subdivision Plat is submitted and recorded within the three (3) year time limit, the approval is voided and the land reverts to its last previous Zoning District. An application for time extension may be submitted for consideration in accordance with 405.036.

405.035 - Plat Required - In the PLANNED LOW DENSITY RESIDENTIAL DISTRICT, no use may be established or changed and no structure may be constructed or altered until the required Subdivision Plat has been recorded in accordance with the **Subdivision Regulations for Franklin County, Ohio.** The Subdivision Plat shall be in accordance with the approved Development Plan and illustrate or include:

1.) Site arrangement, including building set-back lines or buildable space within lots; water, sewer, and other public utility installations, including sanitary sewage, surface drainage, and waste disposal facilities; public and private street rights-of-way, easements, and walks; school sites, recreation areas, and other land to be dedicated to public use, including the purpose and intent of such dedication; and land to be commonly owned and maintained.

2.) The nature and extent of earthwork required for site preparation and development.

3.) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.

405.036 - Extension of Time or Modification - An extension of the time limit or a modification of the approved Development Plan may be approved by the Board of County Commissioners. Approval is based upon the purpose and necessity for such extension or modification and evidence of reasonable efforts to implement the original Development Plan. Extensions or modifications shall not conflict with the general health, safety and welfare of the public or the Development Standards of the PLANNED LOW DENSITY RESIDENTIAL DISTRICT.

<u>405.04 - DEVELOPMENT STANDARDS</u> - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PLANNED LOW DENSITY RESIDENTIAL DISTRICT.

405.041 - Intensity of Use - The maximum net density is six (6) dwelling units per acre of area devoted to residential use as defined below, unless a reduction in allowable density is required for compliance with the health and sanitation requirements of the Franklin County District Board of Health.

405.042 - Calculation of Density

The calculation of residential density shall include all land devoted to residential use and further includes the following:

1.) All easements for utilities except major facilities (e.g., high-power electric lines), which do not serve individual dwellings.

2.) Minor surface drainage channels.

3.) Recreation space and other areas provided as common open space, including land dedicated to public use.

Public or private street right-of-ways shall not be used in the calculation of residential density.

405.043 - Open Space - A minimum of thirty percent (30%) of the area included in the calculation of residential density shall be provided as dedicated, unified and centralized open space for public use. Public use may include, but is not limited to, educational and recreational facilities, natural areas, flood protection, community centers and other public improvements necessary to the health, safety and welfare of the people. Open space may not include minimum yard space required for individual units or required off-street parking. No more than fifty percent (50%) of the required open space may be in the form of floodplain and/or have slopes in excess of eight percent (8%).

405.044 - Arrangement of Areas - The location and arrangement of areas of various density within the PLANNED LOW DENSITY RESIDENTIAL DISTRICT, in addition to achieving these DEVELOPMENT STANDARDS, shall be so arranged and distributed that development of higher density shall be appropriately balanced by open space and/or low density development.

Residential development, at a higher density than that permitted on land in adjacent Residential Zoning Districts, or other Permitted Uses may not be located nearer than one hundred (100) feet to such Zoning District boundary.

405.045 - Yards

1.) Yards shall be depicted on a site plan prepared by an architect licensed to practice in the State of Ohio and a landscape architect licensed to practice in the State of Ohio. The site plan shall illustrate the arrangement of structures and open space and include provisions for yard space and building setback. The plan is subject to approval as the Development Plan or in conjunction with the subsequent Subdivision Plan and shall comply with any other requirements of these Development Standards.

405.046 - Other Yard Space - The arrangement of other uses and associated yard space is determined in accordance with the Development Standards of the Zoning District in which the use is a **Permitted Use,** except that arrangement may be determined as in (2) of 405.045 above.

405.047 - Private Roads and Parking - Private roads as a common easement may be used to provide access to clustered lots and/or structures in accordance with the conditions and standards established in 303.040. Such easement shall not be counted as required open space.

Off-street parking shall be provided in accordance with SECTION 531, ARTICLE V, except residential parking may be provided in group garages or parking lots within one hundred fifty (150) feet of the dwellings served. Curb indented parking bays or courts may be provided within the street right-of-way, but in addition to the required roadway. Such parking is permitted only along streets internal to the area and not a Major Thoroughfare.

SECTION 410 - (PR-10) PLANNED MANUFACTURED (formerly MOBILE) HOUSINGRESIDENTIAL DISTRICT REGULATIONS

410.02 - PERMITTED USE - Land and buildings in the PLANNED MANUFACTURED (MOBILE) HOUSING RESIDENTIAL DISTRICT may be used only for the following purposes:

410.021 - Manufactured and Mobile Homes - Manufactured homes and mobile homes are defined by Ohio Revised Code Section 4501.01 (see glossary).

410.022 - Home Occupation - Home occupation in association with a permitted dwelling, and in accordance with the provisions of SECTION 511, ARTICLE V.

410.023 - Accessory Use - Accessory buildings and uses in association with permitted dwellings as specified in SECTION 512, ARTICLE V, including:

1. A permanent dwelling for one (1) family, an office and maintenance facilities for the operators of the Manufactured Home Park.

2. Other facilities or amenities, including recreation, provided for the use of the residents, provided they are an approved part of the Development Plan.

410.03 - PROCEDURE - The following procedure applies in placing land in the PLANNED MANUFACTURED HOUSING RESIDENTIAL DISTRICT.

410.031 - Submission of Application - The owner or owners of a tract of land four (4) acres or more in area may request that the Zoning District Map be amended to include such tract in the PLANNED MANUFACTURED HOUSING RESIDENTIAL DISTRICT in accordance with the provisions of ARTICLE VII.

410.032 - Development Plan - Five (5) copies of a Development Plan shall be submitted with the application to amend the Zoning District Map. Such Development Plan shall be prepared by a registered architect, landscape architect, or professional engineer, and shall include in text or map form:

1.) The proposed location and size of areas of residential use, and the total number of dwelling units provided for in the Development Plan.

2.) The proposed size, location, and use of non-residential portions of the tract, including useable open areas, parks, playgrounds, school sites, and other areas and spaces with the suggested ownership of such areas and spaces.

3.) The proposed provision of centralized water and sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.

4.) The anticipated traffic generation and proposed traffic circulation patterns, including public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, the existing street system, and showing other evidence of reasonableness as may be necessary.

5.) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, and easements.

6.) The relationship of the proposed development to existing and future land use in the surrounding area, community facilities, services and other public improvements.

7.) Depiction of soil types, site topography in two (2) foot contour intervals, watercourses, surface water bodies, mature vegetation, wetlands and other natural features as they currently exist.

8.) Depiction of existing utility easements, surface and subsurface drainage improvements, well and/or wastewater facilities and other site improvements.

9.) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights, and the engineering feasibility data which may be necessary.

410.033 - Basis of Approval - The basis for approving a PLANNED MANUFACTURED HOME RESIDENTIAL DISTRICT application shall be:

1.) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;

2.) That the proposed development is in conformity with all applicable development policies, community plans or portion(s) thereof;

3.) That the proposed development advances the general welfare of the County and the immediate vicinity;

4.) That the design character and improved site arrangement justify the location, density and size proposed in the Development.

410.034 - Effect of Approval - The Development Plan as approved by the Franklin County Commissioners constitutes an amendment to the PLANNED MANUFACTURED HOUSING RESIDENTIAL DISTRICT regulations as they apply to the land included in the approved amendment.

Approval shall be for a period of two (2) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the **Subdivision Regulations for Franklin County, Ohio.** Unless the required Subdivision Plat is properly submitted and recorded within the two (2) year time limit, the approval is voided and the land reverts to its last previous Zoning District. An application for time extension may be submitted for consideration in accordance with 410.036.

410.035 - Plat Required - In the PLANNED MANUFACTURED HOUISNG RESIDENTIAL DISTRICT no use may be established or changed and no structure may be constructed or altered until the required Subdivision Plat has been recorded in accordance with the **Subdivision Regulations for Franklin County, Ohio.** The subdivision plat shall be in accordance with the approved Development Plan and illustrate or include:

1.) Site arrangement, including building setback lines and space to be built upon within the site; water, sewer, and other public utility installations, including sanitary sewers, surface drainage, and waste disposal facilities; easements, access points to public rights-of-way, parking areas, and pedestrian ways; and land reserved for non-highway service use with indication of the nature of such use.

2.) The nature and extent of earthwork required for site preparation and development.

3.) Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, and the operation of tenants, including those applicable to areas within the tract to be developed for non-residential uses.

410.036 - Extension of Time or Modification - An extension of the time limit or a modification of the approved Development Plan may be approved by the Board of County Commissioners. Such an approval shall be based upon the purpose and necessity for the extension or modification and evidence of reasonable efforts to implement the original Development Plan. Extensions or modifications shall not conflict with the general health, safety and welfare of the public or the Development Standards of the MANUFACTURED HOUSING RESIDENTIAL DISTRICT.

410.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings apply in the PLANNED MANUFACTURED HOME RESIDENTIAL DISTRICT.

410.041 - Intensity of Use - The maximum net density shall be ten (10) units per acre of area devoted to residential use as defined below.

410.042 - Calculation of Density

The calculation of residential density includes all land devoted to residential use and further includes the following:

1. All easements for utilities except major facilities (e.g., high-power electric lines), which do not serve individual dwellings.

2. Minor surface drainage channels.

3. Recreation space and other areas provided as common open space, including land dedicated to public use.

4. Public or private street-right-of-ways shall not be used in the calculation of residential density.

410.043 - Lot Width - A minimum lot width of three hundred (300) feet is required at the front set-back line; in the alternative, a parcel of back land may be served by two (2) fifty (50) foot rights-of-way.

410.044 - Yard Space - A perimeter green belt of thirty (30) feet or more shall be provided around the edge of the Manufactured Home Park. Such yards may not be occupied by or counted as part of an individual manufactured home site.

410.045 - Manufactured Home Park Development - The location and arrangement of land and structures within the Manufactured Home Park shall be determined in accordance with Ohio Revised Code Section 3733, herein adopted by reference, and contained as an appendix to this resolution.

SECTION 412 - (PUD) PLANNED UNIT DEVELOPMENT RESIDENTIAL DISTRICT REGULATIONS

412.02 - PERMITTED USE - Land and buildings in the PUD DISTRICT shall be used only for the following purposes:

412.021 - Residential Development - Residential use in the form of single family dwellings, two-family dwellings, and townhouse style units developed in a unified manner in accordance with the approved Development Plan.

412.022 - Home Occupation - Home occupation in association with a permitted dwelling and in accordance with the provisions of SECTION 511, ARTICLE V.

412.023 - Accessory Use - Accessory buildings; and uses in association with a permitted dwelling as specified in SECTION 512, ARTICLE V, including:

- Office facilities for the management function, including property sales, necessary to the development and operation of the area included in the Development Plan.

- Other facilities or amenities, including recreation facilities, provided for the use of the residents, provided they are an approved part of the Development Plan.

412.024 - Schools and Parks - Public and private schools offering general educational courses and having no rooms regularly used for housing or sleeping of students.

Parks, playgrounds and play fields open to the public without fee.

412.025 - Religious Uses - Church or other place of worship provided it occupies a lot adequate for all structures, required setbacks, water supply and sewage disposal, and off-street parking. No minimum lot size is established, but at least one (1) acre or more per one hundred (100) seats shall be provided in the main assembly area.

412.026 - Commercial Uses - Commercial uses normally associated with and intended to serve residential developments, such as those permitted in the Suburban Office and Neighborhood Commercial Districts, provided they are compatible included as an approved part of the Development Plan. Proposed commercial uses should be fully integrated into the overall design and circulation concepts demonstrated in the Development Plan.

412.03 - PROCEDURE - The following procedure applies in placing land in the PUD DISTRICT.

412.031 - Submission of Application - The owner or owners of a tract of land four (4) acres or more in area may request that the Zoning District Map be amended to include such tract in the PUD DISTRICT in accordance with the provisions of ARTICLE VII.

There is no minimum tract size if the proposed development is in keeping with the density and development character of adjacent lands.

412.032 - Development Plan - Five (5) copies of a Development Plan prepared and sealed by an architect licensed to practice in the state of Ohio shall be submitted with the application to amend the Zoning District Map. The Plan shall include in text or map form:

1. The proposed location and size of residential portions of the site, including the type, density and total number of units for each portion as well as a total number for the entire site.

2. The proposed size, location, and use of non-residential portions of the site, including useable open areas, parks, playgrounds, school sites, and other areas and spaces with the suggested ownership of such areas and spaces.

3. The proposed provision of centralized water sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.

4. The anticipated traffic generation and proposed traffic circulation patterns, including public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, the existing street system, and showing other evidence of reasonableness as may be necessary.

5. The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, and easements.

6. The relationship of the proposed development to existing and future land use in the surrounding area, community facilities, services and other public improvements.

7. Depiction of soil types, site topography in two (2) foot contour intervals, watercourses, surface water bodies, mature vegetation, wetlands and other natural features on the site as well as illustration of how they are incorporated into the project design.

8. Depiction of existing utility easements, surface and subsurface drainage improvements, well and/or wastewater facilities and other site improvements.

9. Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights, and the engineering feasibility data which may be necessary.

412.033 - Basis of Approval - The basis for approving a PUD DISTRICT application shall be:

l.) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;

2.) That the proposed development is in conformity with all applicable development policies, community plans or portion(s) thereof;

3.) That the proposed development advances the general welfare of the County and the immediate vicinity;

4.) And that the benefits of allowing a flexible arrangement of structures and overall project design justify the deviation from standard residential development requirements included in this Zoning Resolution, with an emphasis on the preservation of natural features and the provision of dedicated, centralized, and unified open space.

412.034 - Effect of Approval - The Development Plan as approved by the Franklin County Commissioners constitutes an amendment to the PUD DISTRICT regulations as they apply to the land included in the approved amendment.

Approval shall be for a period of three (3) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the **Subdivision Regulations for Franklin County, Ohio.** Unless the required Subdivision Plat is submitted and recorded within the three (3) year time limit, the approval shall be voided and the land shall revert to its last previous Zoning District. An application for time extension may be submitted for consideration in accordance with 412.036.

412.035 - Plat Required - In the PUD DISTRICT no use shall be established or changed and no structure shall be constructed or altered until the required Subdivision Plat has been recorded in accordance with the **Subdivision Regulations for Franklin County, Ohio.** The Subdivision Plat shall be in accordance with the approved Development Plan and shall illustrate or include:

1.) Site arrangement, including building set-back lines or space to be built upon; water, sewer, and other public utility installations, including sanitary sewage, surface drainage, and waste disposal facilities; public and private street right-of-way, easements and walks; school sites, recreation areas, and other land to be dedicated to public use, including the purpose and intent of such dedication; the land to be commonly owned and maintained.

2.) The nature and extent of earthwork required for site preparation and development.

3.) Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.

412.036 - Extension of Time or Modification - An extension of the time limit or a modification of the approved Development Plan may be approved by the Board of County Commissioners. Approval shall be based upon the purpose and necessity for such extension or modification and evidence of reasonable efforts to implement the original Development Plan. Extensions or modifications shall not conflict with the general health, safety and welfare of the public or the Development Standards of the PUD DISTRICT.

412.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PUD.

412.041 - Intensity of Use - The maximum net density is twelve (12) dwelling units per acre of area devoted to residential use as defined below, unless a reduction in allowable density is required for compliance with the health and sanitation requirements of the Franklin County District Board of Health.

412.042 - Calculation of Density

The calculation of residential density includes all land devoted to residential use and further includes the following:

1.) All easements for utilities except major facilities (e.g., high-power electric lines), which do not serve individual dwellings.

2.) Minor surface drainage channels.

3.) Recreation space and other areas provided as common open space, including land dedicated to public use.

Public or private street right-of-ways shall not be used in the calculation of residential density.

412.043 - Open Space - A minimum of thirty percent (30%) of the area included in the calculation of residential density shall be provided as dedicated, unified and centralized open space for public use. Public use may include, but is not limited to, educational and recreational facilities, natural areas, flood protection, community centers and other public improvements necessary to the health, safety and welfare of the people. Open space may not include minimum yard space required for individual units or required off-street parking. No more than fifty percent (50%) of the required open space may be in the form of floodplain and/or have slopes in excess of eight percent (8%).

412.044 - Arrangement of Areas - The location and arrangement of areas of various density within the PUD DISTRICT, in addition to achieving these DEVELOPMENT STANDARDS, shall be so arranged and distributed that development of higher density is appropriately balanced by open space and/or low density development.

Residential development, at a higher density than that permitted on land in adjacent Residential Zoning Districts, or other Permitted Uses may not be located nearer than one hundred (100) feet to such Zoning District boundary.

412.045 - Yards - The physical relationship of dwelling units and their minimum yard space shall be determined by a site plan submitted as a part of the Development Plan. The site plan shall illustrate the arrangement of structures and open space and include provisions for yard space and building setback. The plan is subject to approval as the Development Plan or in conjunction with the subsequent Subdivision Plan and must comply with any other requirements of these Development Standards.

412.046 - Other Yard Space - The arrangement of other uses and associated yard space is determined in accordance with the Development Standards of the Zoning District in which the use is a **Permitted Use,** except that arrangement may be determined as in 412.045 above.

412.047 - Private Roads and Parking - Private roads as a common easement may be used to provide access to clustered lots and/or structures in accordance with the conditions and standards established in 303.040. Such easement shall not be counted as required open space.

Off-street parking shall be provided in accordance with SECTION 531, ARTICLE V, except that residential parking may be provided in group garages or parking lots within one hundred fifty (150) feet of the dwellings served. Curb indented parking bays or courts may be provided within the street right-of-way, but in addition to the required roadway. Such parking is permitted only along streets internal to the area and not a Major Thoroughfare.

SECTION 415 - FARM VILLAGE REGULATIONS

Introduction

As urban centers spread out into adjacent rural townships, agricultural lands are converted permanently to urban use. This is an inevitable consequence of growth. Most rural areas have no centralized public water and sanitary sewer facilities, and therefore are zoned for large lot, low-density residential uses which have on- site wells, septic tanks and leach fields.

Typically, existing road frontage gets subdivided first, leaving large tracts of agriculture as back land. As the road frontage is used up, demand for additional rural house lots presses for conversion and subdivision of the back lands. Because of the large lot requirements, such large lot subdivisions consume all of the available farmland, leaving none.

This has an additional consequence to adjacent farms, called the impermanence syndrome. When a farm converts to tract residential subdivisions, it becomes more difficult for the neighboring farmer to stay on the land and farm. Traffic congestion makes it difficult to move equipment over farm-to-market roads. Neighbors who have no relationship with farming may complain about noise, dust, and smells related to agriculture. Land developers begin to seek the next adjacent farm to subdivide. Like falling dominoes, the impermanence syndrome makes it harder for each adjacent farmer to farm once suburban tract style housing is developed next door.

There is a market for large lots in rural areas, and they will continue to be divided. However, there is also a way to allow agriculture to coexist with residential development. Because of the difficult economics of agriculture, especially small farms, farmers may need to raise capital to upgrade their equipment or change farming operations to be more efficient. The farm village concept may offer a way for farmers to raise such capital, create a relationship with a specially designed open space village, and stay farming on a permanently preserved portion of their land.

PURPOSE

In order to help preserve farmland (herein defined as either prime agricultural soils or lands which are in Current Use Agricultural Valuation), Farm Villages permit higher density house lots clustered in the most environmentally appropriate portion of a farm, while surrounding itself with permanently preserved open space, intended to be retained as farmland. The development rights to the preserved open space are permanently and irreversibly transferred to the farm village lots, in return for which the open space is protected by permanent deed restrictions, plat restrictions and open space easements.

The farm village concept is intended to sustain rural areas by permanently protecting agricultural lands as open space, assist farmers in urbanizing areas by giving alternatives to standard tract subdivision of their farms, and establish green corridors around urban centers, all the while helping to maintain local agricultural markets. The Farm Village is intended to be density neutral.

CONDITIONS NEEDED TO CREATE A FARM VILLAGE

The Farm Village is a Planned Zoning District which may overlay the Rural Zoning District by approval of the Franklin County Commissioners provided the following conditions are met:

Minimum Tract Size - The minimum tract size needed for a farm village and all preserved farm lands is forty (40) acres.

Permitted Uses – Single-family houses, one (1) farm market as allowed herein.

Density - Same as the Rural District: one (1) unit per two and a half (2.5) acres, except that a fifteen percent (15%) density bonus shall be allowed for a farm village plat which meets all of the standards of this section. This is calculated as one hundred and fifteen percent (115%) of a feasible standard subdivision "yield plan". A standard subdivision shall be laid out in sketch form using two and a half (2.5) acres as the minimum lot size with one hundred and fifty (150) feet of frontage per lot. To determine the engineering feasibility of the yield plan with on-site wells and wastewater treatment systems, soils testing of at least ten percent (10%) of the proposed yield plan lots (as selected by the County Technical Review Committee) shall be required. The density for the farm village shall be one hundred and fifteen percent (115%) of the approved yield practical, feasible standard two and a half (2.5) acre/lot subdivision, where the lots would have one hundred and fifty (150) feet of road frontage.

The ability to achieve this density is dependent on soils, drainage, and design of the lots, streets, water supply and wastewater disposal systems, with engineering feasibility proven at the development plan stage.

Agriculture Preserved - For every dwelling unit proposed in the village area, at least two (2) acres of farmland shall be permanently preserved surrounding the village. Common open space in the village areas may count towards fifteen percent (15%) of this required farmland to be preserved. If there are to be forty (40) dwellings in the village, there must be at least eighty (80) acres of agricultural land (up to fifteen percent (15%) of which may be village open space) preserved surrounding the village area. The farmland to be preserved must be protected for agricultural/open space purposes by deed restrictions, subdivision plat restrictions, zoning, and permanent easement transferring the development rights from the preserved farmland to the village lot owners. Phasing the development is permitted, provided the plat and deed restrictions which accomplish the required farmland preservation per 415, II, A (4) have been recorded with the Franklin County Recorder. The actual farmland transfer from the developer to lot owners in phases must equal at a minimum two (2) acres for each lot of village areas in that phase. All required farmland dedication for each phase shall be transferred to the village lot owners upon the initial sale of that phase of farm village lots.

All farm village lots must front, abut, flank, or face either common village open space or preserved agricultural lands within the gross tract area.

Permanent Easement - An easement document prohibiting any use of the preserved lands other than for agriculture or as permanent open space must be included, in each owner's deed, on the subdivision plat and the zoning plan.

- **Easement Document** - The use of the preserved agricultural lands includes all agricultural uses listed under Ohio Revised Code 303.21, except that the easement may regulate or prohibit specific nuisance agricultural uses because of their inherent unsuitability to the design of a particular farm village. Such restriction may be incorporated by the grantor of the easement, and be a part of any lease arrangement of the agricultural lands. The agricultural easement shall remain in perpetuity, regardless of zoning, annexation to an incorporated municipality, or any other political action.

- **Underlying Fee** - The underlying fee to the preserved open space/farmland shall be held by the homeowner's association of the farm village. The easement shall run with the land and shall stipulate:

i.) The Home Owner's Association (HOA) shall maintain the open space in perpetuity as open space or farmland, and that the easement must be used for agriculture, or in the alternative, as undeveloped, managed open space.

ii.) Lease terms, if the land is to be leased for agricultural use.

iii.) Specific terms regarding nuisance operations, hours of operation as may be agreeable to the tenant farmer and the initial homeowner's association as organized.

iv.) Bylaws of the Farm Village Homeowner's Association, determining how, if at all, the agricultural easement may be amended relative to item iii above.

Nuisance Waiver - The easement document shall also advise all residential purchasers of village lots in their deeds that agriculture by nature has some inherent noise, dust, and odors attributed with it that residents of the village should be prepared to accept. Purchasers of village land shall sign said nuisance waiver. Such mutual agreements as may be appropriate to the specific village should be spelled out for the benefit of the agricultural and the residential use of the adjacent lands. For example, if an orchard is to be located next to a farm village, the easement may stipulate that the farmer will not spray before 7:00 a.m. nor after 9:00 p.m., and will not spray when the prevailing winds are in the direction of the village. There should be a process for negotiating a mutual understanding of the agricultural and residential concerns included in the easement or the subdivision homeowners' bylaws.

Minimum Lot Size - The minimum lot size for each house lot in a farm village shall be fifteen thousand (15,000) square feet. If on-lot well and/or septic and leach systems are required, lots shall be sized accordingly, forty thousand (40,000) square feet minimum.

Road Frontage - Each Farm Village lot shall front on an internal village street, either public or private, for a distance of at least one hundred (100) feet, unless located on a curve of less than one hundred twenty-five (125) foot radius, when they may be reduced to sixty (60) feet frontage. Contiguous road frontage lots shall not be allowed along perimeter township roads as part of the Farm Village plat.

Road Width and Standards - Roads and street patterns should be designed in a generally rectilinear pattern, with variation for environmental, safety, topographic or design criteria. Village roads should terminate on other roads, and cul-de-sacs should be avoided. Streets should:

i.) Parallel and preserve existing fence lines, tree lines, hedgerows and stone walls.

ii.) Minimize alterations of natural site features.

iii.) Secure attractive views.

iv.) Minimize the area devoted to motor vehicle travel.

Roads must meet subdivision construction standards except for road width. Two-way traffic width of pavement shall be eighteen (18) feet, or as provided for in Section 302.0391. No on-street parking shall be permitted. If additional parking is required for guests, small pocket parking bays, not to exceed four (4) stalls per bay, may be let into open space off village roads if approved as part of the development plan and subdivision plat.

If the township wishes the roads to be public, they must be accepted by the township for public maintenance. If farm village roads are private, then the homeowner's association must maintain them. No village dwelling units may directly access an external township, county or state road.

Buffer - A (minimum) sixty (60) foot deep and one hundred (100) foot wide landscaped or grassed open space buffer must separate all village lots from abutting agricultural uses. This area counts towards the required two (2) acres per dwelling unit of open space.

Water and Sewer - The water supply and wastewater treatment systems for a farm village shall comply with Ohio EPA requirements. Either a public water and sanitary sewer or an EPA approved community owned and appropriately maintained (the Franklin County Sanitary Engineer would be the agency of choice for permanent maintenance of community utilities) shall be provided for lots which are too small for on lot well and septic systems. Approval of the feasibility of these designs is required as part of the preliminary subdivision plat. Actual utility system approvals shall be approved as part of the final subdivision plat.

Home Owner's Association - A home owners association shall be established to:

i.) Maintain roads (if private);

ii.) Maintain community water and sewer systems (if required);

iii.) Maintain common areas, including the agriculture/open space.

Farm Markets

i.) Farm markets as defined by Ohio Revised Code, Chapter 303 (303.21.c) may be located within the farm village or the protected easement if so approved by the homeowner's association and shown on the plat and development plan in accordance with regulations for farm markets as provided elsewhere in this zoning resolution.

ii.) Farm Villages in excess of one hundred (100) dwelling units may construct a farm market no larger than three thousand (3,000) square feet which remains open year round to sell both agricultural goods produced on-site as well as consumer grocery store products which are not produced from agriculture on-site if a conditional use permit is granted by the Franklin County Board of Zoning Appeals, finding all the conditions of Section 815 of this resolution have been met. No gasoline sales shall be permitted within a farm village, or as part of the farm market. Such farm markets shall adhere to the aesthetic standards prescribed for the village herein.

iii.) Farm markets may erect one (1) wall mounted sign on the store front facia, to be made of wood, signboard or other natural material, and not to exceed thirty-two (32) square feet. A pole or ground sign may be erected outside the adjacent road right of way to advertise the farm market provided it is made of wood, stone or other natural material. Such pole sign may not exceed twenty (20) square feet, and the height of the pole may not exceed twelve (12) feet. Such ground sign may not exceed thirty-two (32) square feet, and shall not exceed eight (8) feet in height. No plastic internally lit signs shall be permitted.

Qualifying Sites - Land may be developed for Farm Villages if a.) it is appraised for real estate taxes under Current Agricultural Use Valuation or b.) at least fifty percent (50%) of the soils are Prime Agricultural Soils, as defined by the Soil Conservation Service. In Franklin County Ohio, these soils are:

Alexandria silt loam, 2-6% slope (AdB)
Blount silt loam 0-6% slope, (BoAl,BoBl)
Celina silt loam 0-6 % slope (CeA, CeB, CeB2)
Crane silt loam 0-2% slope (CpA)
Eel silt loam (Ee)
Genesee silt loam (Gn)
Kendallville silt loam 0-6 % slope (KeA, KeB)
Lewisburg-Crosby complex 2-6 % slope (LeB)
Miamian silt loam 2-6 % slope (Mkb, MlB2)
Mitiwanga silt loam 2-6% slope (MrBl)
Ockley silt loam 0-6 % slope (OcA, OcB)
Ross silt loam (Rs)
Sleeth silt loam, 0-2 % slope (SlA l)
Warsaw silt loam 0-6% slope (WdA, Wdb)
Westland silty clay loam (Wtl)
Bennington silt loam 0-6% slope (BeAl, BeBl)
Cardington silt loam 0-6% slope (CaB, Cab2)
Condit silt loam (Cnl)
Crosby silt loam 0-6 % slope (CrAl, CrBl)
Eldean silt loam 0-6% slope (ElA, ElB)
Glywood silt loam 2-6% slope (GwB)
Kokomo silty clay loam (Ko)
Medway silt loam (Mh)
Milton silt loam 2-6 % slope (MoB)
Montgomery silty clay loam (Msl)
Pewamo silty clay loam (Pml)
Shoals silt loam (Shl)
Thackery silt loam 0-6 % slope (ThA, ThB)
Wea silt loam 0-6 slope (WeA, WeB)

DEVELOPMENT PLAN AND STANDARDS

A detailed site and development plan (scale, at least 1"=50 feet) of the entire acreage to be preserved and the village area, adequate to obtain a Franklin County Planning Commission preliminary subdivision plat acceptance and approval within eighteen (18) months of the Farm Village Zoning must be approved as part of this application.

The Development Plan shall show engineering feasibility and be stamped by a licensed registered landscape architect or architect, and by a civil engineer.

1.) The development plan shall incorporate:

a.) Significant centrally located open space in the village design, such as a town common, community gardens or similar. Existing natural features, (ravines, views, vegetation, waterways, etc.) shall be preserved and incorporated into the overall design wherever possible. The maximum distance between structures across a common should not generally exceed three hundred (300) feet.

b.) An architectural rendering of the proposed dwelling units with exterior materials and colors stipulated to be used. The use of natural materials is strongly advised. The project architect shall give due regard to the footprints, building orientation, massing, roof shape and pitch and exterior materials to blend with other traditional or historic architecture in the community or with the site. All roofs must be a minimum of five-twelfths (5/12) pitch.

c.) Village lots shall be fenced for safety where they abut agriculture.

d.) Sidewalks or paths shall be provided in the village area. Sidewalks must be separated from the paved street surface by at least five feet (5') of landscaped or grassed green strip. Deciduous, broad leaf street trees (i.e. maple, oak, sycamore, chestnut, sweet gum) must be planted (or saved) in this green strip at the rate of one (1) in front of each house. Trees must be at least a four (4) inch caliper at planting.

e.) Setbacks- Houses shall be setback a minimum of fifty (50) feet, and a maximum of seventy-five (75) feet from the village street centerline.

f.) Minimum Lot Width at the building setback line- One hundred (100) feet.

g.) Minimum Side Yards- Eight (8) feet (both sides) for houses, five (5) feet for garages.
Detached garages with one (1) hour fire rated construction may be constructed within three (3) feet of the lot line provided the garage is located to the rear of the house, and that the garage does not abut an adjacent residence.

h.) Minimum Rear Yard- Fifty (50) feet for houses and attached garages; five (5) feet for detached garages (maximum seven hundred and twenty (720) square feet, one (1) detached garage per lot permitted).

i.) Street layouts shall be looped, grid, square or other traditional layout. Cul-de-sacs shall be avoided. Sidewalks shall be provided in the village areas. The design should focus on a central common open space, viewed by all houses on at least one (1) side. The view of the overall site from abutting township or county roads should be as rural in nature as possible.

j.) Attached garages shall be setback at least twelve (12) feet from the front building line of the house.

k.) Porches- A covered porch or portico across some portion of the front of the house is a recommended structural design element.

l.) Street lighting, if provided, must be of white light, with light standards of traditional or Victorian design (no modern gooseneck lamps or yellow lighting). Standards (poles) shall be no more than twelve (12) feet high.

m.) All signage and entrance features shall be illustrated in the development plan as part of the development plan submission.

PROCEDURES FOR APPROVAL

A request for rezoning to the Farm Village overlay district shall be submitted to the Franklin County Zoning Department, following the same procedural requirements for the Planned Districts as described in Section 405.031- 405.036 of this resolution.

FARM VILLAGE PLAT

Subdivision Plat - A Farm Village subdivision plat must be approved by the Franklin County Planning Commission. The applicant has up to eighteen (18) months following the approval of Farm Village zoning to complete a final subdivision plat. If an approved plat is not recorded within this time period, the zoning reverts to its underlying district. This eighteen (18) months may be extended by the Franklin County Board of Zoning Appeals, upon application for good cause to extend.

The development plan approved as part of the Farm Village zoning shall be followed in submitting the final plat. Franklin County Subdivision Regulations must be followed except where Farm Village design standards deviate, in which case Farm Village design standards shall prevail, and subdivision waivers may be necessary.

A restriction on the future use of the preserved lands must be placed on the subdivision plat, and also in the deed of the individual home buyers in the village, stating that the lands to be preserved must be used for managed agriculture. Village open space must similarly be protected.

SECTION 416 - OSCAR LOT REGULATIONS

Intent

Open Space Conservation and Recreation (OSCAR) Lots provide incentives for land areas which might be too small to qualify for Farm Villages, or which have topography or soils which might not lend themselves to a Farm Village, but which would benefit from the preservation of open space as part of the subdivision process. Open space easements on or across lots ensure the permanent preservation of open space adjacent to the individual single-family house lots. Where common open space easements are created, they shall be maintained by a homeowner's association of the participating lot owners. Easement language shall contain the terms of the area to be preserved as open space, and shall be recorded on each lot owner's deed, and as a subdivision plat restriction.

How OSCAR Lots are Formed

a.) Oscar Lots are a planned zoning overlay district to the Rural Zone. The design of the Oscar subdivision must be approved as a development plan by the Rural Zoning Commission and the County Commissioners, following the same process as the establishment of a Farm Village.

b.) OSCAR Lots reduce the required road frontage and provide flexibility of design of houses and open space. OSCAR Lots shall have their only direct vehicular access provided by an internal, "C" shaped, or "eyebrow loop road," which shall be privately maintained by the owners of the Oscar Lots, but built to public cross sectional and width standards of the Franklin County Subdivision Regulations and/or the private street code (Section 302.0391) of this resolution. No driveway access shall be allowed to existing state, county or township roads by any Oscar Lots. The internal eyebrow of the loop road shall be maintained as common open space in perpetuity by the Homeowner's Association. The shape of Oscar Lots is generally pie shaped slivers of a fan or rainbow around a semi-circular loop road which begins and ends on public roads. The area between the loop road and the public road shall be permanent open space.

c.) The Board of County Commissioners may grant an Oscar Lot overlay to the Rural District for OSCAR Lots to be subdivided, provided all of the following criteria are met to the satisfaction of the Board.

1.) Density - The gross tract density shall be one single-family dwelling unit per two and a half (2.5) acres of land in the proposed subdivision.

2.) Individual fee simple minimum lot size- two (2) acres or larger as needed to accommodate on site water wells and subsurface wastewater disposal systems.

3.) Minimum overall tract size - None, but at least three (3) lots must be created.

4.) Minimum common open space required to be preserved - Five (5) acres per lot to be subdivided. (Note: land under the right-of-way for the private loop road counts toward the required common open space for Oscar subdivisions, since it is not public road right-of-way).

5.) Minimum front yard setback - Fifty (50) feet from the centerline of the private loop road.

6.) Minimum road frontage - One hundred (100) feet fronting on an internal subdivision private loop road. No driveway access shall be provided to or from surrounding state, county or township roads.

7.) Minimum lot width at the building setback line - One hundred fifty (150) feet.

8.) Minimum side yards- same as underlying district. (Total of twenty (20) inches, eight (8) foot minimum on one side).

9.) Minimum setback for the loop road from the adjacent public road at its apex of curvature- one hundred (100) feet. (In other words, the private loop road must loop at least one hundred (100) feet away from its adjacent public road at the top of the eyebrow).

10.) Common open space shall not be further subdivided, and shall not be used for residential development.

11.) No flag lots which place dwellings behind one another shall be created unless the Board of Zoning Appeals, upon a recommendation by the Rural Zoning Commission, grants a conditional use for such lots, finding them to conform to the standards for conditional use in Section 815 of this resolution. Such conditional uses must be granted prior to the final approval of the overall OSCAR subdivision plat.

12.) Design- The OSCAR subdivision design must be planned to create useable, centrally located open space, and to create a pleasing environment by saving trees, and natural features. Building orientation should consider privacy, window placement, massing and bulk of structures, attractive views, and fit with existing topography. Lot layout should be creative and flexible centered around common open space. The design must be acceptable to the Rural Zoning Commission and the Franklin County Commissioners.

13.) A subdivision sketch plan showing engineering feasibility must be submitted with the OSCAR Lot overlay district application and approved in concept by the Franklin County Technical Review Committee, a staff arm of the Franklin County Planning Commission. The following design elements shall be included, along with normal subdivision design elements:

aa.) Sidewalks, if provided, shall be separated from the paved street by at least five (5) feet of landscaped or grassed strip. Deciduous, broad leaf street trees such as Oak, Maple, Sweet Gum, Sycamore, and Chestnut, must be planted as part of the original street construction in this green strip at the rate of one (1) every sixty (60) feet, on both sides of the street. Trees must be at least a four (4) inch caliper at planting.

bb.) Garages shall be located to the rear of houses if detached. If garages are attached to the house, they must be set back at least twelve (12) feet behind the front of the house, or located to the rear of the house.

cc.) Street lighting, if provided, shall be white incandescent or gas light on traditional or Victorian design light standards no more than twelve (12) feet high. No highway-style gooseneck lamps, yellow or high-pressure sodium lighting shall be used.

dd.) If no centralized or approved community water or sewer service is available, each lot shall show the location of on-site water supply and wastewater disposal facilities, which must be approved by the Franklin County Board of Health. Wastewater treatment facilities may be located in preserved open space provided they are approved by the Franklin County Board of Health and easements provide for their permanent access for maintenance. The configuration of the lots and the suitability of the native soils on each site shall be determinative factors in the subdivision approval. To the extent that fifty (50) foot sanitary radii for wells may overlap lot lines, the subdivision plat shall provide for sanitary easements lot-to-lot where this occurs.

ee.) Due to the narrowness of the private street, on-street parking is neither encouraged nor permitted. If guest parking is required beyond the driveways adjacent to each home, small parking bays of no more than four (4) spaces per bay may be let into the common open space in the center of the eyebrow, provided they are properly paved with a hard surface identical to the street surface, and are separated by at least fifty (50) feet from one bay to the next. These overflow parking spaces should not be needed except for special events, since each house lots shall provided at least two (2) paved off-street parking spaces on its lot for its own use.

ff.) Minimum street width shall be in accordance with Section 302.0391.

gg.) Open space easement instruments shall be recorded as deed and plat restrictions. The easement areas shall be maintained as either agriculture or open space in perpetuity. The easement language shall provide that the open space survives all such changes in status and title over time.

hh.) Following approval of an OSCAR overlay to the Rural District by the County Commissioners, the applicant shall have up to one (1) year to complete a subdivision approval from the Franklin County Planning Commission.

SECTION 420 SELECT COMMERCIAL PLANNED DISTRICT (SCPD) REGULATIONS

420.02 - PERMITTED USE - Land and buildings within the SELECT COMMERCIAL PLANNED DISTRICT shall be used only for those selected uses identified by an applicant for zoning plan amendment and found within the Suburban Office, Neighborhood Commercial, Community Commercial, Community Service, Restricted Industrial and Limited Industrial Zoning Districts. Proposed uses shall be enumerated in the application as being appropriate to provide compatibility with the neighborhood and community character and for compliance with the Comprehensive Plan. All permitted uses shall be approved by the Board of Franklin County Commissioners as a part of the Development Plan required (Section 420.034) for the subject tract. Said permitted uses shall run with the land as long as the SCPD zoning as approved remains in effect.

420.03 - PROCEDURE - The following procedure shall be followed in placing land in the SELECT COMMERCIAL PLANNED DISTRICT.

420.031 - SUBMISSION OF APPLICATION - The owner or owners of a tract or tracts of land of any size may request that the Zoning District Map be amended to include such tract or tracts in the SELECT COMMERCIAL PLANNED DISTRICT in accordance with the provisions of ARTICLE VII.

420.032 - DEVELOPMENT STANDARDS - The development standards of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, shall apply to the SELECT COMMERCIAL PLANNED DISTRICT according to the specific zoning district and use selected in accordance with SECTION 420.02, Permitted Use and SECTION 420.033, Performance Standards. A compliance waiver for any Development Standard may be granted as a part of the Development Plan if approved by the Board of Franklin County Commissioners.

420.033 - PERFORMANCE STANDARDS - Applications for SELECT COMMERCIAL PLANNED DISTRICT shall meet the following requirements. The Development Plan (SECTION 420.034) and the Detailed Site Plan, (SECTION 420.037) will be reviewed to determine whether the following performance criteria have been addressed and satisfied. Unless otherwise indicated, information required by the Performance Standard criteria shall be submitted in conjunction with Development Plan submission. A compliance waiver for any Performance Standard may be granted as part of the Development Plan if approved by the Board of Franklin County Commissioners.

420.034 - DEVELOPMENT PLAN - A Development Plan at a scale of at least 1"=50' shall be prepared and sealed by either a registered architect, registered engineer, or a registered landscape architect to satisfy Development Plan requirements. Five (5) copies of a Development Plan shall be submitted with the application to amend the zoning district map. Such Development Plan shall demonstrate engineering and project feasibility, shall be in map form with accompanying text as appropriate, and shall address the following:

l.) Permitted Uses - Selected uses in accordance with Section 420.02 to be permitted within the SELECT COMMERCIAL PLANNED DISTRICT shall be specified by area or specific building location as a part of the Development Plan submission. The Development Plan may state specific individual uses by area or structure in order to accomplish the desired compatibility with the surrounding environment.

2.) Site Map - A survey map of the boundary of the area being requested for zoning map amendment shall depict existing roads, streets and easements within the subject tract as well as the proposed location and approximate size of all structures and ancillary uses. Off-site contour and easement locations shall be provided where necessary to determine special off-site circumstances as they relate to the development, or off-site features affected by the development.

3.) Vegetation - Significant strands of existing vegetation are to be depicted.

4.) Soils - Soil types found on the subject tract are to be submitted based upon the Franklin County Soil Survey.

5.) Traffic - Each Development Plan shall be accompanied by an analysis of traffic conditions which can be expected to result from the proposed development. The analysis shall estimate the Average Daily Traffic (ADT), the peak hour(s) of traffic, and distribution of the same to the existing and proposed street system, together with an analysis of street improvements necessary to accommodate the additional traffic. The applicant shall state and document assumptions made regarding the projected traffic figures. Standard techniques and references shall be utilized. The following references, or other references which may be acceptable to the Board of County Commissioners, shall be used:

a) Highway Capacity Manual (Special Report #209, 1994, National Academy of Sciences).

b) "Trip Generation": Institute of Traffic Engineers, (Current Edition). Traffic analysis shall be based on existing off-site conditions and known plans for the development of off-site areas.

Traffic expected to be generated by the proposed development shall not cause any tributary street or highway facility to operate below a level of service "C", as defined in the current edition of the "Highway Capacity Manual" (see above reference).

6.) Access - Whenever multiple structures to be located in SCPD are located on a collector street or arterial street, as defined by the Franklin County Thoroughfare Plan, access onto the collector or arterial shall be via interior local streets or marginal access (frontage) roads. All uses within the SCPD shall derive their access from the interior streets within the SCPD, unless specific exemptions are made as a part of the approved Development Plan.

7.) Parking - Off-street parking, loading and service areas shall be provided in accordance with SECTION 531, ARTICLE V. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and structural arrangement set forth in the Development Plan.

All open off-street parking areas consisting of five (5) or more parking spaces or one thousand (1000) square feet or more shall be screened from abutting residential uses. Curb barriers a minimum of five (5) feet from the property line shall be provided. Grass, plantings or other acceptable surface material shall be provided for all areas bordering the parking area. When large parking areas are planned, landscaped islands or medians shall be utilized to lessen negative visual impact and direct traffic flow.

Whenever a parking lot or access drive is located adjacent to a residential area, screening shall be designed to prevent vehicle lights from shining directly onto the residential property.

8.) Storm Water Drainage - A preliminary drainage plan, showing topographical contours in two (2) foot intervals, and general locations of existing and proposed improvements. Drainage and runoff from the proposed development shall not cause property damage. All drainage improvements shall be designed in conformance with the requirements of the Franklin County Subdivision Regulations.

9.) Sewage Disposal and Water Supply - Information regarding sewage disposal and water supply techniques to be utilized will be provided in the application for the proposed SCPD, together with letters of approval from the pertinent local, state and, if applicable, private agencies. The letters shall be submitted with the Development Plan.

10.) Architectural Design - The Development Plan shall indicate general exterior design, building elevations and potential materials. All buildings shall be constructed with materials compatible with the surrounding environment. All buildings shall be constructed with material consistent with the design character for each building on all sides.

All private deed restrictions pertaining to design character and location of buildings shall be included in the Development Plan:

a) Building Density - No parcel or lot shall have constructed thereon any building(s) which shall have a ground level floor density of greater than thirty-five percent (35%) of the lot or parcel upon which said building(s) is or are constructed.

b) Building Height - Shall not exceed twenty-five (25) feet unless otherwise indicated and approved as a part of the Development Plan as appropriate to the specific site and neighborhood character.

11.) Outside Storage - Outside storage shall be permitted only as a part of an approved development plan within an SCPD. No rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the parcel or lot so as to render any portion of the property unsanitary, unsightly or detrimental to the public health, safety or welfare.

12.) Utilities and Facilities - All utilities shall be placed underground. All below ground storage facilities not under the ground floor of structures must be illustrated on the Development Plan.

13.) Pollution -

a) Smoke - No smoke from an industrial or commercial process shall be emitted from any structure in the SCPD.

b) Odor - No use shall emit odorous gases or other odorous matter in such quantities as to be offensive at any point on or beyond the SCPD boundary.

c) Noise - No commercial, service or industrial use shall emit noise greater than sixty (60) decibels at the lot line.

14.) Graphics - The Development Plan shall specify the signage concept indicating the general locations and size of all exterior signs and the relationship of signs to overall architectural design of the development. No sign located within the SCPD shall advertise off-premise activity. All signs shall meet the applicable provisions of SECTION 541 as well as the following:

a) Wall Signs - Each business may have one (1) sign attached to the structure below roof level, other than identification signs for service areas. Signs for individual businesses may be no greater than ten percent (10%) of the area below the roof of the exterior surface of the wall to which they are attached.

b) Free Standing Signs - Except site identification signs or traffic control signs, all shall be directory in nature. There can be no more than one (1) free standing sign for each building on a lot other than traffic control signs. The total size of a free standing sign shall not exceed forty (40) square feet unless otherwise approved as a part of the Development Plan. Free-standing signs shall be no more than twenty (20) feet in height, unless otherwise approved as a part of the Development Plan.

c) Development Area Identification Sign - One (1) development area identification sign shall be permitted within the SCPD as a part of the Development Plan submission. More than one (1) development area identification sign may be approved based upon information submitted as a part of the Development Plan submission verifying the need for same.

Total maximum area permitted for one (1) development area identification sign shall not exceed the following:

i) One (l) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way for the first fifty (50) feet.

ii) One-half (1/2) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way for the second fifty (50) feet.

iii) One-fourth (1/4) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way exceeding one hundred (100) feet.

iv) No development area identification sign shall exceed one hundred (100) square feet in area unless otherwise indicated and approved as a part of the

Development Plan as being appropriate to the specific site and neighborhood character.

d) Temporary real estate for sale or for lease signs shall not exceed fifty (50) square feet in total area.

e) A sign may be illuminated provided that no flashing, traveling, animated or intermittent illumination shall be used. Permitted illumination shall be confined to the area of the sign except when such illumination is back lighting for an otherwise non-illuminated sign.

f) All private deed restrictions pertaining to signs shall be included as part of the Development Plan.

15.) Lighting - The Development Plan must indicate the types of lamps and lighting fixtures as well as and the height of lighting fixtures to be used and the relationship of lighting fixtures to overall architectural design of the development:

a) Light sources outside the public right-of-way shall be located and arranged to provide good visibility and reflect the light away from adjacent residential properties or any streets.

b) Street lights shall be installed by the developer or by petition to the Township on all interior streets dedicated as public rights-of-way unless otherwise exempted by the Board of County Commissioners.

c) All private deed restrictions pertaining to lighting shall be included in the Development Plan.

16.) Screening and Landscaping Plan - Screening shall consist of earth mounding, plantings, fencing, or a combination of the same. The SELECT COMMERCIAL PLANNED DISTRICT requires the submission of a separate plan which incorporates screening and landscaping proposals:

a) A general screening and landscaping plan meeting the following requirements shall be prepared and submitted as a part of the Development Plan. For purposes of Development Plan submission, the screening concept proposed to meet the requirements of this Section shall be submitted in sketch and text form.

i) Fencing - Fencing utilized in providing screening shall be architecturally appealing and shall be incorporated into the overall architectural design concept.

ii) Abutting Residential Areas - Whenever a proposed SCPD abuts a residential area, screening shall be provided along the entire area of abutment in a manner that is aesthetically pleasing and effectively screens the residential areas from the proposed select commercial activities.

iii) Plantings - When mounding is utilized in conjunction with plantings, the plant materials shall be of a size and species suitable which together will produce a minimum six (6) foot high screen within a two (2) year period. When plant

material without mounding is utilized, the plant materials shall be a minimum five (5) feet in height when planted and be of such species that will produce a dense six (6) foot visual screen within a two (2) year period. All screen plantings shall be maintained permanently, and any plant material which does not survive shall be replaced within one (1) year with material meeting the specifications of the original planting. Maintenance responsibilities for the screen plantings shall be addressed in the Development Plan.

iv) Minimum Opacity - All screens must provide a minimum opaqueness of sixty percent (60%) or more.

v) Landscaping - Landscaping shall mean the improvement of the natural beauty of the land by grading, clearing and decorative planting or grass to create a pleasant and functional environment. Landscaping of a lot shall be installed within six (6) months after the month in which the building is completed. Any portion of a lot upon which a building or parking area is not to be constructed per the Development Plan shall be landscaped. For every ten (10) parking spaces on an individual lot, the owner shall be required to place at least one (1) tree (3" caliper or larger) in such a manner as to be spaced and placed in or among the parking rows. Such trees shall be in addition to any screening requirements contained herein and all replacement material shall meet the specifications of the original planting. All shrubs, trees, grass, ground covers, and plantings of every kind or type, shall be well-maintained, properly cultivated and free from trash and other unsightly material and/or debris.

b) Exceptions to screening requirements may be made where:

i) Existing topographical or vegetative characteristics provide the necessary screening effect, or

ii) Where existing topographical conditions make it difficult to adequately screen the proposed use from adjacent properties. When the use cannot be adequately screened due to elevation differences between adjacent properties and the proposed site, the proposed design should minimize negative visual impact.

17.) Any additional information necessary to demonstrate compliance with Section 420.033, Performance Standards.

420.035 - EFFECT OF APPROVAL - The Development Plan as approved by the Franklin County Commissioners shall constitute an amendment to the Franklin County Zoning Map as it applies to the land included in the approved amendment. Detailed Site Plan approval is assured based on good faith compliance with the approved Development SCPD Plan.

The approval shall be for a period of two (2) years to allow for the submission of a Zoning Compliance in accordance with Section 705.02, Article VII for the first phase, submitted in accordance with the subdivision regulations for Franklin County, Ohio. Unless the required zoning compliance is properly submitted and approved within the two (2) year period, the approval shall be voided and the land shall revert to its last previous zoning district, unless an application for time extension is submitted and approved in accordance with Section 420.036.

420.036 - EXTENSION OF TIME OR MODIFICATION - An extension of the time limit or the modification of the approved Development Plan may be approved by the Board of County Commissioners. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the development standards of the SELECT COMMERCIAL PLANNED DISTRICT. Normal public notification procedures of the Franklin County Rural Zoning Commission shall be followed prior to approving any modification to a previously approved Development Plan.

420.037 - DETAILED SITE PLAN REQUIRED - Following zoning map amendment approval by the Board of County Commissioners and prior to submitting an application for a building permit or zoning compliance in accordance with Section 705.02, Article V, a Detailed Site Plan shall be submitted to the Franklin County Development Department for approval. The Detailed Site Plan shall conform to the Franklin County Subdivision Regulations for design and construction of improvements. The Detailed Site Plan shall constitute the applicant's final proposal which illustrates compliance with the previously approved Development Plan, intended uses and required Performance Standards.

420.038 - DETAILED SITE PLAN REQUIREMENTS

1.) A plan illustrating the location and design of all proposed structures as they relate to the Development Plan. The Franklin County Development Department may require the submission of additional information or documentation, which it may find necessary or appropriate to permit full consideration of the Detailed Site Plan and its relationship to required Performance Standards.

2.) Architectural renderings shall illustrate exterior design and construction, as well as the interior layout.

3.) Any sign proposed shall be constructed with durable materials and shall conform to the overall design concept proposed and be compatible with the surrounding uses and environment. The Detailed Site Plan shall illustrate sign materials and composition. Information including location, size, height, lighting and landscaping shall be submitted as a part of the Detailed Site Plan.

4.) A Screening and Landscaping Plan shall be prepared and sealed by a registered landscape architect. Five (5) copies of a Screening and Landscaping Plan shall be submitted in map form with accompanying text as appropriate. The Detailed Site Plan shall show the placement, species and size, of all plant materials, and the placement, size, composition and type of fencing or other materials proposed.

420.039 - DETAILED SITE PLAN, BASIS OF APPROVAL - The basis for approving a SELECT COMMERCIAL PLANNED DISTRICT Detailed Site Plan shall be:

1) The Franklin County Development Department finds the Detailed Site Plan information submitted under Section 420.037 to be in compliance with the Development Plan (Section 420.034) previously approved by the Board of Franklin County Commissioners.

    a.) The Board of Franklin County Commissioners authorizes the Franklin County Development Department to review the Detailed Site Plan and approve it based on compliance with the Development Plan and the requirements of the SCPD zoning district. If the Franklin County Development Department and the applicant are

unable to reach agreement on the content of the Detailed Site Plan and its applicability to the approved Development Plan, the issue shall be resolved at a scheduled public hearing of the Board of Franklin County Commissioners. Normal public notification procedures of the Franklin County Rural Zoning Commission shall be followed.

SECTION 427 - (PSC) PLANNED SHOPPING CENTER DISTRICT REGULATIONS

427.02 - PERMITTED USE - Land and buildings in the PLANNED SHOPPING CENTER DISTRICT shall be used only for the following purposes:

427.021 - Shopping Center - Commercial establishments. Developed, operated and maintained within an organized development of associated commercial activities (shopping center) in accordance with the approved Development Plan.

427.022 - Community Facilities - Such as libraries, offices, or educational facilities operated by a public agency or government.

427.03 - PROCEDURE - The following procedure applies in placing land in the PLANNED SHOPPING CENTER DISTRICT.

427.031 - Submission of Application - The owner or owners of a tract of land four (4) acres or more in any area may request that the Zoning District Map be amended to include such tracts in the PLANNED SHOPPING CENTER DISTRICT in accordance with the provisions of ARTICLE VII.

427.032 - Development Plan - Five (5) copies of a Development Plan prepared and sealed by an architect licensed to practice in the state of Ohio shall be submitted with the application to amend the Zoning District Map. The plan shall include in text or map form:

1.) The proposed location and size of structures and ancillary uses, indicating tenant types (uses) and total square footage in buildings.

2.) The proposed size, location, and use of other portions of the tract, including landscaping, parking, loading, service, maintenance, and other areas or spaces.

3.) The proposed provision of water, sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.

4.) The proposed traffic circulation pattern, including access drives, parking arrangement, pedestrian walks and safety areas, and the relationship to existing and proposed external streets and traffic patterns with evidence of reasonableness as may be necessary.

5.) An analysis of potential traffic impacts that will result from the proposed development using standard traffic assessment techniques and references, including an estimate of street and/or other traffic improvements necessitated by the development.

6.) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use, reuse or existing features such as topography, structures, streets and easements.

7.) Provisions for landscaping, lighting, and signage associated with the development, including location, appearance, size and other details as necessary.

8.) The relationship of the proposed development to existing and future land use in the surrounding area, community facilities, services, and other public improvements.

9.) Depiction of soil types, site topography in two (2) foot contour intervals, watercourses, surface water bodies, mature vegetation, wetlands and other natural features as they currently exist.

10.) Depiction of existing utility easements, surface and subsurface drainage improvements, well and/or wastewater facilities and other site improvements.

11.) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights and the engineering feasibility data which may be necessary and the economic feasibility studies (market analysis or other data justifying the proposed development.

427.033 - Basis of Approval - The basis for approving a PLANNED SHOPPING CENTER DISTRICT application is:

1.) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;

2.) That the proposed development is in conformity with all applicable development policies, community plans or portion(s) thereof as it may apply;

3.) That the proposed development advances the general welfare of the County and the immediate vicinity;

4.) That the overall project design and site arrangement are of a quality which justifies the departure from standard commercial districts and that they further justify the location and size proposed in the Development Plan.

427.034 - Effect of Approval - The Development Plan as approved by the Franklin County Commissioners constitute(s) an amendment to the PLANNED SHOPPING CENTER DISTRICT regulations as they apply to the land included in the approved amendment.

Approval is for a period of three (3) years to allow for the submission of a zoning compliance in accordance with Section 705.02, Article VII, submitted in accordance with the **Subdivision Regulations for Franklin County, Ohio.** Unless the required zoning compliance is properly submitted within the three (3) year period, the approval is voided and the land reverts to its last previous Zoning District. An application for time extension may be submitted for consideration in accordance with 427.036.

427.035 - Zoning Compliance Required - In the PLANNED SHOPPING CENTER DISTRICT, no use may be established or changed and no structure may be constructed or altered until the required zoning compliance has been recorded in accordance with Section 705.02 and the **Subdivision Regulations for Franklin County, Ohio.** The zoning compliance shall be in accordance with the approved Development Plan and shall illustrate or include:

1.) Site arrangement, including building setback lines and buildable space within the site; water, sewer and other public utility installations, including sanitary sewer, surface drainage, and waste disposal facilities; easements, access points to public rights-of-way, parking areas, and pedestrian ways; and land reserved for non-commercial use with indication of the nature of the use.

2.) The nature and extent of earthwork required for site preparation and development.

3.) Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, and the operations of tenants, including those applicable to areas within the tract to be developed non-commercially.

427.036 - Extension of Time or Modification - An extension of the time limit or a modification of the approved Development Plan may be approved by the Board of County Commissioners. Approval is based upon the purpose and necessity for such extension or modification and evidence of reasonable efforts to implement the original Development Plan. Extensions or modifications shall not conflict with the general health, safety and welfare of the public or the Development Standards of the PLANNED SHOPPING CENTER DISTRICT.

427.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PLANNED SHOPPING CENTER DISTRICT.

Open storage, sales, service, and loading areas shall be screened by walls, fences, or other enclosures at least six (6) feet but not more than eight (8) feet in height. These walls, fences, or enclosures shall have an opaqueness of ninety percent (90%) or more, so as to effectively conceal sales, service, storage and loading operations from a Residential Zoning District or Planned Residential District as listed in SECTION 201, ARTICLE II.

427.042 - Lot Width - No minimum lot width is required. However, adequate lot width shall be provided to achieve the yard space required by these DEVELOPMENT STANDARDS.

427.043 - Side Yards - A side yard is required adjacent to a Residential Zoning District or another Planned Development District as listed in SECTION 201, ARTICLE II. Such required side yards shall equal one-fourth (1/4) the sum of the height and depth of the structure, but in no case shall be less than thirty (30) feet.

427.044 - Rear Yards - A rear yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in SECTION 201, ARTICLE II. Such required rear yards shall equal one-fourth (1/4) the sum of the height and width of the structure, except when adjacent to a dedicated alley of not less than thirty (30) feet.

427.045 - Arrangement of Areas - The location and arrangement of structures, parking, access drives, outdoor lighting, signs, and other uses and developments within the PLANNED SHOPPING CENTER DISTRICT, in addition to achieving these DEVELOPMENT STANDARDS, shall be accomplished in accordance with an approved Development Plan established to assure compatibility with the existing and future land use development in the vicinity. The Development Plan should include walks, fences, landscaping, and other devices which will meet the purpose and intent of the PLANNED SHOPPING CENTER DISTRICT.

427.046 - Reserve Areas - All areas designated for future expansion or not intended for immediate improvement or development shall be specified as Reserve Areas. The future use and the limitations on future use of such area shall also be specified, although the use of such areas may later be reconsidered in accordance with 427.036. Reserve Areas shall be landscaped or otherwise maintained in a neat and orderly manner.

427.047 - Parking and Loading - Off-street parking, loading and service areas shall be provided in accordance with SECTION 531, ARTICLE V. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and the structural arrangement set forth in the Development Plan.

SECTION 435 - (PHS) PLANNED HIGHWAY SERVICE DISTRICT REGULATIONS

435.02 - PERMITTED USE - Land and buildings in the PLANNED HIGHWAY SERVICE DISTRICT shall be used only for the following purposes:

Commercial establishments normally associated with and intended to service the traveling public. These establishments include motels, restaurants, gasoline service stations, automotive repair and trailer parks provided for overnight parking.

435.03 - PROCEDURE - The following procedure shall be followed in the PLANNED HIGHWAY SERVICE DISTRICT.

435.031 - Submission of Application - The owner or owners of a tract of land three (3) acres or more in area may request that the Zoning District Map be amended to include such tract in the PLANNED COMMERCIAL DISTRICT in accordance with the provisions of ARTICLE VII and the following requirements:

435.032 - Development Plan - Three (3) copies of a Development Plan prepared and sealed by an architect licensed to practice in the state of Ohio shall be submitted with the application to amend the Zoning District Map. The plan shall include in text or map form:

1.) The proposed location and size of structures and ancillary uses, indicating tenant types (uses) and total square feet in buildings.

2.) The proposed size, location, and use of other portions of the tract, including landscaped, parking, loading, service, maintenance, and other areas or spaces.

3.) The proposed provision of water, sanitary sewer, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.

4.) The proposed traffic circulation pattern, including access drives, parking arrangement, pedestrian walks, safety areas, and the relationship to existing and proposed external streets and traffic patterns with evidence of reasonableness as may be necessary.

5.) An analysis of potential traffic impacts that will result from the proposed development using standard traffic assessment techniques and references, including an estimate of street and/or other traffic improvements necessitated by the development.

6.) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use reuse or existing features such as topography, structures, streets and easements.

7.) Provisions for landscaping, lighting, and signage associated with the development, including location, appearance, size and other details as necessary.

8.) The relationship of the proposed development to existing and future land use in the surrounding area, community facilities, services, and other public improvements.

9.) Depiction of soil types, site topography in two (2) foot contour intervals, watercourses, surface water bodies, mature vegetation, wetlands and other natural features as they currently exist.

10.) Depiction of existing utility easements, surface and subsurface drainage improvements, well and/or wastewater facilities and other site improvements.

11.) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights and the engineering feasibility data which may be necessary and the economic feasibility studies (market analysis or other data justifying the proposed development).

435.033 - Basis of Approval - The basis for approving a PLANNED HIGHWAY SERVICE DISTRICT application shall be:

1.) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;

2.) That the proposed development is in conformity all applicable development policies, community plans or portion(s) thereof as it may apply;

3.) That the proposed development advances the general welfare of the County and the immediate vicinity;

4.) That the overall project design and site arrangement are of a quality which justifies the departure from standard commercial districts and that they further justify the location and size proposed in the development.

5.) That the presence of and convenient access to state or federal highways makes the site an appropriate location for uses permitted within this district.

435.034 - Effect of Approval - The Development Plan as approved by the Franklin County Commissioners shall constitute an amendment to the PLANNED HIGHWAY SERVIVCE DISTRICT regulations as they apply to the land included in the approved amendment.

The approval shall be for a period of three (3) years to allow the preparation of the required zoning compliance in accordance with Section 705.02, Article VII, submitted in accordance with the **Subdivision Regulations for Franklin County, Ohio.** Unless the required zoning compliance is properly submitted and approved within the three (3) year period, the approval shall be voided and the land shall revert to its last previous Zoning District. An application for time extension may be submitted for consideration in accordance with 435.036.

435.035 - Zoning Compliance Required - In the PLANNED HIGHWAY SERVICE DISTRICT, no use may be established or changed and no structure may be constructed or altered until the required zoning compliance has been approved in accordance with Section 705.02 of this resolution and the **Subdivision Regulations for Franklin County, Ohio.** The zoning compliance shall be in accordance with the approved Development Plan and illustrate or include:

1.) Site arrangement, including building setback line and buildable space within the site; water, sewer and other public utility installations, including sanitary sewage, surface drainage, and waste disposal facilities, easements, access points to public rights-of-way, parking areas, and pedestrian ways; and land reserved for non-highway service use with indication of the nature of the use.

2.) The nature and extent of earthwork required for site preparation and development.

3.) Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, and the operation of tenants, including those applicable to areas within the tract to be developed for non-highway service uses.

435.036 - Extension of Time or Modification - An extension of the time limit or a modification of the approved Development Plan may be approved by the Board of County Commissioners. Approval is based upon the purpose and necessity for such extension or modification and evidence of reasonable efforts to implement the original Development Plan. Extensions or modifications shall not conflict with the general health, safety and welfare of the public or the Development Standards of the PLANNED HIGHWAY SERVICE DISTRICT.

435.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PLANNED HIGHWAY SERVICE DISTRICT.

435.041 - Intensity of Use - Open storage, service, and loading areas shall be screened by walls, fences, or other enclosures at least six (6) feet but not more than eight (8) feet in height. These walls, fences, or enclosures shall have an opaqueness of ninety percent (90%) or more, so as to effectively conceal storage, service, and loading operations from a Residential Zoning District or Planned Residential District as listed in SECTION 201, ARTICLE II.

435.042 - Lot Width - A minimum lot width of three hundred (300) feet is required at the front setback line; however, adequate lot width shall be provided to achieve the yard space required by these DEVELOPMENT STANDARDS.

The width or the depth of the lot shall not be more than two (2) times the other.

435.043 - Side Yards - A side yard is required adjacent to a Residential Zoning District or another Planned Development District as listed in SECTION 201, ARTICLE II. Such required side yards shall equal one-fourth (1/4) the sum of the height and depth of the structures, but in no case shall be less than thirty-five (35) feet.

435.044 - Rear Yards - A rear yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in SECTION 201, ARTICLE II. Such required rear yards shall equal one-fourth (1/4) the sum of the height and width of the structure, but in no case shall be less than thirty-five (35) feet.

435.045 - Arrangement of Areas - The location and arrangement of structures, parking, access drives, outdoor lighting, signs, and other uses and developments within the PLANNED HIGHWAY SERVICE DISTRICT, in addition to achieving these Development Standards, shall be accomplished in accordance with an approved Development Plan established to assure compatibility with the existing and future land use development in the vicinity. The Development Plan should include walks, fences, landscaping, and other devices which will meet the purpose and intent of the PLANNED HIGHWAY SERVICE DISTRICT.

435.046 - Reserve Areas - All areas designated for future expansion or not intended for immediate improvement or development shall be specified as Reserve Areas. The future use and the limitations on future use of such areas shall also be specified, although the use of such areas may later be reconsidered in accordance with 435.031. Reserve Areas shall be landscaped or otherwise maintained in a neat and orderly manner.

435.047 - Parking and Loading - Off-street parking, loading, and service areas shall be provided in accordance with SECTION 531, ARTICLE V. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and the structural arrangement set forth in the Development Plan.

SECTION 444 - (PIP) PLANNED INDUSTRIAL PARK DISTRICT REGULATIONS

444.02 - PERMITTED USE - The following uses shall be permitted in the PLANNED INDUSTRIAL PARK DISTRICT.

444.021 - Industrial Development - Manufacturing, processing, warehousing and industrial service activities located and maintained within the limits of the Development Standards of these PLANNED INDUSTRIAL PARK DISTRICT regulations and in accordance with the approved Development Plan.

Commercial establishments normally associated with and intended to serve the industrial establishments or their employees and approved as a part of the Development Plan.

Additional commercial activities of an intense nature, typically associated with the Community Service District, which compliment industrial uses already included in the application.

444.03 - PROCEDURE - The following procedure applies in placing land in the PLANNED INDUSTRIAL PARK DISTRICT.

444.031 - Submission of Application - The owner or owners of a tract of land twenty-five (25) acres or more in area may request that the Zoning District Map be amended to include such tracts in the PLANNED INDUSTRIAL PARK DISTRICT in accordance with the provisions of ARTICLE VII and the following requirements:

The twenty-five (25) acre requirement may be reduced by the director if no potential conflicts exist with surrounding land uses as existing or planned and if all other requirements of this district are met.

444.032 - Development Plan - Five (5) copies of a Development Plan prepared and sealed by an architect licensed to practice in the state of Ohio shall be submitted with the application to amend the Zoning District Map. The plan shall include in text or map form:

1.) The general development character of the tract, including the proposed location and size of industrial areas as well as the proposed type, location and size of non-industrial uses within the site.

2.) The proposed industrial uses, processes, operations, and tenant types as well as any restrictions or controls to be placed on the uses.

3.) The proposed provisions of water, sanitary sewer, industrial waste disposal, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness.

4.) The proposed traffic circulation pattern, including access drives, parking arrangement, pedestrian walks and safety areas.

5.) An analysis of potential traffic impacts that will result from the proposed development using standard traffic assessment techniques and references, including an estimate of street and/or other traffic improvements necessitated by the development.

6.) Provisions for landscaping, lighting, and signage associated with the development, including location, appearance, size and other details as necessary.

7.) Depiction of soil types, site topography in two (2) foot contour intervals, watercourses, surface water bodies, mature vegetation, wetlands and other natural features as they currently exist.

8.) Depiction of existing utility easements, surface and subsurface drainage improvements, well and/or wastewater facilities and other site improvements.

9.) The proposed schedule of site development and associated facilities, including streets, other transportation facilities, utilities, services and other facilities.

10.) The relationship of the proposed development to existing and future land use in the surrounding area, community facilities, services and other public improvements.

11.) Information regarding anticipated hazardous chemical usage (if any) by the proposed tenants, including types, frequency and method of delivery and quantities maintained on site.

12.) Evidence that the applicant has sufficient control over the land to prepare required land improvements, including street, water, sanitary sewers, waste disposal, surface drainage, and other facilities for subdivision development required by the **Subdivision Regulations for Franklin County, Ohio.** Evidence of control includes property rights and the engineering feasibility data which may be necessary.

444.033 - Basis of Approval - The basis for approving a PLANNED INDUSTRIAL PARK DISTRICT application is:

1.) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;

2.) That the proposed development is in conformity with all applicable development policies, community plans or portions thereof;

3.) That the proposed development advances the general welfare of the County and the immediate vicinity;

4.) That the benefits of improved arrangement and design of the development justifies deviation from the standard requirements for industrial development included in this Zoning Resolution.

5.) That should the proposed use(s) involve the transporting, storing, manufacturing, processing or require the use of any extremely hazardous substances as defined by the Chemical Emergency Preparedness Advisory Council (CEPAC), the applicant shall receive a determination by CEPAC finding that the proposed use(s) will not constitute a moderate or severe extremely hazardous substance risk to surrounding residents and land uses.

444.034 - Effect of Approval - The Development Plan as approved by the Franklin County Commissioners constitutes an amendment to the PLANNED INDUSTRIAL PARK DISTRICT regulations as they apply to the land included in the approved amendment.

Approval is for a period of three (3) years to allow the preparation of the required zoning compliance in accordance with Section 705.02, Article V, submitted in accordance with the **Subdivision Regulations for Franklin County, Ohio.** Unless the required zoning compliance is properly submitted and approved within three (3) years, the approval is voided and the land shall revert to its last previous Zoning District. An application for time extension may be submitted for consideration in accordance with 444.036.

444.035 - Plat and/or Zoning Compliance Required - In the PLANNED INDUSTRIAL PARK DISTRICT, no use may be established or changed and no structure may be constructed or altered until the required Subdivision Plat (if a subdivision is proposed) and/or a zoning compliance has been recorded /approved in accordance with Section 705.02 of Article VII of this resolution and the **Subdivision Regulations for Franklin County, Ohio.** The zoning compliance shall be in accordance with the approved Development Plan and shall show or include:

1.) Public and private street and block layout (lot divisions are not required, but probable arrangement should be indicated); building setback lines; water, sewer, fire-hydrant and other public utility installations, including sanitary sewage and waste disposal facilities; easements, rights-of-way, pavements, and walks; and land reserved for non-industrial use with indication of the nature of the use.

2.) The nature and extent of earthwork required for site preparation and the installation of public improvements such as streets and utilities.

3.) Deed restrictions, covenants, easements and encumbrances to be used to control the private use, development and maintenance of the land and improvements thereon, including those applicable to areas within the tract to be developed non-industrially.

444.036 - Extension of Time or Modification - An extension of the time limit or a modification of the approved Development Plan may be approved by the Board of County Commissioners. Approval is based upon the purpose and necessity for such extension or modification and evidence of reasonable effort to implement the original Development Plan. Extensions or modifications shall not conflict with the general health, safety and welfare of the public or the Development Standards of the PLANNED INDUSTRIAL PARK DISTRICT.

444.04 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the PLANNED INDUSTRIAL PARK DISTRICT.

444.041 - Intensity of Use

1.) A use allowed in this District shall entirely enclose its primary operation within a structure. Open storage and service areas and loading docks shall be screened by walls or fences at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of ninety percent (90%) or more, so as to effectively conceal production, storage, service, and loading operations from adjoining streets and from a Residential Zoning District or another Planned Development District as listed in SECTION 201, ARTICLE II.

2.) PERMITTED USES of this District may be developed in accordance with the DEVELOPMENT STANDARDS of SECTION 342, RESTRICTED INDUSTRIAL DISTRICT.

444.042 - Lot Width - No minimum lot width is required. However, all lots shall abut a public street or otherwise provide access to such public street by means of roadway easement.

444.043 - Side Yards - For main and accessory structures, including open storage, service, and loading areas, the required side yards shall equal one-third (1/3) the sum of the height and depth of the structure, but in no case shall be less than fifty (50) feet from any Residential Zoning District or Planned Residential District as listed in SECTION 201, ARTICLE II except in accordance with the DEVELOPMENT STANDARDS of SECTION 342, RESTRICTED INDUSTRIAL DISTRICT.

444.044 - Rear Yards - For main and accessory structure, including open storage, service, and loading areas, the required rear yards shall equal one-third (1/3) the sum of the height and width of the structure, but in no case shall be less than fifty (50) feet from any Residential Zoning District or Planned Residential District as listed in SECTION 201, ARTICLE II, except in accordance with the DEVELOPMENT STANDARDS of SECTION 342, RESTRICTED INDUSTRIAL DISTRICT.

444.045 - Improvements Required - The following improvements shall be required:

1.) Street improvements within or adjacent to the tract in accordance with the requirements of the **Subdivision Regulations for Franklin County, Ohio.**

2.) Water and sewer facility improvements in accordance with the requirements of the **Subdivision Regulations for Franklin County, Ohio.**

3.) An easement twenty-five (25) feet or more in width shall be provided around the entire tract and shall be landscaped in accordance with an approved landscape plan. Such plan shall include plantings which will achieve a height of ten (10) feet or more and an opaqueness of at least seventy-five percent (75%) within five (5) years of normal growth. This easement, when adjacent to a street right-of-way eighty (80) feet or more in width, or other industrial zoning districts, may be reduced to fifteen (15) feet, a fifty percent (50%) opaqueness, and two (2) feet in height. The landscape plan shall be submitted with the Subdivision Plat and shall be subject to approval in the same manner as required of the Subdivision Plat.

444.046 - Plat and Landscape Required - The Subdivision Plat shall be developed and recorded in accordance with the **Subdivision Regulations for Franklin County, Ohio.** Landscaping shall be accomplished in accordance with the approved landscape plan in conjunction with development of adjacent lots in the industrial park.

NOTE: Effective September 8, 2011, development standards that apply in addition to or in place of the standards in Article V apply for certain properties. See SECTION 670 – SMART GROWTH OVERLAY for details

ARTICLE V
GENERAL DEVELOPMENT STANDARDS

SECTION 500 - GENERAL DEVELOPMENT STANDARDS ADOPTED

500.01 - GENERAL REGULATION OF THE ARRANGEMENT AND DEVELOPMENT OF LAND AND STRUCTURES - Standards pertaining generally and uniformly to the arrangement and development of land and structures within the Zoning Districts adopted in ARTICLE II are hereby established and adopted as supplementary to the District Regulations of ARTICLE III and ARTICLE IV.

SECTION 501 FENCE REQUIREMENTS

501.01 – FENCES, WALLS AND LANDSCAPING – Fences, walls, and landscaping shall be permitted in any required yard, or along the edge of any yard, subject to the following requirements:

501.012 – Height - No fence or wall between a street and a principal structure shall be more than three and one half (3½) feet (42 inches) in height. Elsewhere, no fence shall exceed six (6) feet in height. These height requirements are subject to the following exceptions:

a) Requirements outlined in SECTION 521, ARTICLE V, REQUIRED SCREENING, or

b) Requirements in accordance with an approved Development Plan of a Planned Development District.

501.014 – Location, Measurement and Maintenance

a) No fence or wall shall be located within an existing right-of-way.

b) Fence height shall be measured from the finished grade at the higher side of the fence.

c) Fences shall be erected with the finished side out; meaning the side of the fence with the posts on it must face the applicant's property.

d) Fencing must be properly maintained and in good repair at all times.

501.016 – Certificate of Zoning Compliance required - No fence shall be erected without a zoning certificate as provided for in SECTION 705.02 - CERTIFICATE OF ZONING COMPLIANCE.

501.018 – Repair of Existing Fences – For minor fence repair, if the fence meets all the requirements of Section 501 and the materials, height and location do not vary from the materials, height and location of the fence being repaired, a zoning certificate is not required.

501.020 – Swimming Pool fences - All swimming pools must be completely enclosed by a fence. The fence height shall be a minimum of four (4) feet (48 inches) in height as required by the 2006 International Building Code.

501.022 – Tennis Court fences - In the event of a conflict between this Section 501.020 and any other requirement of SECTION 501 FENCE REQUIREMENTS, this Section 501.020 shall control. All tennis courts must comply with the following requirements.

a) Tennis courts must have a fence along each end, with a minimum height of eight (8) feet with a maximum height of ten (10) feet.
b) Any other fence associated with a tennis court shall comply with the provisions of Section 501

501.024 – Fence Materials - All fences, regardless of whether or not a zoning certificate is required for their construction, that are constructed, repaired, expanded, or enlarged, shall be constructed only of approved fence materials. Fence materials are also subject to the requirements of Section 501.013.

a) Approved fence materials shall consist of materials normally manufactured for, used as, and recognized as, fencing materials such as: wrought iron or other decorative metals suitable for the construction of fences, masonry, concrete, stone, metal tubing, wood planks, and vinyl or fiberglass composite manufactured specifically as fencing materials that are approved by the Administrative Officer.

b) Chain link fences shall not be permitted between a street and a principal structure

501.012 – Corner Lots and Double-Frontage Lots– In the event a property is situated adjacent to two (2) or more streets, the following shall apply:

a) Setback and height requirements of Sections 501.012 to 501.014 shall apply to all streets.

501.013 – Electric and Barbed Wire Fences – Electric and barbed wire fences shall be prohibited unless otherwise permitted by Section 971.03 of the Ohio Revised Code.

Fence Height and Location Standards

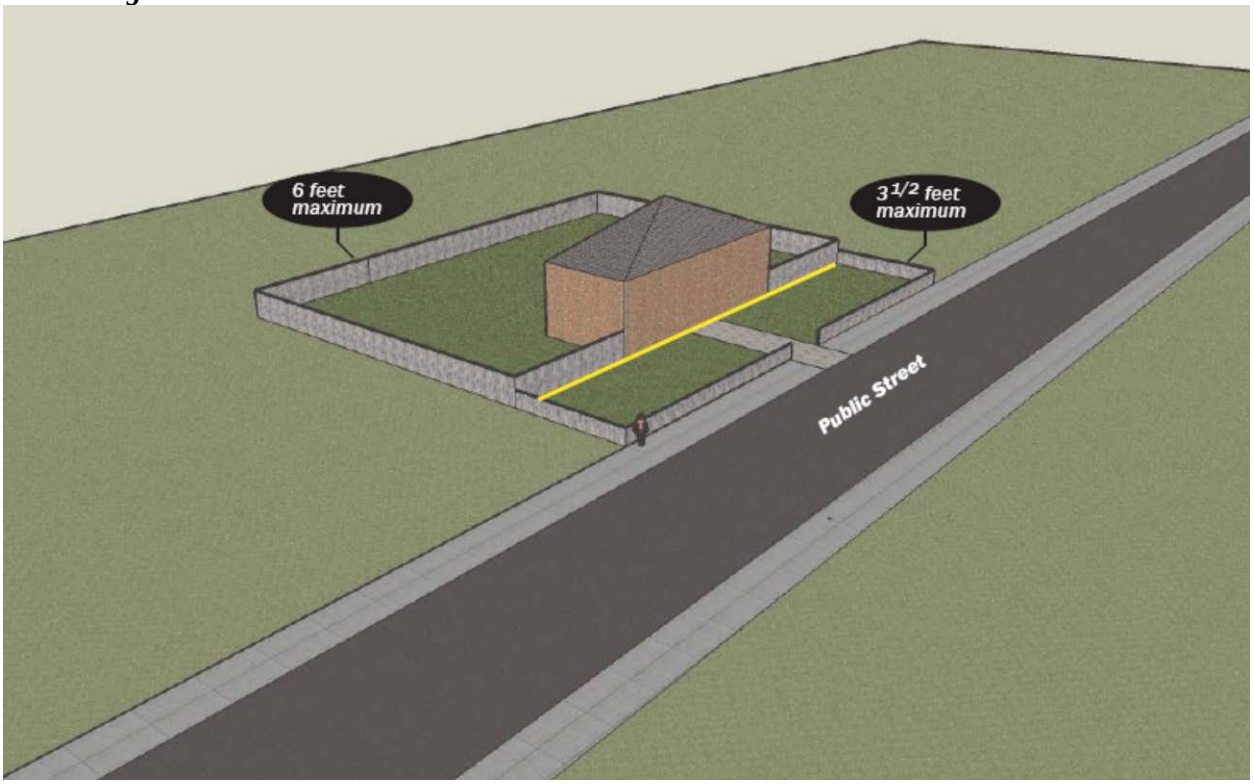


Illustration of maximum fence height for properties fronting only one public street

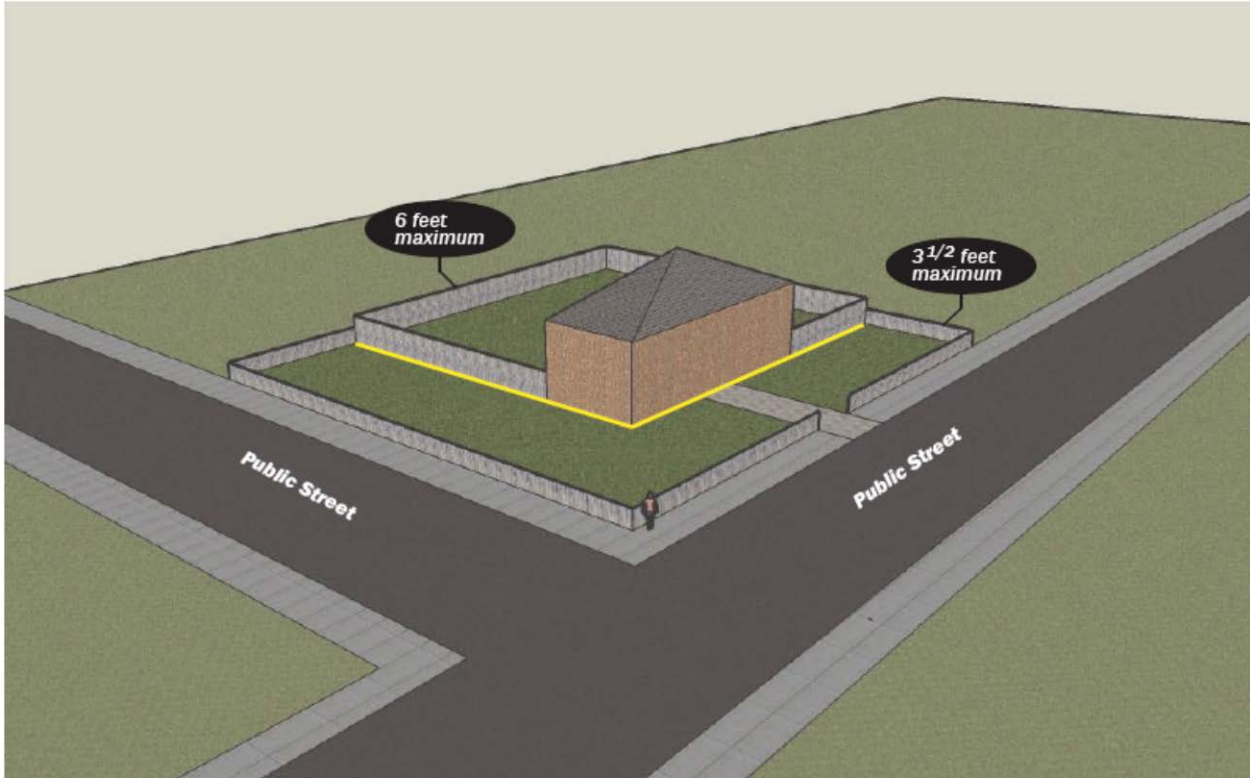


Illustration of maximum fence height for properties fronting more than one public street

SECTION 502 LOT AND YARD SPACE REQUIREMENTS

502.01 - PLATTING REQUIRED - No use shall be established or altered and no structure shall be constructed or altered except upon a lot that has been platted in accordance with, or which otherwise meets the requirements of the **Subdivision Regulations for Franklin County, Ohio.**

502.011 - Minimum Requirements - Development Standards are minimum requirements for the arrangement of lots and spaces to be achieved in all developments.

502.02 - LOT AREA AND YARD SPACE PRESERVED - The lot area and yard space required for a use or structure shall be maintained during its life and shall not be reduced below the minimum requirement, occupied by another use or structure, or counted as yard space for any other use or structure.

502.021 - Yards Required Open - The yard space required for a use or structure shall, during its life, remain free of all uses or occupancies except as follows:

1) Eaves, cornices, windowsills, and belt courses may project into any required yard a distance not to exceed two (2) feet.

2) Open and covered/uncovered porches may project beyond the front building setback line a distance not to exceed eight (8) feet.

3) Driveways shall be permitted in required residential yards, but shall be three (3) feet or more from any property line, except where such driveways are developed jointly as a common drive to adjoining lots. All new curb cuts shall require approval from the Franklin County Engineer.

4) For purposes of this resolution, tents or similar enclosures are considered temporary in nature and shall not be erected as a permanent enclosure or utilized in association with a permanent use. Tents or similar enclosures used in association with garage sales or similar residential sales shall be subject to the provisions of Section 503.

502.022 - Yards Not Otherwise Required - Yard space not otherwise required but provided shall be five (5) feet or more in width.

502.023 - Yards Maintained - All yard space shall be maintained in accordance with one (1) or more of the following provisions:

1.) Fenced as permitted or required.

2.) Landscaped by lawns, shrubberies, trees, and other plantings, maintained in a neat and orderly natural state, or used for permitted accessory or ancillary use.

3.) Paved for parking as permitted.

SECTION 503 – GARAGE SALES & VEHICLE SALES IN RESIDENTIAL DISTRICTS

503.011 – Residential Garage Sales – Not more than four (4) residential garage sales including but not limited to yard sales, block sales and moving sales shall be permitted in any twelve (12) month period. Each residential garage sale shall not exceed four (4) consecutive days. All applicable local permits shall be obtained.

503.012 – Residential Vehicle Sales – Any privately owned motor vehicle intended for sale may be displayed for a period not to exceed six (6) months. Not more than two (2) vehicles intended for sale may be displayed during any twelve (12) month period.

SECTION 504 - BUILDING LINES ALONG PUBLIC RIGHTS-OF-WAY

504.01 - BUILDING LINES ESTABLISHED - Along every street right-of-way a building line shall be established from the centerline of that right-of-way a distance equal to the width of the existing right-of-way or the width of the right-of-way proposed in the **Thoroughfare Plan** as adopted by the Mid-Ohio Regional Planning Commission on October 6, 1961, (then Franklin County Regional Planning Commission) and as amended from time to time, whichever right-of-way is greater. However, where a property adjoins a limited access right-of-way, a building line shall be established fifty (50) feet from the property line adjoining the limited access line. Where property adjoins a limited access right-of-way, accessory structures may be permitted within the established building line on condition that a setback of not less than five (5) feet from the property line is provided.

504.011 - Required Setback - A structure or other use of land, except parking, shall locate no closer to a street right-of-way than the established building line.

504.012 - Parking Setback - Open parking or loading spaces shall be permitted to extend toward the street right-of-way from the established building line a distance equal to forty percent (40%) of the required setback distance.

504.014 - Reduced Setback - If existing structures or uses on both lots adjacent to a lot have a setback less than the setback line established by these Regulations, the setback on the center lot shall be the average setback established on the adjacent lots.

504.02 – Visibility Maintained – No man made structure, motor vehicle, natural vegetation, or other object shall be placed and/or maintained in such a manner that it affects or impedes clear visibility from adjacent right-of-way lines and/or streets.

SECTION 505 – DUMPSTERS

505.02 – DUMPSTER LOCATION, HEIGHT AND SCREENING – Dumpsters, including waste compactors, may be allowed in the R-12, R-24 and any commercial, industrial, planned residential, planned commercial or planned industrial zoning district as defined in SECTION 201 – DESIGNATION OF ZONING DISTRICTS subject to compliance with all applicable sections of this resolution and Section 505 –Dumpsters to ensure appropriate separation and screening from adjacent lands.

505.022 – Location and Height– Dumpsters must comply with the following requirements:

a) Located to the side or rear of the building served.
b) When located in side yards, the dumpster must be setback from the front of the building a minimum distance of 50 percent of the building depth.
c) Located on a concrete pad within the screened area required in Section 505.024
d) Centered within the screened area through the use of parking blocks, bollards, curbs or similar means.
e) When located on a property adjacent to a residential zoning district or use, located a minimum of 10 feet from the side and rear property line. When located on a property adjacent to a commercial or industrial zoning district or use, the setback from the side and rear property line may not be less than eight (8) feet.
f) Maximum eight (8) feet in height.

505.024 – Screening and Maintenance – Dumpsters must comply with the following screening and maintenance requirements:

a) Screened on all sides with a durable, weather-resistant material that complies with SECTION 501.024 – Fence Materials, or a combination of such fencing materials and natural vegetation; provided, however, that if natural vegetation is used, it must comply with the screening requirements of this Section within one (1) year from the issuance of the applicable zoning certificate.
b) Chain link fences are prohibited for dumpster screening.
c) Screening must have opacity of 100 percent, except as provided in Section 505.024(a) above.
d) Screening must be to the height of the dumpster with a maximum height of eight (8) feet.
e) Screening must be spaced a minimum of two (2) feet from the dumpster.
f) Screening must be properly maintained and in good repair at all times.
g) Trash must be fully enclosed in the dumpster, with closed lids, at all times.
h) Screening material must be compatible in appearance to the building served.

505.04 – ZONING COMPLIANCE REQUIRED – No dumpster or screening may be installed without a zoning certificate as provided for in SECTION 705.02 – CERTIFICATE OF ZONING COMPLIANCE, and this zoning certificate may permit multiple dumpsters screened within a single enclosure.

SECTION 506 - ASSIGNED YARDS FOR ARRANGEMENT OF STRUCTURES

506.01 - ASSIGNED YARD METHOD - As an alternative method of determining the minimum requirement of yard space for the arrangement of two (2) or more structures on the same lot or the arrangement of structures on separate lots of the same ownership or with agreement between owners, the following requirements may be used.

506.011 - Determination of Assigned Yards - The assigned yard (typically diamond shaped) shall be that area bounded by lines passing through points that are located by the following procedure:

1.) The outline of the structure shall be a quadrangle described by lines established by the projection of the outermost faces of the structure.

2.) The height measurement shall be determined as defined in SECTION 702, ARTICLE VII.

If a wing, bay or other section of the structure is twenty-five percent (25%) or less of the linear dimension of a projected face or is of ten (10) feet or more difference in height, than a quadrangle and/or height as determined above may be described separately. If a face of the structure is other than straight, then the projection of such a face shall be a line through the outermost point of the face and that is either perpendicular parallel to the projection of the structure's front face.

3.) The points shall be established on a perpendicular bisector of each side of the quadrangle at a distance from such side equal to the sum of the length of the side and the height of the structure divided by two (2).

506.012 - Relationship of Assigned Yards - The assigned yard of a structure shall not be occupied by any other structure, except accessory structures on the same lot.

Structures adjacent to property of another ownership shall comply with the yard requirements prescribed in relation to the lot line except that if the adjacent property is developed or its proposed structure is determined and with written consent of the adjacent property owner, then assigned yards may be used to establish the arrangement between the structures.

The assigned yard shall not extend into a street right-of-way, except that if a street is abutted by property of the same ownership or with agreement between owners for its full extent between intersections, then the assigned yard may be extended to the centerline of the right-of-way, except that the structure shall not be closer than ten (10) feet to the existing or proposed right-of-way, whichever is greater.

SECTION 511 - HOME OCCUPATION

511.01 - Home Occupation Purpose - The purpose of the home occupation provisions is to allow limited, non-residential activities in residential structures and approved accessory structures that are compatible with the neighborhoods in which they are located. The standards in this section and the conditional use approval procedures of the Board of Zoning Appeals are intended to insure compatibility of home occupations or home occupation conditional uses with other permitted uses and with the residential character of the neighborhood.

511.02 - Permitted Home Occupation Requirements - A home occupation shall be defined as an occupation carried on within a dwelling unit by individuals residing in the residential dwelling and provided:

1) The appearance of the structure shall not be altered or the occupation within the residence shall not be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or signs. A home occupation shall be clearly incidental and secondary to the use of the unit for dwelling purposes.

2) The home occupation shall be contained solely within the existing dwelling unit and shall not occupy more than twenty percent (20%) of the gross floor area of the dwelling unit. No permitted home occupation shall be located within an accessory structure.

3) There is not more than one (1) non-resident employee.

4) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to normal senses off the lot, if the occupation is conducted in a single-family residence, or outside of the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

5) There shall be no outside storage of any kind related to a home occupation included in Section 511.02.

6) Specialized instruction or tutoring shall be limited to not more than three (3) individuals at a time.

7) Vehicular traffic and/or delivery traffic engendered from a permitted home occupation shall be limited to that observed as if no home occupation existed.

8) Signs or other on-site announcement of such home occupation shall be prohibited.

511.03 – Conditional Use Home Occupation Requirements

a) **Intent -** It is recognized that there may be some Home Occupations which do not meet the criteria of Section 511.02, but which may be appropriate for a residential area provided the following additional standards are addressed through the Conditional Use permit procedure. A Home Occupation Conditional Use may be authorized, provided it meets the procedures and requirements of Section 815 – PROCEDURE FOR AUTHORIZING A CONDITIONAL USE and the following requirements:

b) **Validity -** For purposes of this Resolution, a Home Occupation Conditional Use Permit ceases to be valid once the premises used for the home occupation is no longer occupied by the holder of the Conditional Use permit or upon the conduct of a home occupation in a manner not approved by the Board of Zoning Appeals.

c) **Applicability -** Conditional Use Home Occupations may be authorized by the Board of Zoning Appeals, subject to requirements of Section 511.031 and Section 815 – PROCEDURE FOR AUTHORIZING A CONDITIONAL USE for territory subject to the Franklin County Zoning Resolution, except those areas listed in Section 511.03(d).

d) **Areas not subject to Home Occupation Conditional Use Permits -** The Board of Zoning Appeals shall not grant or otherwise authorize a Home Occupation Conditional Use Permit for territory within the following area:

1) **The Southwest Planning Area**, designated as follows:
Beginning at the intersection of Mound Street and the easternmost point of the railroad right-of-way, approximately 820 feet west of Harrisburg Pike, known here as the point of beginning then

Easterly along the centerline of Mound Street to the centerline of Mt. Calvary Avenue then
Southerly along Mt. Calvary Avenue to the centerline of Renick Street, then
Westerly then southerly along the Columbus-Franklin Township line to the centerline of Greenlawn Avenue then
Easterly along the centerline of Greenlawn Avenue to the centerline of the Scioto River then
Southerly along the centerline of the Scioto River to the centerline of Interstate 270 then
Westerly along the centerline of Interstate 270 to the intersection of the railroad tracks located approximately 690 feet west of Harrisburg Pike then
Northerly along the railroad tracks to the centerline of Mound Street, known here as the point of beginning.

2) **The Clinton Residential Planning Area**, designated as follows, excepting all parcels with frontage on Cleveland Avenue:
Beginning at the intersection of Morse Road and Karl Road, known here as the point of beginning then

Easterly along the centerline of Morse Road to the centerline of Cleveland Avenue, then
Southerly along Cleveland Avenue to the centerline of Radnor Avenue, then
Easterly along the centerline of Radnor Avenue to the centerline of Brandon Street, then
Southerly along the centerline of Brandon Street to the Clinton Township-City of

Columbus corporation line, approximately 225 feet south of Elmore Avenue then
Westerly along the Clinton Township-city of Columbus corporation line to the centerline of Cleveland Avenue, then
Southerly along Cleveland Avenue to centerline of Oakland Park Avenue, then
Westerly along Oakland Park Avenue to the centerline of Karl Road, then
Northerly along Karl Road to the centerline of Morse Road, known here as the point of beginning.

3) **The Pleasant Township Planning Area**, composed of all territory within unincorporated Pleasant Township.

4) **The Blendon Township Planning Area**, composed of all territory within unincorporated Blendon Township

511.031 - CRITERIA – The appearance of the structure shall not be altered and/or the occupation within the residence shall not be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or unauthorized signs unless otherwise permitted by this Section or authorized by the Franklin County Board of Zoning Appeals. A home occupation shall be clearly incidental and secondary to the use of the unit for dwelling purposes and shall not become a detriment to the existing residential character of the lot or the general area through an increase in traffic, street parking, or any other factor resulting in an adverse impact as determined by the Board of Zoning Appeals. The Conditional Use Home Occupation shall be carried on by individuals residing in the residential dwelling and provided:

1) There shall be no more than a total of three (3) non-resident employees.

2) The conduct of a home occupation may be approved within a structure accessory to a dwelling unit and located on the same lot as the dwelling unit.

3) Sales of commodities not produced on the premises may be permitted provided such commodities are specified and approved as a part of the application in accordance with Section 815.

4) Organized instruction may be permitted provided the class size does not exceed six (6) pupils at any given time.

5) No outside storage of any kind associated with a home occupation conditional use shall be permitted unless it is totally screened from the adjacent residential lots and the abutting street.

6) Signage shall be consistent with the provisions of Section 541.03(8).

7) Delivery traffic shall be limited to not more than three (3) UPS or similar deliveries per week. No semi-tractor truck deliveries will be permitted at any time.

SECTION 512 - ACCESSORY BUILDINGS

512.01 – Accessory Building Defined – Refer to Section 720

512.02 - Location, Number and Size of Residential Accessory Buildings

1) Unless otherwise permitted by this Zoning Resolution, a lot zoned Rural, Residential or being utilized for residential purposes as listed in Section 201, Article II, shall contain no more than two (2) accessory buildings.

2) Accessory building development standards shall be based upon the following table and requirements:

Table of Accessory Building Development Standards

LOT SIZE	SET-BACK FROM PROPERTY LINES	MAXIMUM SIZE OF ACCESSORY BUILDINGS (Total Square footage of all structures)	MAXIMUM HEIGHT
Under one (1) acre	5 feet	720 square feet	18 feet
Equal to or greater than one (1) acre but less than two (2) acres	10 feet	1,440 square feet	20 feet
Equal to or greater than two (2) acres but less than three (3) acres	20 feet	2,160 square feet	25 feet
Equal to or greater than three (3) acres but less than four (4) acres	20 feet	2,880 square feet	25 feet
Equal to or greater than four (4) acres but less than five (5) acres	20 feet	3,600 square feet	25 feet
Five (5) or more acres (non agricultural)	20 feet	4,320 square feet	35 feet

Note: Chart reads from left to right.

a) An accessory building shall be located to the side or rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure.

b) In order to protect property values and encourage neighborhood stability, an accessory building shall have an exterior which is compatible in appearance to the principal building on the parcel or lot. For purposes of this resolution, trailers including but not limited to mobile homes, semi-tractor trailers and box trailers shall not be considered an accessory building.

c) Accessory buildings shall not infringe on sanitary or water systems. The location of accessory buildings shall comply with all applicable Franklin County Board of Health and/or Ohio Environmental Protection Agency regulations.

d) Accessory buildings shall be appropriately guttered and graded so as not to adversely affect adjacent property owners.

e) No commercial uses shall be permitted from an accessory building unless otherwise approved as part of a home occupation or commercial/industrial rezoning request.

f) Accessory buildings in excess of 200 square feet shall be subject to building plan approval and inspections and must have a permanent frost-free foundation as required by the Franklin County Building Code.

g) All accessory structures less than 200 square feet are required to meet all zoning requirements for accessory structures, including size, number and setback requirements from the property lines.

h) When two (2) accessory buildings are located on a lot in a residential zoning district or on a lot or parcel utilized for residential purposes, the sum of their square footage shall not exceed the maximum square footage permitted by this section.

i) An accessory structure shall not cause the property to exceed the lot coverage limit of the zoning district in which it is located.

j) An accessory building shall not be permitted in the absence of a principal structure.

SECTION 513 – SWIMMING POOLS

513.011 - Swimming Pools - Swimming pools may be allowed in any Single Family Residential Zoning District, Commercial or Multi-family Zoning Districts as permitted by this Resolution subject to compliance with the following regulations:

513.012 - Swimming Pools in Single Family Zoning Districts - In Single Family Zoning Districts, the following regulations shall apply:

1) Above Ground Swimming Pools:

    a) The swimming pool is intended for and is to be used solely for the enjoyment of the occupants of the dwelling unit on the property on which it is located.

    b) The swimming pool shall be located completely to the rear of the principal structure and shall not be located closer than ten (10) feet to the principal structure or any property line.

2) Below Ground Swimming Pools:

    a) The swimming pool is intended for and is to be used solely for the enjoyment of the occupants of the dwelling unit on the property on which it is located.

    b) The swimming pool shall be located completely to the rear of the principal structure and shall not be located closer than ten (10) feet to the principal structure or any property line.

    c) The swimming pool shall be walled or fenced. Such wall or fence shall be maintained in good condition and properly secured to prevent uncontrolled access.

513.013 - Swimming Pools in Multi-family Residential Zoning Districts - A pool(s) that is located within and is designed to service specifically a multi-family development shall be permitted as an accessory structure(s) irrespective of whether or not such pool is owned or operated by a Home-Owners' Association. A private pool designed to service specifically a multi-family development shall be subject to the same yard requirements as those listed for principal structures in that district.

513.014 - Community or Club Pools - Where permitted by the appropriate Commercial or Exceptional Use Zoning District, community or club pools, to be interpreted as being used for the enjoyment of the members and families, and guests of members of the association or club under whose jurisdiction the pool is operated, shall be walled or fenced to prevent uncontrolled access to the pool. Such wall or fence shall not be less than six (6) feet in height and access to such pool shall be adequately controlled by gate and lock. The pool and all accessory structures to include decks or areas used by bathers, shall not be closer than fifty (50) feet to any property line.

SECTION 514 - SEWAGE TREATMENT AND WATER SUPPLY SYSTEMS

514.01 - RESIDENTIAL DEVELOPMENT WITH SEWAGE TREATMENT OR WATER SUPPLY SYSTEMS – All individual, centralized and/or collective treatment systems shall comply with all applicable rules and requirements as set forth by the Franklin County Board of Health, Franklin County Sanitary Engineer, the Ohio Environmental Protection Agency (OEPA) and/or any other applicable agency.

SECTION 521 - SCREENING BY STRUCTURE OR LANDSCAPING REQUIRED

521.01 - SCREENING REQUIREMENTS - Certain activities shall be screened so that these activities will not be detrimental to adjacent land.

521.011 - Adjacent to Residential Zones and Planned Residential Development - The following list of activities, if developed adjacent to land in a Residential Zoning District or a Planned Residential District as listed in SECTION 201, ARTICLE II, shall be screened as prescribed, except that it is separated by a street right-of-way eighty (80) feet or more in width.

1) A parking area of one thousand (1000) square feet or more provided or intended for five (5) or more vehicles for commercial and industrial establishments.

2) A drive-in or outdoor service facility.

3) A commercial or industrial loading area.

4) An outdoor display area of goods in a complete, useable and normal condition, including samples and models, offered for retail sale.

Required screening shall be provided in accordance with the following standards, except as provided in other sections of this Zoning Resolution:

- It shall have an opaqueness of sixty percent (60%) or more.
- It shall be at least six (6) feet but not more than eight (8) feet in height.
- If screening is to be accomplished by landscaping, the landscape materials shall achieve the standards stated above within a period of five (5) years or less.

521.012 - Along a Public Street - The following list of commercial and industrial activities, in addition to being screened as prescribed, shall be one hundred percent 100% opaquely screened so that the activity is not visible from a public street within three hundred (300) feet of the lot on which the activity is located.

1) Articles or materials being stored, maintained, repaired, processed, erected, fabricated, dismantled, salvaged, or otherwise not being offered for retail sale in a completed, useable and normal condition.

SECTION 531 - OFF-STREET PARKING, LOADING AND ACCESS DRIVES

531.01 - OFF-STREET PARKING SPACE REQUIRED - Off-street parking facilities shall be provided for the use of occupants, employees, and patrons of all uses, and off-street loading and vehicle storage space shall be provided for the handling of materials and products of commercial and industrial uses.

531.011 – Parking Facilities –A certificate of zoning compliance is required prior to constructing any parking facilities and such facilities cannot cause a property to exceed the lot coverage of the zoning district in which the property is located. The design and construction of all facilities shall be subject to these regulations and require approval by the County Engineer. Such required facilities and any additional space provided, shall be:

1) Sloped and constructed to provide adequate drainage of the area.

2) Surfaced with a sealed surface pavement or pervious surface application approved by the Franklin County Engineer's Office. No motor vehicle parking shall be permitted on an unimproved surface consisting of grass, mulch, dirt, gravel, or combination thereof.

3) Maintained in such a manner that no dust will be produced by continuous use.

531.012 - Parking Space Size - A parking space for one (1) vehicle shall be a rectangular area having dimensions of not less than nine (9) feet by eighteen (18) feet plus adequate area for ingress and egress.

531.013 - Location of Space - Required off-street parking facilities shall be located on the same lot as the structure or use served, except that a parking facility providing the sum of parking space required of several uses may be provided contiguous and in common to the several structures and uses served.

CHURCHES - Churches may establish with public or commercial establishments joint parking facilities for fifty percent (50%) or less of their required spaces provided that a written agreement thereto is obtained and that all parking facilities so designated lie within three hundred (300) feet of the main entrance of the church.

531.014 - Parking Facility Setback

1) Commercial, Industrial, Planned Commercial and Planned Industrial Zoning Districts
   a) Parking facilities shall be permitted in required yards to within fifteen (15) feet of a Residential Zoning District or a Planned Residential District as listed in SECTION 201, ARTICLE II.
2) Residential and Planned Residential Zoning Districts
   a) Parking facilities shall be permitted in required yards to within three (3) feet of any property line.

<u>531.02 - MINIMUM NUMBER OF PARKING SPACES REQUIRED</u> - A minimum number of off-street parking spaces shall be provided in accordance with the following schedule:

531.021 - Schedule of Parking Spaces - The parking space requirements for a use not specifically named herein shall be the same as required for a listed use similar in nature.

USE	SPACES REQUIRED
Residential	
Single-Family or Two-Family dwelling	Two (2) parking spaces per dwelling unit
Multi-Family with three (3) or more dwelling units	Two (2) parking spaces per dwelling unit
Town House Development	Two and a half (2½) parking spaces per dwelling unit
Apartment	One (1) parking space per dwelling unit
Boarding Home, Dormitory, Fraternity House having sleeping rooms, or Rooming House	One-third (1/3) parking space per occupant
Mobile Home	Three (3) parking spaces per dwelling unit
Party House, Tennis Court, Swimming Pool or other residentially shared structure	One (1) parking space for each one hundred (100) square feet of gross floor area
Commercial	
Amusement Arcade	One (1) parking space for each fifty (50) square feet of gross floor area
Auditorium, Stadium, Conference Center, or large place of assembly	One (1) parking space for each thirty (30) square feet of gross floor area
Automobile Car Wash (automatic)	Two (2) parking spaces per site
Automobile Car Wash (self-service)	No parking spaces are required, however, each washing space shall be able to accommodate one (1) vehicle
Automobile Repair Garage	Two (2) parking spaces per service bay; a service bay shall not be utilized as a parking space
Automobile Sales	One (1) parking space for each five thousand (5,000) square feet of lot area used for vehicle display in addition to one (1) parking space for each three hundred (300) square feet of gross floor area

Automobile Service Station	Two (2) parking spaces per automobile service station
Barber Shop, Beauty Shop or similar Personal Service	Two (2) parking spaces per barber or beautician
Child Day Care Center, Kindergarten Or Nursery School	Two (2) parking spaces per classroom but in no case shall less than six (6) parking spaces be required
Bowling Alley	Four (4) parking spaces per alley or lane
Funeral Parlor and/or Mortuary	One (1) parking space for each one hundred fifty (150) square feet of gross floor area
General Office	One (1) parking space for each three hundred (300) square feet of gross floor area
Golf Course	Seven (7) parking spaces per hole plus one (1) parking space per two (2) employees on the combined work shift
Miniature Golf Course	Two (2) parking spaces per hole plus one (1) parking space per two (2) employees on the combined work shift
Driving Range	Two (2) parking spaces per three (3) playing locations
Hotel or Motel	One (1) parking space per each guest room
Medical or Dental Office	One (1) parking space for each two hundred fifty (250) square feet of gross floor area
All Outdoor Display and Sales	One (1) space per one thousand (1,000) square feet of display area
Restaurant, Tavern or Dining Room	One (1) parking space for each seventy-five (75) square feet of gross floor area
Retail Store	One (1) parking space for each two hundred fifty (250) square feet of gross floor area
Skating Rink or Dance Floor	One (1) parking space for each one hundred (100) square feet of gross floor area
Swimming Pool (indoor or outdoor)	One (1) parking space for each one hundred (100) square feet of water surface area; plus one (1) for each thirty (30) square feet of gross floor area used for spectator seating purposes
Tennis or Racquetball Facility	Two (2) parking spaces per court
Any other type of business or commercial use in a commercial district	One (1) parking space for each two hundred fifty (250) square feet of gross floor area

Institutional

Church or other place of Religious Assembly	One (1) parking space for each two hundred fifty (250) square feet of gross floor area
Elementary School	Two (2) parking spaces per classroom and one (1) parking space for each sixty (60) square feet of gross floor area in the auditorium or assembly hall
High School, Business, Technical or Trade School, College or University	Two (2) parking spaces per classroom and one (1) parking space for every ten (10) students for which the facility is designed; or one (1) parking space for each sixty (60) square feet of gross floor area in the auditorium or assembly hall, whichever is greater
Hospital	Two and a half (2½) parking spaces per bed
Housing for Elderly	Three fourths (3/4) parking space per dwelling unit
Library, Museum or Art Gallery	One (1) parking space for each four hundred (400) square feet of gross floor area
Sanatorium, Nursing Home, Children's Home or Asylum	One (1) parking space per two (2) beds

Industrial

Warehousing	One (1) parking space per motor vehicle used in the business; **plus** One (1) parking space per three thousand (3,000) square feet of gross floor area
Manufacturing	One (1) parking space per motor vehicle used in the business; **plus** One (1) parking space per three thousand (3,000) square feet of gross floor area

531.022 Computing Number of Spaces – Where two (2) or more uses are provided on the same lot, the total number of spaces required shall equal or exceed the sum of their individual requirements.

The parking spaces shall be to the next highest whole number where a fractional space results in computation.

<u>531.03 - MINIMUM NUMBER OF LOADING SPACES REQUIRED</u> – Structures having a gross floor area of 3,000 square feet or more and occupied by:

- Manufacturing
- storage and/or warehousing
- goods display
- retail and/or wholesale store
- hotel/motel
- hospital
- mortuary
- laundry and/or dry cleaning
- other uses requiring the receipt or distribution by vehicles of material and merchandise

Shall provide and maintain on the same lot of the structure in question at least one (1) off-street loading space and one (1) additional loading space for each ten thousand (10,000) square feet or fraction thereof of gross floor area in excess or three thousand (3,000) square feet.

531.031 Loading Space Dimensions – Each loading space shall have a minimum dimension not less than twelve (12) feet in width, sixty-five (65) feet in length and a vertical clearance of not less than fourteen (14) feet.

531.032 Loading Space Setbacks – Notwithstanding other provisions of this Resolution, off-street loading spaces may be located in the required rear or side yard of any commercial and/or industrial district provided that not more than ninety percent (90%) of the required rear or side yard is occupied, and no part of any loading space shall be permitted closer than fifty (50) feet to any Residential or Planned Residential District. A loading space(s) shall be setback a minimum of five (5) feet from the edge of an existing street or alley right-of-way.

531.033 Loading Space Access – All required off-street loading spaces shall have access from a public street or alley in such a manner that any vehicle entering or leaving the premises is traveling in a forward motion.

<u>531.04 –ACCESS DRIVES</u> - A certificate of zoning compliance is required prior to constructing any access drives (driveways) and such access drives shall be developed as follows:

531.041 – Commercial and Industrial Uses

1) Width of Drive - An access drive shall not exceed thirty-six (36) feet in width, except at curb returns. All new curb cuts shall require approval from the Franklin County Engineer or appropriate legal authority.
2) Location of Drive - An access drive, exclusive of curb returns, shall be ten (10) feet or more from the side lot line and fifty (50) feet or more from another access drive.
3) Drive Material and Design – An access drive shall be surfaced with a sealed surface and constructed to provide adequate drainage of the area.

531.042 – Residential Uses

1) Width of Drive - An access drive shall not exceed eighteen (18) feet in width, except at curb returns. All new curb cuts shall require approval from the Franklin County Engineer or appropriate legal authority.
2) Location of Drive – As required by Section 502.021

<u>531.05 - LIMITATION OF PARKING IN RESIDENTIAL ZONING DISTRICTS</u> - The provision of parking space, either open or enclosed for the parking or storage of vehicles in a Residential Zoning District or Planned Residential Zoning District as listed in SECTION 201, ARTICLE II shall be subject to the following:

531.051 - Commercial Vehicles – A commercial vehicle shall be defined as any vehicle used or designed to be used for business or commercial purposes, and/or the transportation of merchandise, cargo or freight and shall include but not be limited to commercial tractors, semi-trailers, dump trucks, construction vehicles, limousines, buses or any vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or truck. Commercial vehicles shall not be allowed in a residential district or planned residential district except in association with a home occupation, subject to approval in accordance with SECTION 815, ARTICLE VIII.

This Section shall not apply to passenger cars that qualify as non-commercial motor vehicles, as defined in Section 4501.01 of the Ohio Revised Code.

531.052 Recreational Vehicles, Boats, Boat Trailers, Camping Trailers or Other Trailers Used for Household Related and Non-Commercial Activities – Recreational vehicles, boats, camping trailers or other trailers shall meet the following requirements:

1) No recreational vehicle, boat, camping trailer or other trailer shall be parked or otherwise stored or kept between a street and a principle structure unless enclosed within a permitted structure or accessory structure, and
2) Recreational vehicles parked or otherwise stored on residential properties shall comply with the following size requirements.
   a.) <u>Two (2) acres or less</u> – A recreational vehicle shall not exceed twenty-two (22) feet in length.
   b.) <u>Over two (2) acres but less than four (4) acres</u> – A recreational vehicle shall not exceed thirty-six (36) feet in length.
   c.) <u>Four (4) or more acres</u> – There shall be no length requirement.

3) Parking of a recreational vehicles shall be limited to one (1) recreational vehicle, or boat, or camping trailer or other trailer per residential lot or contiguous residential parcels under one ownership, unless enclosed with a permitted structure or accessory structure or:
   a.) Two (2) recreational vehicles, or boats, or camping trailers or other trailers for parcels 1.00 to 1.99 acres.
   b.) Three (3) recreational vehicles, or boats, or camping trailers or other trailers for parcels two (2) acres and above, but never to exceed three (3) recreational vehicles on one parcel or contiguous parcels under one ownership.
4) No boat, camping trailer or other trailer may be parked nearer than three (3) feet to a property line and such vehicle may only be parked, stored, or kept in such a way as to prevent soil erosion and standing water.

531.053 - Use of Recreational Vehicles, Camping Trailers or Other Trailers - Recreational vehicles, camping trailers and similar recreational vehicles and equipment, shall not be used as a dwelling unit or for living, sleeping or housekeeping purposes outside an approved recreational park/campground area.

531.054 - Inoperable Vehicles Including Motor Vehicles - Any permitted inoperable motor vehicle shall meet the requirements of Section 531.051 in terms of limiting commercial vehicles on residential lots. Not more than one (1) wrecked or otherwise inoperable motor vehicle shall be allowed per one (1) dwelling unit. Any permitted inoperable motor vehicle shall be parked or stored by completely enclosing the same within a permitted or accessory structure, or by screening same with a one hundred percent (100%) opaque fence no less than six (6) feet and no more than eight (8) feet in height in such a manner so as not to be visible at ground level from any adjacent lot or street. For purposes of these regulations, storage of inoperable vehicles shall not be permitted between the principal structure and a street unless stored within an otherwise permitted accessory structure.

In addition, no such inoperable motor vehicle shall be parked or stored within a required side or rear yard unless the parking or storage space is completely enclosed by a permitted or accessory structure or screened by a totally opaque fence with a minimum height of six (6) feet and a maximum height limit of eight (8) feet.

An automobile or other vehicle is inoperable if it meets any one of the following subsections:

1) It does not meet Ohio Revised Code requirements for operating on a public street;

2) It is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;

3) It is not operable on the public streets of Franklin County because it is not currently licensed to so operate;

4) It is not capable of being operated on a public street due to missing or inoperable mechanical or electrical parts.

NOTE: Effective September 8, 2011, development standards that apply in addition to or in place of the standards in Section 541 apply for certain properties. See SECTION 670 – SMART GROWTH OVERLAY for details

SECTION 541 - SIGN AND BILLBOARD REGULATIONS

PREFACE - The *SIGN AND BILLBOARD REGULATIONS* are intended to protect the public health, safety and morals by regulating the placement, size and general appearance of signs and billboards in order to:

1. Create a visually attractive economic and business climate by permitting signs and billboards which are compatible with their surroundings, orientation and physical appearance of the community;

2. Encourage signs and billboards that are readable;

3. Control the number, size and location of signs and billboards to reduce clutter;

4. Reduce hazards to the public that may be caused by signs or billboards overhanging public rights-of-way; and

5. Regulate signs and billboards so that they do not obstruct vision or interfere with the functions performed by drivers.

541.01 - SIGNS AND BILLBOARDS, GENERAL REQUIREMENTS IN ALL ZONING DISTRICTS

The following general requirements shall apply to signs and billboards in all zoning districts and are in addition to other specific requirements enumerated in the following sections:

1. No illuminated lighting device used in conjunction with an on-premise or off-premise sign shall be placed or directed so as to permit the illumination therefrom to be directly beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause direct glare or reflection that may constitute a hazard to public safety or create a nuisance;

2. Where applicable, all wiring, fittings, and materials used in the construction, connection, and operation of electronically illuminated on-premise or off-premise signs shall be in accordance with the provisions of the State of Ohio and local electrical codes in effect. Signs should be wired to UL (Underwriters Laboratory) standards, but need not be labeled UL;

3. Excepting specific limitations noted in Section 541.137, flashing lights, banners, posters, pennants, strings of lights, ribbons, streamers, or other similar moving devices shall not be displayed for advertising or attracting attention, either independently or as part of an on-premise or off-premise sign;

4. No on-premise or off-premise sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a roof, fire escape or any door or window giving access to any fire escape;

5. All on-premise and off-premise signs shall be erected to meet the construction standards of the City of Columbus Graphics Code, Chapter 3383 and any subsequent amendments thereto. The Columbus

Graphics Code is hereby adopted by reference and is hereby made a part of this Resolution;

6. All on-premise and off-premise signs shall be kept in a secure, safe condition. Should any on-premise or off-premise sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Zoning Enforcement Officer proceed at once to put such on-premise or off-premise sign in a safe and secure condition or remove the on-premise or off-premise sign;

7. No on-premise of off-premise signs shall be mounted within any public right-of-way except by the government agencies having jurisdiction within that right-of-way, unless otherwise allowed by the provisions of the Franklin County Zoning Resolution;

8. No on-premise or off-premise sign or other object shall be erected, used or maintained which in any way simulates official, directional or warning signs erected or maintained by the State of Ohio, by the County of Franklin, or by any township or municipality thereof, or by any railroad, public utility or similar authorized agency concerned with the protection of public health or safety;

9. No on-premise or off-premise sign shall be painted, attached to, or maintained on a rock, tree or other form of vegetation;

10. On-premise signs shall be erected and maintained only as accessory uses and/or structures to the principal use of a building or land. Whenever a principal use of a building or land changes, all on-premise signs which are accessory to the principal use shall be removed within ninety (90) days, unless a new principal use of a building or land is established and the on-premise sign(s) can be adapted to the new principal use in a manner permitted by this Zoning Resolution, Section 541.02, 541.021, 541.03 and the tables of elements;

11. No on-premise or off-premise signs shall obstruct pedestrian or vehicular visibility or otherwise interfere with the safe operation of vehicles or the safety of pedestrians;

12. Portable signs, including but not limited to trailer signs or "rollaway" signs, "A-Frame" signs and air activated attractions and devices shall not be permitted;

13. When conflict arises between the on-premise and off-premise sign requirements of this Resolution and those of the State of Ohio (ORC Chapter 5516) regarding the placement of on-premise and off-premise signs adjacent to state highways, the more restrictive regulation shall govern;

14. Off-premise signs shall be considered as a distinct land use unassociated with the primary use of a site. Off-premise sign regulations are found in Section 541 of this Resolution.

541.02 - STANDARDS FOR THE LOCATION AND SIZE OF ON-PREMISE SIGNS - In addition to the other provisions of this section governing the erection and maintenance of signs, the following standards for the location and size of signs are required in all zoning districts.

541.021 - The Relationship Between the Size of Signs and the Mass Size of Associated Buildings Determining the Size of Signs: The size of a permitted sign shall be determined by scaling signage to the mass size of the associated building in accordance with the following provisions:

1.) The size of one (1) face of a sign is determined by multiplying a predetermined mass factor

times the square root of the area of the facing of the building, expressed in square feet. The Tables of Elements specify the applicable mass factors. Either of the following two (2) methods may be used in determining the square root of the area of the facing of the building:

a.) The table in this section which provides rounded off factors for most average building sizes (see 541.021,8).

b.) Multiply the height times the width and extract the square root (H x W = square root of the face of the building).

2.) The height and width of a building face shall be determined in the following manner:

a.) The height of a building shall be the vertical distance measured from the established grade of the lot to the roofline in the case of flat roofs, and to the mean between the point of the gable and the eaves in the case of pitched roofs.

b.) The width of the building shall be the horizontal distance measured between the outermost vertical dimensions of any wall that is parallel to the facing of the building with which the sign if associated and visible from the public right-of-way.

3.) Properties that contain no building on which to relate mass factors set forth in the Tables of Elements shall determine sign size in accordance with the following formula:

a.) One (1) square foot of the sign area per lineal foot of street frontage for the first fifty (50) feet of frontage; plus

b.) One-half (1/2) of a square foot of sign area per lineal foot of street frontage for the second fifty (50) feet frontage; plus

c.) One-fourth (1/4) of a square foot of sign area per lineal foot of street frontage for the remainder of frontage up to one hundred fifty (150) feet.

4.) Properties that contain buildings that occupy less than ten percent (10%) of the lot may utilize the above formula in lieu of the mass factors set forth in the Tables of Elements.

5.) The maximum size for a free-standing sign erected within the first thirty-five (35) feet of setback from the existing public street right-of-way shall be three hundred (300) square feet or the size determined by Section 541.021, 1, 3 or 4, whichever is less. The maximum size of freestanding signs located beyond the one hundred (100) foot setback and all other types of graphics shall be the size determined by applying Section 541.021, 1, 3 or 4.

6.) Allowable sign size established by this Section are the maximum sizes allowed for each facing of the sign being regulated.

7.) If a building has frontage on, or access to, two (2) or more streets, highways, or expressways, each side of the building is to be separately considered for purposes of determining compliance with the provisions of this Section and the Tables of Elements. Except as otherwise provided in this Section, size allowances for signs may be utilized only on the side of the building from which they are calculated.

8.) **Table of Square Root of Height Times Width**.

Ö Height x width = X (rounded to nearest whole number)

Width®

Ht.¯	10	15	20	25	30	40	50	60	70	80	90
10	10	12	14	16	17	20	22	25	27	28	30
15	12	15	17	19	21	25	27	30	32	35	37
20	14	17	20	22	25	28	32	35	38	40	42
25	16	19	22	25	27	32	35	39	42	45	48
30	17	21	25	27	30	35	39	42	46	49	52
40	20	25	28	32	35	40	45	49	53	57	60
50	22	27	32	36	39	45	50	55	59	63	67
60	25	30	35	39	42	49	55	60	65	69	74
70	27	32	38	42	46	53	59	65	70	75	79
80	28	35	40	45	49	57	63	69	75	80	85
90	30	37	42	48	52	60	67	74	79	85	90

541.03 - SPECIAL LIMITATIONS FOR ON-PREMISE SIGNS - The erection and maintenance of signs shall be permitted for the purposes listed below in accordance with the following provision:

1.) FREE-STANDING SIGNS

A.) Except as otherwise provided, any building housing one (1) or more activities may display one (1) freestanding sign of the area and height limitations permitted by the Tables of Elements, provided the following additional provisions are met:

1.) The sign to the front leading edge of the sign and its supporting structure are set back at least fifteen (15) feet from the existing adjacent highway right-of- way.

2.) The building does not display a projecting sign.

3.) The height of the freestanding sign shall be measured from the established grade of the property or the grade elevation of the edge of pavement, street or highway of the public right-of-way directly perpendicular in front of the proposed location of the sign.

4.) No additional sign shall be attached to any part of a freestanding sign other than on the display surfaces originally constructed as part of such sign. Attach-on signs, such as credit card

decals and symbols of nationally known products, must be included within the original display surfaces; otherwise, attach-on signs are prohibited.

5.) In areas where the existing building locations or other permanent obstructions prevent free-standing signs or projecting signs from being seen by passing motorists when erected in accordance with the provisions of this section, a free-standing sign not to exceed thirty (30) inches in height may be located to within fifteen (15) feet of the curb line or edge of right-of-way; however, in no case shall the free-standing sign be located within an existing right- of-way.

6.) Free-standing signs located within the first one hundred (100) feet of setback from the existing public street right-of-way shall not exceed three hundred (300) square feet in size or the size determined by the Tables of Elements, whichever is smaller. The maximum size of freestanding signs erected beyond the one hundred (100) foot setback shall be that allowed by the Tables of Elements.

7.) If a free-standing sign consists of more than one section or module per facing, the area of each individual sign component shall be added together and shall not exceed the permitted sign area for that particular location.

8.) As permitted, when more than one (1) free standing sign is to be placed on a lot, the facing of each free standing sign shall be oriented to the public street or highway right-of-way opposite the face of the building for which the free standing sign is permitted.

B.) Table of Elements for Free-Standing Signs

INSTITUTIONAL TABLE OF ELEMENTS FOR FREE STANDING SIGNS IN
Zoning Districts SO and RI
Religious Uses, Schools and Parks

M = Mass Factor H = Height of Sign

Road Character		Setback distance from right-of-way line (in feet)													
		0		0		15		25		50		75		100	
# lanes	Speed limit			M	H	M	H	M	H	M	H	M	H	M	H
Single Lane	£35 mph	*	*	*	*	.5	15	1	15	1.5	20	1.5	20	1.5	25
Single Lane	>35 mph	*	*	*	*	1	15	1.5	15	2	20	2	25	2	25
Multi-Lane	£35 mph	*	*	*	*	1	15	1.5	20	2	25	2	25	2	25
Multi-Lane	>35 mph	*	*	*	*	1.5	15	2	20	2	25	2	25	2	25
Freeway or Controlled Access		*	*	*	*	1.5	15	2	25	2	25	2	25	2	25

Notes: * means limited or not permitted
** Public right-of-way line

<u>Zoning District</u>
SOI - Suburban Office and Institutional
RI – Restricted Industrial

Table of Elements for Free Standing Signs, for
Heavy Commercial - Industrial Zoning districts: CC, CS, PSC, PHS, LI, GI

Road Character		Set back distance from right-of-way line (in feet) *0*				15		25		50		75		100	
# of lanes	Speed limit					M	H	M	H	M	H	M	H	M	H
Single Lane	£35 mph	*	*	*	*	2	20	2	20	4	30	5	35	6	35
Single Lane	>35 mph	*	*	*	*	3	20	3	20	5	30	6	35	7	35
Multi-lane	£35 mph	*	*	*	*	4	20	4	25	6	35	7	35	8	35
Multi-lane	>35 mph	*	*	*	*	4	20	5	25	7	35	8	35	8	35
Freeway or Controlled Access		*	*	*	*	4	20	5	30	7	35	8	35	8	35

Notes:
* limited
** public right-of-way line

<u>Zoning District</u>
CC – Community Commercial
CS – Community Service
PSC – Planned Shopping Center
PHS – Planned Highway Service
LI – Limited Industrial
GI – General Industrial

TABLE OF ELEMENTS FOR FREE STANDING SIGNS, (CONTINUED)

Tables of Elements for Free Standing Signs, cont.[1]
Light Commercial - Industrial Table of Elements
Zoning Districts: NC, SCPD, PIP, EQ, OG, EU

Road Character		Set back distance from right-of-way line (in feet)													
		0				15		25		50		75		100	
# of lanes	Speed limit					M	H	M	H	M	H	M	H	M	H
Single Lane	£35 mph	*	*	*	*	1	20	1	20	2	30	3	25	4	35
Single Lane	>35 mph	*	*	*	*	1.5	20	1.5	20	2.5	20	3.5	25	4.5	30
Multi-lane	£35 mph	*	*	*	*	2	20	2	20	3	25	4	30	5	35
Multi-lane	>35 mph	*	*	*	*	2	20	2.5	20	3.5	25	4.5	30	5	35
Freeway/ or Controlled Access		*	*	*	*	2	20	3	25	4	30	5	35	5	35

Notes:
* limited
** public right-of-way line

Zoning District
NC - Neighborhood Commercial
SCPD - Select Commercial Planned District
PIP - Planned Industrial Park
EQ - Excavation and Quarry
OG - Oil and Gas
EU - Exceptional Use

C.) Signs in Regional Shopping Centers - Signs in regional shopping centers (commercial centers having a minimum frontage of one thousand (1,000) feet along a public street) shall be permitted as follows:

1.) Regional shopping centers may display two (2) freestanding signs for each street frontage provided the signs are set back from the side property lines by at least two-hundred fifty (250) feet and from the public right-of-way line by at least twenty five (25) feet. For the purposes of identification, one (1) sign may be sixty (60) feet in height and up to five hundred (500) square feet in size; the second free-standing sign shall not exceed thirty-five (35) feet in height nor three hundred (300) square feet in size.

2.) In lieu of the second freestanding sign, a changeable copy sign not to exceed three hundred (300) square feet may be added to the first freestanding sign.

3.) In addition, each regional shopping center may identify each exit or entrance with a graphic not to exceed twenty (20) square feet and not more than ten (10) feet high.

4.) Each individual activity within the regional shopping center may display one (1) wall sign per frontage in accordance with the table of elements for wall signs.

D.) Exceptions to Setback Requirements for Freestanding Signs

1.) Where a structure that constitutes a visual obstruction, other than an on-premise sign, precedes the subject site in the direction of traffic flow within one hundred sixty (160) feet of the center point of the street frontage of the subject site and is less than fifteen (15) feet behind the right-of-way, a freestanding sign may be erected at the setback of said structure, subject to the following conditions:

a.) The freestanding sign will not project over the public right-of-way.

b.) The size shall be as specified in the Table of Elements for freestanding signs for the appropriate zoning district for fifteen (15) foot setback.

c.) Unless otherwise permitted by Section 541.03, 1, a (5), no freestanding sign permitted by Section 541.03, 1, (d) shall be established less than ten (10) feet above street grade.

d.) Setback reductions allowed herein are temporary and should the site conditions that led to the special treatment of free-standing signs in 541.03, 1, (d) change, the sign erected under this Section shall be moved to a conforming located by the sign's owner.

e.) A certificate of zoning compliance shall be obtained for each freestanding sign in accordance with the provisions of Section 705.02.

2.) WALL SIGNS - Except as otherwise provided by this Section, any activity may display wall signs for each wall of the building which faces a public street, in accordance with the Tables of Elements, providing the additional requirements are met:

a.) The allowable area of wall signs permitted by the Table of Elements shall be that of the advertising area of individual letters and symbols when they are attached directly to the building, thereby utilizing the building wall as the background (area of individual letters only). Where the sign incorporates its own background, the allowable area of the sign permitted by the Table of Elements shall be the sign area as defined in this Section.

b.) A wall sign may be attached flat to or be pinned away from the wall of a building, but such sign shall not project from the wall by more than eighteen (18) inches.

c.) A wall sign may be located in the plane of, but below the top roofline of a building. Such sign shall have a clearance height of not less than seven and a half (7.5) feet at its lowest point.

d.) A wall sign may be located at the front edge of a canopy or marquee, provided such sign shall not project beyond the horizontal or vertical dimensions of the wall with which it is associated.

e.) A wall sign shall not extend beyond the perimeter of the wall or facia to which it is attached.

f.) In addition to the above provisions, one (1) wall sign may be displayed on the side or rear of a building adjacent to the off-street parking area provided for that building for the purpose of instructing customers of the parking procedures, providing, however, that the sign does not exceed twelve (12) square feet in size. The sign may be illuminated during the hours of operation of the activity.

g.) A sign attached to the side wall of a building other than those permitted above, but oriented to a street on which the building faces, may be displayed on the side wall, but it shall be counted as part of the total wall sign area allotment associated with the building front.

h.) Table of Elements for Wall Signs

Institutional Table of Elements, Wall Signs
Zoning Districts: SOI, RI
Religious Uses, Schools and Parks

Road Character		Set back distance from right-of-way line (in feet) *0*		15		25		50		75		100			
# of lanes	Speed limit	M		M		M		M		M		M		M	
Single Lane	£35 mph	1*		1		1		1		1.5		1.5		1.5	
Single Lane	>35 mph	1*		1		1		1		1.5		1.5		1.5	
Multi-lane	£35 mph	1*		1		1		1.5		2		2		2	
Multi-lane	>35 mph	1*		1		1		1.5		2		2		2	
Freeway or Controlled Access		Ù		1.5		1.5		2		2		2		2	

Notes:
* limited Ù prohibited
** public right-of-way line

<u>Zoning District</u>
SOI - Suburban Office and Institutional
RI - Restricted Industrial

Tables of Elements for Wall Signs, cont.

Light Commercial - Industrial Table of Elements
Zoning Districts: NC, SCPD, PIP, EQ, OG, EU

Road Character		Set back distance from right-of-way line (in feet) *0*		15		25		50		75		100			
# of lanes	Speed limit	M		M		M		M		M		M		M	
Single Lane	£35 mph	2*		2		2		3		4		4		5	
Single Lane	>35 mph	2*		2		2		3.5		4.5		5		6	
Multi-lane	£35 mph	2*		2		2		4		6		6		6	
Multi-lane	>35 mph	3*		3		3		4		6		6		6	
Freeway or Controlled Access		Ù		3.5		3.5		4		6		6		6	

Notes:
* limited Ù prohibited
** public right-of-way line

<u>Zoning District</u>
NC - Neighborhood Commercial
SCPD - Select Commercial Planned District
PIP - Planned Industrial Park
EQ - Excavation and Quarry
OG - Oil and Gas
EU - Exceptional Use

Heavy Commercial - Industrial Table of Elements for Wall Signs
Zoning districts: CC, CS, PSC, PHS, LI, GI

Road Character		Set back distance from right-of-way line (in feet) *0*		15		25		50		75		100			
# of lanes	Speed limit	M		M		M		M		M		M		M	
Single Lane	£35 mph	3*		3		3		4.5		6		6		7.5	
Single Lane	>35 mph	3*		3		3		4.5		6		7		8	
Multi-lane	£35 mph	3*		3		3		5		7		8		8	
Multi-lane	>35 mph	4*		4		4		6		7		8		8	
Freeway or Controlled Access		Ù		5		5		7		8		8		8	

Notes:
* limited Ù prohibited
** public right-of-way line

<u>Zoning District</u>
CC - Community Commercial
CS - Community Service
PSC - Planned Shopping Center
PHS - Planned Highway Service
LI - Limited Industrial
GI - General Industrial

i.) A certificate of zoning compliance shall be obtained for each wall sign in accordance with the provisions of Section 705.02.

3.) ROOF SIGNS - A roof sign shall be displayed only in accordance with the following provisions:

a.) Buildings in excess of forty (40) feet in height may display a roof sign in addition to those signs permitted in other sections of 541.03, providing the total area of the roof sign and any wall signs used do not exceed the maximum sign area permitted by Section 541.03, 2.

b.) Buildings up to and including forty (40) feet in height may display a roof sign in lieu of and of the area permitted by Section 541.03, 2. Such sign shall be oriented only to a public street upon which the building fronts.

c.) Roof signs permitted under both conditions, whether a part of the building's initial design or an addition after the building is constructed, shall be constructed to appear as an integral part of the supporting building. All roof signs must meet the following minimum specifications:

1.) The structural support for the sign must be enclosed to form a background to the message.

2.) The plane of the signs advertising area must appear as a vertical continuation of the plane of the building's wall with which it is associated, unless otherwise originally designed as an integral part of the building.

3.) A roof sign shall not project beyond the vertical boundaries of the wall with which it is associated.

4.) The combined height of the building and the roof sign shall not exceed the height restriction of the underlying zoning district.

5.) The message of a roof sign shall be limited to the identification of the building or the principal occupant.

6.) A roof sign shall be enclosed so that no support structure is visible from any public right-of-way or any residential use or residentially zoned district within five hundred (500) feet.

7.) All roof signs shall bear the stamp of approval for structural integrity by a professional engineer.

d.) A certificate of zoning compliance shall be obtained for each roof sign in accordance with the provisions of Section 705.02.

4.) PROJECTING SIGNS - Except as otherwise provided by this Section, any building housing one (1) or more activity may display one (1) projecting sign on each street frontage in accordance with the Tables of Elements, provided the following additional requirements are met:

a.) The building or property does not display a free- standing sign.

b.) Projecting signs must clear the established grade of the property by at least seven and one-half (7 1/2) feet.

c.) Projecting signs shall not extend above the wall or facia to which they are attached, except that freestanding signs treated as projecting signs shall not exceed twenty (20) feet in height.

d.) A wall sign permitted by Section 541.03, 2 is not used.

e.) Table of Elements for Projecting Signs.

Institutional Table of Elements for Projecting Signs
Zoning Districts: SOI, RI
Religious Uses, Schools and Parks

Road Character		Set back distance from right-of-way line (in feet) *0*		15		25		50		75		100		
# of lanes	Speed limit	M		M		M		M		M		M		M
Single Lane	£35 mph	.5*		.5*		.5		1		1.5		1.5		1.5
Single Lane	>35 mph	1*		1*		1		1		1.5		1.5		1.5
Multi-lane	£35 mph	1*		1*		1		1.5		1.5		1.5		1.5
Multi-lane	>35 mph	1.5 *		1.5 *		1.5		1.5		1.5		1.5		1.5
Freeway or Controlled Access		Ù		1.5 *		1.5		1.5		1.5		1.5		1.5

Notes:
* limited Ù prohibited
** public right-of-way line

<u>Zoning District</u>
SOI - Suburban Office and Institutional
RI - Restricted Industrial

Tables of Elements for Projecting Signs, cont.

Light Commercial - Industrial Table of Elements
Zoning Districts: NC, SCPD, PIP, EQ, OG, EU

Road Character		Set back distance from right-of-way line (in feet) *0*		15		25		50		75		100			
# of lanes	Speed limit	M		M		M		M		M		M		M	
Single Lane	£35 mph	1*		2		2		3		4		4		4	
Single Lane	>35 mph	1.5 *		2		2		3		4		5		5	
Multi-lane	£35 mph	2*		3		4		4.5		5		6		6	
Multi-lane	>35 mph	3*		3		4		6		5		6		6	
Freeway or Controlled Access		Ù		3		4		6		6		6		6	

Notes:
* limited Ù prohibited
** public right-of-way line

Zoning District
NC - Neighborhood Commercial
SCPD - Select Commercial Planned District
PIP - Planned Industrial Park
EQ - Excavation and Quarry
OG - Oil and Gas
EU - Exceptional Use

Heavy Commercial - Industrial Table of Elements, Projecting Signs
Zoning districts: CC, CS, PSC, PHS, LI, GI

Road Character		Set back distance from right-of-way line (in feet) *0*		15		25		50		75		100			
# of lanes	Speed limit	M		M		M		M		M		M		M	
Single Lane	£35 mph	1*		2		2		3		3		4		4	
Single Lane	>35 mph	1.5 *		2		2		3		3.5		4		5	
Multi-lane	£35 mph	2*		3		4		4		4.5		5		6	
Multi-lane	>35 mph	3*		3		4		5		6		5		6	
Freeway or Controlled Access		Ù		3		4		5		6		6		6	

Notes:
* limited Ù prohibited
** public right-of-way line

<u>Zoning District</u>
CC - Community Commercial
CS - Community Service
PSC - Planned Shopping Center
PHS - Planned Highway Service
LI - Limited Industrial
GI - General Industrial

f.) A certificate of zoning compliance shall be obtained for each projecting sign in accordance with the provisions of Section 705.02.

g.) No projecting sign shall extend over a public right-of- way.

5.) DEVELOPMENT AREA IDENTIFICATION SIGNS - A Development Area Identification Sign shall be permitted for residential sub-divisions, multi-family residential complexes, or institutions in accordance with the following:

a.) A Development Area Identification Sign shall be permitted adjacent to arterial streets as defined by the Franklin County Thoroughfare Plan at major access points to the subdivision, complex, or institution.

b.) A Development Area Identification Sign shall not be located within fifteen (15) feet of the public right-of- way of the arterial street abutting the Development Area.

c.) A Development Area Identification Sign shall not be located within eight (8) feet from the pavement or curb of any internal street or private drive within the Development Area. In no case shall a Development Area Identification Sign be located within a public right-of- way.

d.) The message shall be limited to the name, logo and street address of the complex.

e.) The size of the Development Area Identification Sign shall not exceed ninety-six (96) square feet and the height or width of the sign shall not exceed twelve (12) feet.

f.) A certificate of zoning compliance shall be obtained for each Development Area sign in accordance with the provisions of Section 705.02.

g.) The sight triangle required by Section 504.02 shall be maintained.

6.) DIRECTIONAL AND INFORMATIONAL SIGNS - Signs conveying directions or instructions with respect to the premises on which it is located may be constructed on the premises. Directional signs shall be limited to eight (8) square feet in area. A certificate of zoning compliance must be obtained for each directional and informational sign, in accordance with the provisions of Section 705.02.

7.) BULLETIN BOARDS - Signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, or societies may be erected on the premises of such institutions in any zoning district.

a.) Their maximum area shall not exceed fifteen (15) square feet.

b.) A certificate of zoning compliance must be obtained for each bulletin board in accordance with the requirements of Section 705.02.

8.) HOME OCCUPATIONS - One (1) sign shall be permitted for home occupations in compliance with Section 511.03. If it is flatly affixed against the surface of the dwelling, it may be indirectly illuminated by reflected light or backlight. The intensity of illumination shall be limited or shielded to prevent demonstrable adverse affects on adjacent property. If a detached sign is erected for a home occupation, it must not be illuminated:

a.) The maximum permitted area is three (3) square feet on one (1) side.

b.) A certificate of zoning compliance shall be obtained in accordance with the provisions of Section 705.02.

9.) CONDITIONAL USES - Signs for conditional uses shall be indicated on the development plan, submitted in accordance with Section 815.022, and shall be constructed and maintained in accordance with these regulations.

10.) SIGNS IN PLANNED DEVELOPMENT AREAS - Signs in a Planned Development zoning district shall be constructed and maintained in accordance with these regulations and with the plans, guidelines, and concepts established for signs approved as a part of the development plan.

11.) TEMPORARY SIGNS IN NON-RESIDENTAL ZONING DISTRICTS - One (1) temporary sign may be erected on a lot in any office, commercial or industrial zoning district to announce special public or institutional events, or the erection, sale or remodeling of a building or development subject to the following:

a.) The maximum permitted area of a temporary sign is as follows:

1.) Street frontage zero to two hundred and fifty (0-250) feet, sixty-four (64) square feet sign area permitted.

2.) Two hundred and fifty-one (251) plus feet of road frontage, ninety-six (96) square feet permitted.

b.) A temporary sign may be erected for a period of two (2) years plus the construction period, if applicable. A Certificate of Zoning Compliance for a temporary sign per this Section may be renewed for up to one (1) additional year.

c.) No temporary sign shall be located closer than twenty (20) feet to the pavement of any public street. No temporary sign shall be located within a public right- of-way.

d.) Excepting a temporary sign of thirty-three (33) square feet or less, a certificate of zoning compliance must be obtained prior to construction of a temporary sign, as required by Section 705.02.

12.) TEMPORARY SIGNS IN RESIDENTIAL ZONING DISTRICTS - Signs announcing the sale or lease of land and or building(s) or the construction or remodeling of a building may be erected in the residential zoning districts, provided:

a.) That such sign shall be non-illuminated; and

b.) That the maximum area of signs advertising a sale or lease of a building and or land shall conform to the following:

1.) Zero to one hundred and fifty (0-150) feet abutment on a public right-of-way permits eight (8) square feet maximum sign area.

2.) One hundred and fifty to two hundred and fifty (150-250) feet abutment on a public

right-of-way permits sixty-four (64) square feet maximum sign area.

3.) Two hundred and fifty-one (251) and more feet of abutment on a public right-of- way permits no more than ninety-six (96) square feet in size.

c.) That no certificate of zoning compliance shall be required for signs advertising the sale, lease or rent of a building provided said sign does not exceed eight (8) square feet in area and it shall be non-illuminated.

d.) That signs announcing the construction or remodeling of a building in residential zoning districts shall not exceed twenty-five (25) square feet in area and shall be removed from the premises as freestanding signs upon reaching an occupancy rate of ninety percent (90%) of the newly constructed or remodeled building.

e.) That signs announcing special public or institutional events may be erected on the premises of permitted, conditional or legally nonconforming institutions or businesses in residential zoning districts. They must not exceed twenty-five (25) square feet in area, and must comply with Section 541.03 (11) c herein. Said signs shall not be displayed for longer than thirty (30) days.

13.) AGRICULTURAL PRODUCT SIGNS - Farm Markets as permitted by Section 303.21, Ohio Revised Code may display signs identifying the sale of agricultural products such as vegetables, eggs, straw, hay and seeds grown or produced upon the premises on which the agricultural products sign is located in accordance with the following:

a.) The maximum size of an agricultural product sign shall be thirty-two (32) square feet.

b.) Any agricultural product sign shall be separated from another agricultural product sign on the same premises by at least two hundred fifty (250) feet.

c.) All agricultural product signs shall be located outside a public street or highway right-of-way.

d.) Agricultural product signs shall be removed from the lot upon cessation of the sale of the agricultural product or products.

541.1 - BILLBOARD AND OTHER OFF-PREMISE SIGNS (Revised - 03/10/98)

541.12 - GENERAL PROVISIONS - The purpose of this section is to regulate the installation and use of billboards and other off-premise signs. The erection and maintenance of billboards and off-premise signs shall be subject to the following provisions:

541.121 - Billboards in Commercial and Industrially Zoned Areas - In addition to the general requirements of Section 541.01 and as permitted by Section 303.20 of the Ohio Revised Code, billboards shall be allowed in "all districts zoned for industry, business, trade or land used for agricultural purposes" in accordance with the following regulations. Billboards in any other zoning district are prohibited.

541.122 - Agricultural Purposes - Refer to Section 110.011 of the Franklin County Zoning Resolution and Section 303.21 of the Ohio Revised Code for regulatory authority as it relates to agriculture. To this end, billboards shall be permitted in the Rural Zoning District as follows:

- Billboards shall not be permitted on any lot of one (1) acre or less.

- Billboards shall be permitted on any lot greater than one (1) acre but not greater than five (5) acres provided the lot is currently being utilized for agricultural purposes as defined by Section 303.01 of the Ohio Revised Code. Vacant or otherwise fallow land shall not necessarily constitute an agricultural purpose.

- Billboards shall be permitted on any lot greater than (5) acres in size, regardless of use, provided all other requirements are met.

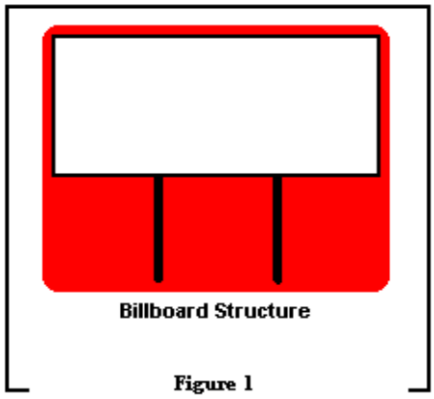
541.123 - Reference - For the purposes of this Section, the street to which a billboard is oriented shall be that street which is most nearly perpendicular to the sign face.

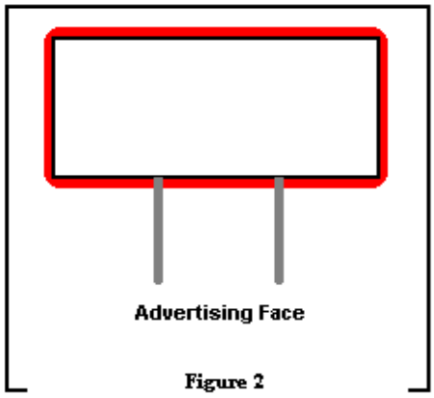
541.124 - Definitions - For the purposes of this Section, the word "agriculture" shall be defined as it is described in Section 303.01 of the Ohio Revised Code and Section 720.011 of this resolution. An off-premise sign is a billboard by definition and is further defined by Section 720.011 of this resolution. No person shall use any billboard as an on-premise sign.

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; timber; 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.

Billboard (Off-Premise Sign) - A billboard shall be defined as a sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located. A billboard is an *Advertising Structure*. An advertising structure shall be the entire structure including the advertising face and any supporting or appurtenant structures thereto. (See Fig. 1)

Advertising Face (Sign Face) – An advertising face shall be that advertising area of the billboard (advertising structure) devoted solely to advertising purposes. (See Fig. 2)





<u>541.13 - STANDARDS FOR THE LOCATION AND SIZE OF BILLBOARDS</u> - In addition to the other provisions of this section governing the erection and maintenance of billboards, the following standards for the location and size of billboards shall be required:

541.131 - Billboard Size Requirements

1-a.) The maximum advertising area permitted for a single billboard facing a public street having an existing right-of-way width of less than eighty (80) feet shall be three hundred (300) square feet, in each direction, excluding embellishments. Said embellishments shall not exceed fifteen percent (15%) of the approved advertising area and shall not extend beyond the top of the approved advertising face by more than four (4) feet, nor beyond the sides and bottom of the approved advertising face by more than one and one-half (1.5) feet.

2-a.) The maximum advertising area permitted for a single billboard facing a street having an existing right-of-way width of eighty (80) feet or more shall be six hundred and seventy-two (672) square feet excluding embellishments. Said embellishments shall not exceed twenty-five percent (25%) of the approved advertising area and shall not extend beyond the top of the approved advertising face by more than six (6) feet, nor extend beyond the sides and bottom of the approved advertising face by more than two (2) feet.

2-b.) A maximum of four (4) advertising faces; two (2) of which face in one (1) direction and two (2) of which face in the opposite direction, shall be permitted provided they are equal in size and separated by a space of not less than one and one-half (l.5) feet and not more than five (5) feet. The total combined advertising area, in each direction, shall not exceed six hundred (600) square feet. (Refer to Fig. 3)

2-c.) In addition to the requirements listed above, any permitted advertising structure constructed in a "V" configuration, shall be comprised of a maximum of four (4) advertising faces and a maximum back spread of fifteen (15) feet between advertising faces at any one (1) given point. (Refer to Figure 3c and 3d)

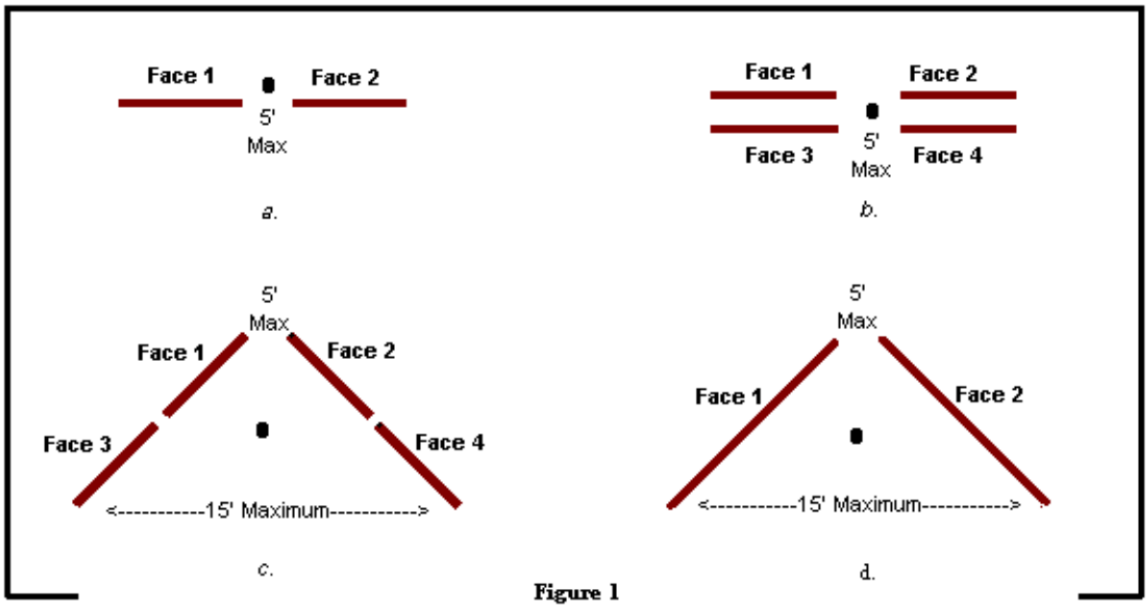


Figure 1

Note: For purposes of Section 541.1, an advertising face shall be one (1) advertising panel which is located on one (1) side of any permitted billboard.

541.132 - Location Requirements

1) Any billboard or any portion thereof, shall be set back a minimum of two hundred (200) feet from any residentially zoned district located along the same street that the billboard is oriented to. Said measurement shall be made from the nearest residential lot line to the nearest portion of the proposed billboard and shall apply to both sides of the street. The minimum setback from any residentially zoned district located on any street other than the one the billboard is oriented to shall be sixty (60) feet.

2) A free-standing billboard or any portion thereof shall not be erected, constructed or extended closer to the street right-of-way line than twenty-five (25) feet, or the required building setback, whichever is greater (the required building setback line is established from the centerline of a right-of-way a distance equal to the width of the existing right-of-way or the width of the right-of-way proposed in the Franklin County Thoroughfare Plan, whichever is greater). A billboard attached to the wall of a building may be located at the building line regardless of the required setback.

3) No billboard shall be located within one thousand (1,000) feet of any historic site, historic district, public park, resource protection district, or greenway. A greenway is defined as any natural corridor, typically consisting of a waterway and adjacent land. The critical resource protection district refers to the protective measures implemented in and around the Big Darby Creek in an effort to gain National Scenic River status and as prescribed in Section 650 of the Franklin County Zoning Resolution.

4) The use of a trash can, telephone booth, seat bench, bus shelter, vending machine, recycling container or trailer for or in support of a billboard is prohibited.

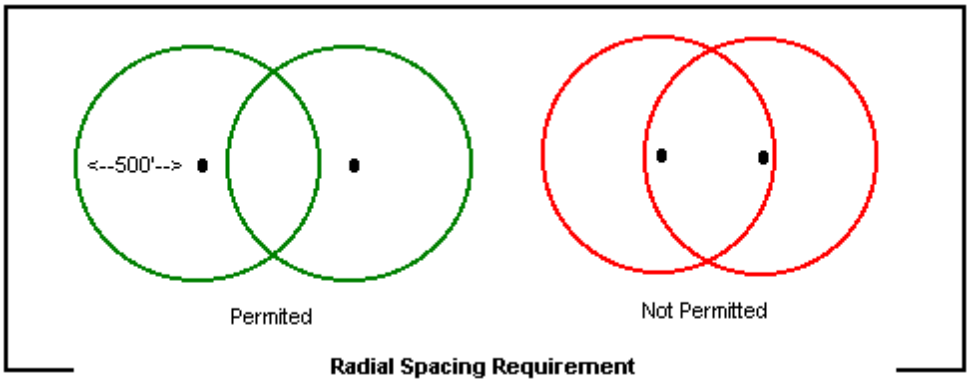
5) Where a property adjoins a limited access right-of-way, a billboard shall be erected no closer than

fifty (50) feet from the property line adjoining the limited access line.

541.133 - Spacing Requirements

The spacing requirements contained herein are divided into two (2) tests: A ***radial spacing*** and a ***lineal spacing*** requirement exists for all billboards regardless of size. All proposed billboards shall meet both tests and the most restrictive shall apply. These spacing requirements shall be measured from a point located at the center of a proposed billboard and extend to a point located at the center of any other existing billboard whether built or unbuilt and regardless of political jurisdiction. Each billboard site location shall be separated from every other billboard site location in accordance with the following:

1.) The radial spacing requirement shall separate each billboard from every other billboard by no less than five-hundred (500) feet regardless of sign orientation, size or political jurisdiction.



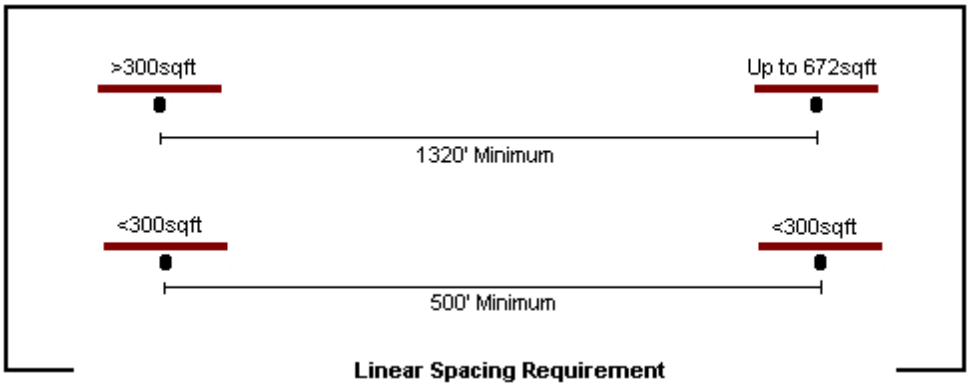
2.) Lineal spacing requirements shall be measured along the center line of the street that the billboard is oriented to and the measurement shall apply to both sides of the street. Lineal spacing requirements shall be as follows:

A billboard advertising face containing up to three hundred (300) square feet of advertising area, in each direction, shall be located:

At least 1,320 feet from all billboards containing 301-672 square feet of advertising area, and;
At least five hundred (500) feet from all billboards containing up to three hundred (300) square feet of advertising area.

A billboards advertising face containing 301 to 672 square feet of advertising area, in each direction, shall be located:

At least 1,320 feet from all other billboards regardless of size.



Linear Spacing Requirement

541.134 - Height Requirements

1.) A billboard containing an advertising face of one-hundred (100) square feet or less in area shall not exceed twenty (20) feet in height as measured from the edge of street pavement to the top of the billboard advertising face.

2.) A billboard containing an advertising face greater than one-hundred (100) square feet in area shall not exceed thirty-five (35) feet in height as measured from the edge of street pavement to the top of the billboard advertising face.

3.) Any billboard oriented to an elevated street shall extend no more than thirty-five (35) feet above the elevation of the edge of street pavement and in no case shall exceed fifty (50) feet. An elevated street shall be any street with a centerline street pavement ten (10) or more feet higher than the grade located adjacent to the street right-of-way.

541.135 - Display Of Wall Billboards - Wall billboards may be displayed in accordance with the following provisions:

1.) A billboard may be placed on the wall of a building provided only one (1) billboard shall be permitted on one (1) wall of any structure. Said billboard shall not exceed three hundred (300) square feet in size

nor project beyond the perimeter of the wall or facia to which it is attached.

541.136 - Hand Tacked Off-Premise Billboards Including Garage Sale Signs - Hand tacked billboards may be used on private residentially zoned property for a period of not more than four (4) times each year to advertise activities such as, but not limited to, garage sales, school events, or church bazaars. Said sign is to be removed within fourteen (14) days of each occurrence and shall not exceed six (6) square feet in size.

541.137 - Lights and Movement Limitations - The following limitations shall apply to all billboards that utilize special effects including a time and temperature device and/or message center, a three-dimensional display, and any display that utilizes movement or gives the appearance of movement:

1.) Flashing lights or bare bulb illumination shall not be permitted on any billboard except for a time and temperature device or a message center.

2.) All parts of a billboard special effect display shall be contained within the boundaries of the sign faces.

3.) Each advertising face utilizing a copy change procedure shall display each individual copy a minimum of seven (7) seconds.

4.) No part of a three-dimensional billboard display shall project perpendicularly more than thirty-six (36) inches from the plane of the sign face.

5.) A revolving or rotating billboard shall not be permitted, except that elements forming a sign face may rotate as part of a copy change procedure. Each permitted revolving element shall be limited to a maximum of eight (8) revolutions per minute.

6.) Auditory effects, including music, shall not be permitted as part of any billboard display.

541.138 - Inventory And Permitting - Every billboard shall be subject to the following inventory and permit requirements:

1.) Each billboard shall be identified with the owner's or the erector's name. Each application for a billboard shall be accompanied by an affidavit, signed by the landowner, and shall specify that the applicant has exclusive permission to erect and maintain a billboard on the property for which a zoning certificate is requested.

2.) All work permitted under an approved zoning certificate shall be completed within one (1) calendar year from the date of issuance of said certificate. All application requests must meet the development standards of the billboard regulations on the day of filing with the exception of a re-application for which the existing permit holder must submit within ten (10) working days prior to the date of expiration of the original permit.

3.) The Franklin County Development Department shall compile and maintain an inventory and master list of all billboards, disclosing the size and location of each billboard. Within one-hundred and twenty (120) days of the effective date of this revision, every owner of a billboard shall provide to the Development Department an inventory disclosing the location and size of

every approved billboard, built or unbuilt, within Franklin County belonging to said owner. The format shall be consistent with the GIS system utilized by the Development Department and incorporated into said system.

4.) Prior to removing any existing billboard, the owner or the General or Limited Sign Erector employed to remove same shall submit a written notification to the Development Department as part of the permanent inventory information.

541.15 - SIGNS AND BILLBOARDS ALONG THE INTERSTATE SYSTEM

541.151 - Signs And Billboards Along The Interstate System - In addition to all other provisions of Section 541.1 and except as otherwise provided, no sign or billboards shall be erected or permitted to remain in existence which:

1.) Is within or overhangs any portion of the right-of-way of the Interstate System.

2.) Is located or illuminated so as to obstruct or impair the vision of the operator of a motor vehicle who is proceeding in a lawful direction within the Interstate System right-of- way.

3.) Is within six hundred sixty (660) feet of any Interstate System right-of-way line and can be perceived at any time by the operator of a motor vehicle proceeding in any lawful direction within the Interstate System right-of-way.

4.) Is prohibited by Ohio Revised Code Chapter 5516 (Control of Advertising Devices).

541.152 - Signs or billboards mandatory under the laws of the United States, the State of Ohio, or authorized by the County or Townships are permitted.

541.153 - On premise signs displaying only the identification of the activity by name, logo, address, and principal product or service are permitted within the six hundred sixty (660) foot set back if no mechanical movement or flashing lights are utilized and such graphics are in compliance with this section, and the size/height requirements of the Tables of Elements.

541.154 - On-premise temporary construction and real estate signs in accordance with Section 541.03 (11) are permitted subject to the provisions of Section 541.15 and as follows:

1. Temporary construction and real estate signs on open land or land under development may utilize one hundred (100) square feet at the right-of-way line, and may increase one (1) square foot in size for every foot of setback up to a maximum of six hundred (600) square feet. These signs are subject to the time limitation and requirements of 541.03 (11).

541.16 - POLITICAL GRAPHICS - Political graphics may be located in any residential or non-residential zoning district for candidates and issues on the ballot no sooner than thirty (30) days before the date of an election and may remain in place no later than seven (7) days after the date of the election. In addition, political graphics shall meet the following requirements:

541.161 - Number of Political Graphics Permitted on a Lot - No more than one (l) political graphic shall be displayed on a lot or tax parcel.

541.162 - Size Limitations for Political Graphics - Political graphics shall not exceed six (6) square feet in size.

541.163 - Location Limitations for Political Graphics - In a Rural, Residential, or Institutional Zoning District, no political graphic shall be located closer than fifteen (l5) feet to the curb or paved street surface if no curb exists. No political graphic shall be located within a public street or highway right-of-way nor attached in any manner to any utility pole, fence or any other structure within any public right-of-way. In a commercial or industrial zoning district, no political graphic shall be displayed in front of the building line.

541.164 - Illumination - No political graphic shall be illuminated unless affixed to a permanent sign or billboard which otherwise meets the requirements of this Zoning Resolution.

541.165 - Requirements for a Political Graphic Permit - Any individual or organization wishing to distribute or erect political graphics on a lot or lots other than those owned by such individual or organization shall obtain a Political Graphic Permit from Franklin County Zoning Administrator. As part of the application for a Political Graphic Permit, individuals or organizations shall submit a letter acknowledging their familiarity with and willingness to abide and insure compliance with the requirements of this Section. Required information for a Political Graphic Permit shall include the size of the political graphic to be distributed and erected and the name, address and telephone number of the person responsible for distribution of the political graphic. The Franklin County Zoning Administrator may require additional information as necessary to enforce these regulations.

SECTION 551 - PUBLIC NUISANCE REGULATIONS

551.01 - PREVENTION OF NUISANCE - Every structure or use subject to the provisions of this Zoning Resolution shall be located, arranged and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property.

551.02 - REQUIRED LIMITS - The following limits of development and operation are provided to control hazardous, obnoxious or other nuisance activity of uses subject to the provisions of this Zoning Resolution.

551.021 - Noise - Noise or vibration shall be so controlled that at the property line on which such noise or vibration is produced it will not be at a level above that normally perceptible from other development activities in the area or from the usual street traffic observed at the street right-of-way line of the lot, except the occasional blast or shock required in normal operation and produced in such manner as not to create a hazard.

551.022 - Air Pollution - No visible smoke, dust or other particulate emissions, excluding steam, shall be permitted, excepting those produced from fossil fuel, wood-burning stoves, fireplaces, furnaces or similar systems so long as such systems are primarily used for heating or cooking purposes and are not used in connection with the manufacturing of goods or other commercial activity.

551.023 - Odor or Fumes - Odor or noxious fumes shall be so controlled not to be offensive or hazardous.

551.024 - Radioactivity or Electrical Disturbance - No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that located at the source of such activity.

551.025 - Lighting and Glare - No direct glare from processing, lighting or other activities shall extend in a manner which adversely affects neighboring areas or interferes with safety on any public street, road or highway.

551.026 - Toxic and Hazardous Substances - No toxic substance shall be emitted or otherwise discharged into the atmosphere, ground, surface waters or ground waters. No storage, use or transport of toxic or hazardous substances shall be permitted unless such activity is in full compliance with applicable state and federal environmental protection regulations and the expressed prior written approval of the Fire Chief having jurisdiction over the toxic and/or hazardous substance is obtained.

551.027 - Hazards and Explosives - There shall be no storage, utilization or manufacture of detonable materials or intense burning materials unless the express prior written approval of the Fire Chief having jurisdiction is obtained. The said Fire Chief shall have the authority to specify the location, quantity, methods of storage and methods of utilization, and otherwise exert other controls which are necessary to protect the health and safety of the residents of Franklin County.

551.028 - Trash - The storage of trash or waste materials, including but not limited to discarded household goods, discarded commercial products, industrial by-products, and other similar materials shall not be visible from the property line on which such materials are being stored or otherwise placed. All such materials shall be housed in an appropriate container or enclosure, excepting trash that is

properly placed in an appropriate enclosed container at an assigned location for regularly scheduled trash pickup. In all cases, there shall be full compliance with applicable zoning district standards.

SECTION 561 - WIND ENERGY SYSTEMS

SECTION 561.01 - PURPOSE

The purpose of this section is to accommodate wind energy systems under five (5) megawatts in size in appropriate locations, while minimizing adverse visual, safety and environmental impacts of the system. In addition, this section provides a permitting process for wind energy systems to ensure compliance with the provisions of the requirements and standards established herein.

SECTION 561.02 - DEFINITIONS

a) Anemometer: a temporary wind speed indicator constructed for the purpose of analyzing the potential for utilizing a wind energy system at a given site. This includes the tower, base plate, anchors, cables and hardware, wind direction vanes, booms to hold equipment, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

b) Fall Zone: The potential fall area for a tower-mounted wind energy system. It is measured by using 110% of the total height as the radius around the center point of the base of the tower.

c) Structure-Mounted Wind Energy System: A wind energy system mounted on a structure roof, walls, or other elevated surface that includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. A structure mounted wind energy system shall project no more than 15 feet above the highest point of the roof excluding chimneys, antennae, and other similar protuberances.

d) Net Metering: The process by which surplus energy generated by a customer, as measured by the difference between the electricity supplied by an electric service provider and the electricity generated by a customer in an applicable billing period, is fed back to the electric service provider with customer compensation.

e) Power Grid: The transmission system created to balance the supply and demand of electricity for consumers in Ohio.

f) Shadow Flicker: Shadow flicker occurs when the blades of the turbine rotor cast shadows that move across the ground and nearby structures.

g) Tower Mounted Wind Energy System: a wind energy system mounted on a tower that includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system.

h) Tower: The monopole or guyed monopole constructed to support a wind energy system.

i) Total Height: is the vertical distance measured from the ground level at the base of the tower to the uppermost vertical extension of any blade, or the maximum height reached by any part of the wind energy system.

j) Tower Height: The height above grade of the fixed portion of the tower, excluding the wind energy system.

k) Wind Energy System: A system that converts the kinetic energy of the wind into electricity available for use beyond that used by the system.

SECTION 561.03 - APPLICABILITY

a) Wind energy systems shall be conditionally permitted pursuant to Section 815 in all zoning districts.

b) No wind energy system shall be erected, constructed, installed or modified, except as permitted in 561.04(m)(2), without first receiving a conditional use permit pursuant to Section 815.

c) No wind energy system shall be erected, constructed, installed or modified, except as permitted in 561.04(m)(2), without first receiving zoning compliance pursuant to Section 705.02.

d) No wind energy system shall be erected, constructed, installed or modified without first receiving a building permit from the appropriate approving agency.

SECTION 561.04 - DEVELOPMENT STANDARDS - Wind energy systems shall be evaluated for compliance to the following standards;

a) Fall Zone

1) A tower mounted wind energy system shall have a fall zone at least 110% of the total height from:

a. Any public road right-of-way, unless written permission is granted by the governmental entity with jurisdiction over the road.

b. Any future road right-of-way pursuant to the Franklin County Thoroughfare Plan or thoroughfare plan of adjacent jurisdictions, where appropriate.

c. All overhead utility lines.

d. All property lines, unless the affected land owner provides written permission through a recorded easement allowing the wind energy system's fall zone to overlap with the abutting property.

e. Any principal structure.

2) Guy wires used to support the tower of a tower mounted wind energy system are exempt from the wind energy system fall zone requirements.

b) Tower:

1) The tower of a tower-mounted wind energy system shall not exceed 150 feet in height.

2) The applicant shall provide evidence that the proposed tower height of a tower mounted wind energy system does not exceed the height recommended by the manufacturer of the wind energy system.

c) Sound Level:

1) Operation of wind energy systems shall not exceed 55 decibels, except during short-term events such as severe wind storms and utility outages. This information shall be obtained from the manufacturer of the wind energy system, and all readings, if necessary, shall be taken from the nearest neighboring property line.

d) Shadow Flicker:

1) Wind energy systems shall be sited in a manner that does not result in shadow flicker impacts. The applicant has the burden of proving that their wind energy system does not have an impact on neighboring or adjacent uses either through siting or mitigation.

e) Signs:

1) All signs, both temporary and permanent, are prohibited on wind energy systems, except as follows:

a. Manufacturer's or installer's identification on the wind energy system.

b. Appropriate warning signs and placards.

f) Code Compliance:

1) Wind energy systems shall comply with all applicable sections of the Ohio Building Code.

g) Aviation:

1) Wind energy systems shall be built to comply with all applicable Federal Aviation Administration regulations. Evidence of compliance or non-applicability shall be submitted with the Conditional Use application.

h) Visual Impacts: It is inherent that wind energy systems may pose some visual impacts due to the total height needed to access the wind resources. The purpose of this section is to reduce the visual impacts, without restricting the owner's access to wind resources.

1) The applicant shall demonstrate through project site planning and proposed mitigation that a wind energy system's visual impacts will be minimized for surrounding neighbors and the community. This may include, but not be limited to information regarding site selection, wind energy system design or appearance, buffering, and screening of ground mounted electrical and control equipment.

2) The color of wind energy systems shall be painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.

3) Wind energy systems shall not be artificially lit unless such lighting is required by the Federal Aviation Administration. If lighting is required, the applicant shall provide a copy of the Federal Aviation Administration determination to establish the required markings and/or lights for the wind energy system.

i) Utility Connection:

1) Wind energy systems proposed to be connected to the power grid through net metering shall adhere to Ohio Revised Code Section 4928.67 or any future corresponding statutory provision.

j) Access:

1) All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

2) The tower of a tower mounted wind energy system shall be designed and installed so as not to provide step bolts or a ladder readily accessible to the public for a minimum height of 10 feet above the ground.

k) Clearing:

1) Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of wind energy systems and as otherwise prescribed by applicable laws, regulations and ordinances.

l) Wiring and electrical apparatuses:

1) All wires and electrical apparatuses associated with the operation of a tower-mounted wind energy system, except guy wires, shall be located underground.

m) Maintenance:

1) All wind energy systems shall be maintained in good working order.

2) Any physical modification to the wind energy system that alters the mechanical load, mechanical load path, or major electrical components shall require reapplication for conditional use under this section. Like kind replacements shall not require re-application.

n) Multiple Wind Energy Systems:

1) Multiple wind energy systems are allowed on a single parcel so long as the owner/operator complies with all regulations set forth in Section 561 – Wind Energy Systems.

o) Historic Sites

1) No wind energy system shall be located within 1,000 feet of any registered historic site or historic district.

2) Written proof of compliance with this requirement must be provided by the Ohio Historic Preservation Office and be submitted with the conditional use application.

p) Controls and Brakes

1) All wind energy systems shall be equipped with a redundant braking system which must include:

a. Aerodynamic over-speed controls which include variable pitch, tip and other similar systems and;

b. Mechanical brakes which must be operated in fail-safe mode.

2) Stall regulation shall not be considered a sufficient braking system for over-speed protection.

SECTION 561.05 - PROCEDURE FOR REVIEW

a) In accordance with Section 815 – Procedure for Authorizing a Conditional Use, a wind energy system shall be subject to receiving a conditional use permit prior to installation or modification thereof.

1) The issuance of a conditional use permit shall comply with the following requirements:

a. Site Plan Review: A site plan shall be submitted for review. The following items shall be the minimum requirements for a complete application. The site plan shall include the following:

1. Property lines and physical dimensions of the applicant's property.

2. Location, dimensions and types of existing structures on the property.

3. Location of the proposed wind energy system, foundations, guy wires and associated equipment.

4. Fall Zone depicted as a radius around the center of the tower for a tower mounted wind energy system.

5. The right-of-way or future right-of-way according to the Franklin County Thoroughfare Plan of any public road that is contiguous with the property.

6. Two (2) foot contours of the applicant's property and properties contiguous to the subject property.

7. All overhead utility lines.

8. The site plan must be prepared and stamped by a professional engineer or surveyor licensed to practice in the state of Ohio.

b. Wind energy system specifications, including manufacturer, model, rotor diameter in addition to tower height and tower type, if tower mounted, for small wind energy systems.

c. Documentation shall be provided regarding the notification of the intent with the utility regarding the applicant's installation of a wind energy system if the wind energy system will be connected to the power grid.

d. Tower foundation blueprints or drawings for tower mounted wind energy systems.

e. Tower blueprints or drawings for tower mounted wind energy systems.

f. Sound level analysis prepared by the wind energy system manufacturer or qualified engineer.

g. Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code (typically provided by the manufacturer)

h. Evidence of compliance or non-applicability with Federal Aviation Administration requirements.

i. Compliance with all development standards as outlined in Section 561.04 – Development Standards.

b) Zoning Compliance

1) A Certificate of Zoning Compliance must be obtained in accordance with Section 705.02 – Certificate of Zoning Compliance.

c) Building Permit

1) A Building Permit must be obtained from the appropriate approving agency.

SECTION 561.06 - DECOMMISSION

a) At such time that a wind energy system is scheduled to be decommissioned or discontinued, the applicant will notify the Administrative Officer by certified U.S. mail of the proposed date of discontinuation of operations.

b) Upon decommission or discontinuation of use, the owner shall physically remove the wind energy system within 90 days from the date of decommission or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the Administrative Officer. "Physically remove" shall include, but not be limited to:

1) Removal of the wind energy system.

2) Removal of any tower and other related above ground structure.

3) Restoration of the location of the wind energy system to its natural condition, except that any landscaping, grading or below-grade foundation may remain in the after-conditions.

c) In the event that an applicant fails to give such notice, the system shall be considered decommissioned or discontinued if the system is out of service for a continuous two (2) year period. After two (2) years of inoperability, the Administrative Officer may issue a Notice of Decommission to the owner of the wind energy system. The owner shall have the right to respond to the Notice of Decommission within 30 days from the date of receipt. The Administrative Officer shall withdraw the Notice of Decommission and notify the owner that the Notice has been withdrawn if the owner provides information that demonstrates the wind energy system has not been decommissioned.

d) If the owner fails to respond to the Notice of Decommission or if after review by the Administrative Officer it is determined that the wind energy system has been decommissioned or discontinued, the owner of the wind energy system shall remove the wind energy system, tower and other related above-ground structures at the owner's sole expense within three (3) months of receipt of the Notice of Decommission.

SECTION 561.07 - ANEMOMETER - The construction of an anemometer tower for the purpose of collecting data to develop a wind energy system, shall abide with the following requirements.

a) Anemometer towers shall adhere to the wind energy system standards as described in Section 561.03 - Applicability.

1) Anemometer towers shall be installed on a temporary basis not to exceed 18 months.

2) Anemometers must meet all applicable requirements of Section 561.04 - Development Standards.

ARTICLE VI
SPECIAL DISTRICTS

SECTION 600 - SPECIAL DISTRICTS AND REGULATIONS ADOPTED

600.01 - SPECIAL DISTRICTS ESTABLISHED - Districts providing for use or development of land for certain purposes or under certain conditions, as hereafter specified, are hereby established and adopted.

600.02 - SPECIAL DISTRICT REGULATIONS - Regulations pertaining to use or development of land in SPECIAL DISTRICTS are provided for the following:

600.021 - Floodplain Development

600.022 - Excavation and Quarry

600.023 - Oil and Gas Drilling and Production

600.024 - Exceptional Uses

600.025 – Big Darby Creek Watershed Riparian Setbacks

600.026 - Airport Environs (Noise) Overlay Zone

600.03 - RELATION TO ZONING DISTRICTS - Special Districts and Regulations thereof shall be in addition to the Zoning Districts as established on the Zoning District Map and nothing herein is intended to amend, modify or otherwise change the Zoning District Regulations except as specifically set forth in the Special District Regulations.

600.031 - Relation to Zoning District Map - The inclusion of land in a Special District shall be in addition to the Zoning District as established on the Zoning District Map, and nothing herein is intended to amend, modify or otherwise change the Zoning District boundaries as shown on the Zoning District Map.

SECTION 610 - FLOODPLAIN REGULATIONS

(Effective 7/5/83, and revised as required)

610.01 - ESTABLISHMENT OF REGULATORY FLOODPLAIN DISTRICT

The Regulatory Floodplain District shall exist as an overlay district and shall apply concurrently with other zoning district classifications. Land uses and development allowed under Section 610 must also meet all other applicable sections of this Resolution.

610.011 - Designation of the Regulatory Floodplain District

The Regulatory Floodplain District shall be designated as those special flood hazard areas within the jurisdiction of Franklin County Unincorporated Areas including any areas that are affected by disincorporations and which are identified in the "Flood Insurance Study Franklin County, Ohio and Incorporated Areas," and accompanying "Flood Insurance Rate Map Franklin County, Ohio and Incorporated Areas" both effective September 19, 2007. This study and map were published by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program (NFIP). **Any revisions to the aforementioned maps and / or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the Franklin County Economic Development and Planning Department office at 150 South Front Street, FSL Suite 10, Columbus, Ohio 43215.**

610.012 - Floodway and Floodway Fringe

The Regulatory Floodplain District is further divided into two portions consisting of the Floodway and the Floodway Fringe. The Floodway is that portion of the Floodplain consisting of the channel and sufficient adjacent lands to convey the Base Flood discharge without increasing the Base Flood Elevation more than one-half (1/2) foot. The Floodway Fringe is that portion of the Floodplain outside of the Floodway. The FEMA water surface profiles of the Base Flood shall govern the location of the Floodplain boundary. The Base Flood Elevations and Floodway boundaries shall be established as those indicated by NFIP maps and data published by FEMA, including all revisions and amendments thereto. The Floodplain District shall be illustrated on the Franklin County Zoning District maps. FEMA maps and data shall be used to establish the Regulatory Floodplain District. FEMA maps and data shall govern in case of omission on or in conflict with the zoning maps.

610.013 - Non-Detailed Flood Hazard Areas

In designated flood hazard areas for which FEMA has not determined detailed flood elevations and Floodway boundaries, the applicant shall be required to furnish such information prepared by qualified personnel to enable the administration of this Resolution consistent with its intent. Flood maps and data published by State or Federal sources such as the USDA Soil Conservation Service, U.S. Army Corps of Engineers, U.S. Geological Survey, or Ohio Department of Natural Resources shall be utilized when available. In case of differing information from two (2) or more of these sources, the more comprehensive and recent technical data shall be used.

When detailed flood elevations and floodway boundaries are not available for the Base Flood through FEMA or other state or federal sources, the applicant shall provide them. Such information and data shall be prepared by a qualified Professional Engineer in accordance with currently accepted hydrologic

and hydraulic engineering techniques and methodology. Such studies, analysis, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Community NFIP Administrator and the State NFIP Coordinating Agency.

610.02 - PERMITTED USES IN THE FLOODWAY

The following uses, not including buildings, shall be permitted within the Floodway, provided they comply with all other applicable sections of this Resolution:

1.) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open air nurseries, truck farming, forestry, sod farming, and similar uses.

2.) Private or public recreational land uses such as golfing, tennis, archery, picnicking, boating, swimming; parks, wildlife, or nature preserves; shooting ranges, hunting and fishing areas; hiking, biking, jogging, and horseback riding trails; and other similar uses.

3.) Residential open space uses such as lawns, gardens, play areas, and other similar uses.

610.03 - PROHIBITED USES IN FLOODWAY

The following structures and uses are prohibited in the Floodway unless specifically listed under Section 610.04 as a Conditional Use:

1.) Buildings and structures, including mobile homes, for residential, commercial, industrial, agricultural, or other use.

2.) Storage or processing of materials.

3.) Trash, garbage, or waste disposal operations; landfills; wastewater treatment and disposal facilities.

4.) Placement of material, fill, or spoil of any type or the construction or extension of levees, dams, dikes, flood walls, or other such moundings or embankments unless otherwise allowed under Section 610 (Floodplain Regulations).

5) Encroachments that would cause any increase in the Base Flood Elevations.

610.04 - CONDITIONAL USES IN FLOODWAY

The following uses shall be Conditional Uses within the Floodway provided they comply with all other applicable sections of this Resolution and any conditions attached by the Board in granting the Conditional Use Permit:

1.) Navigational and stream flow aids, marinas, boat rental, docks, piers, wharfs, and water measuring and monitoring devices.

2.) Construction, placement, or improvement and maintenance of public or private culverts, utilities, bridges and stream crossings of any type or size, erosion control and protection

measures.

3.) Extraction of sand, gravel, or other resources.

4.) Alteration or relocation of the channel or watercourse.

610.05 - PERMITTED USES IN THE FLOODWAY FRINGE

1.) Uses permitted in the Floodway by Section 610.02 shall also be permitted in the Floodway Fringe.

2.) Maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than $1,000.00.

3.) Accessory structures, not for human occupancy and no larger than five hundred and seventy-six (576) square feet gross floor area provided the structure is certified by a registered professional engineer or architect; or the structure is created with a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding and ensuring that the bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves, or other openings provided that they permit the automatic entry and exit of floodwaters. All accessory structures shall meet the applicable requirements of Section 610.07.

610.06 - CONDITIONAL USES IN THE FLOODWAY FRINGE

The following uses shall be Conditional Uses in the Floodway Fringe, provided they meet all applicable standards and requirements of this Resolution and any conditions attached by the Board in granting the Conditional Use Permit:

1.) All Conditional Uses in the Floodway as listed in Section 610.04.

2.) Residential, commercial, industrial, manufacturing or similar structures or buildings, with the exception of mobile/modular or manufactured homes or structures which are prohibited uses in special flood hazard areas.

3.) Storage or processing of materials.

4.) Parking and loading areas.

5.) Waste processing and/or disposal facilities and wastewater treatment and disposal systems.

6.) Flood control or mitigation structures and measures.

7.) Temporary or permanent placement of material, fill, or spoil of any type or other such mounding or embankment or additions or extensions thereto.

610.07 - DEVELOPMENT STANDARDS

In addition to other applicable Development Standard provisions of this Resolution, the following standards for arrangement, development, and use of land and buildings shall be required in the Regulatory Floodplain District. A registered professional engineer, architect and/or surveyor shall demonstrate compliance with these standards.

610.071 - Anchoring

All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

610.072 - Maintain Flow Characteristics

No use of the Floodplain shall unduly or adversely affect or impact the efficiency, flow characteristics, or flood heights of the main channel or other affected tributaries, ditches, drainage facilities or systems, for storm frequencies up to and including the Base Flood event. No use or encroachment within the Floodway shall increase the Base Flood Elevation.

610.073 - Minimize Flood Damage

All activities and developments shall be planned, designed, constructed, and installed consistent with the need to minimize damages in time of flooding.

610.074 - Storage or Processing of Materials

Storage or processing of materials which are buoyant, pollutant, flammable, explosive, or could be injurious to human, animal or plant life in time of flooding shall be stored one and one half (1 1/2) feet above the Base Flood Elevation, or suitably flood-proofed and protected. Proposed protection measures and safeguards shall be approved by the Ohio EPA.

Storage of materials or equipment or placement of other obstructions which in time of flooding may be dislodged or otherwise carried off site by flood waters to the possible damage or detriment to life or property must be protected by suitable safety measures approved by the Board.

610.075 - Parking and Loading Areas

Public or private parking or loading areas which would be inundated to a depth of one and one-half (11/2) feet or more or subjected to flow velocities over four (4) feet per second must be provided with adequate flood warning devices and measures approved by the Board.

610.076 - Public or Private Utilities or Facilities

Waste processing, wastewater treatment and disposal facilities must be approved by the Ohio EPA, the County Sanitary Engineer, or the County District Board of Health, whichever has jurisdiction, and must be elevated or flood-proofed to provide protection from the Base Flood.

Activities or developments such as bridges, culverts, docks, wharfs, piers, water supply systems, sanitary sewer systems, storm sewers and works, or construction of other public or private utility works and appurtenances shall be planned, designed, constructed, installed, and maintained consistent with the need to minimize the potential of flood damage to them and to the community in accordance with this Resolution. Compensating measures shall be required by this Resolution to offset potential impacts of such projects.

610.077 - Flood or Erosion Control Measures or Watercourse Alteration or Relocation

Dams, dikes, levees, embankments, flood walls, rip rap, rock protection, or other flood or erosion control measures and any alteration or relocation of the channel or watercourse shall be subject to all applicable provisions of Sections 1521.06 and 1521.07 of the Ohio Revised Code and all other applicable state, federal, county and local ordinances and regulations.

1.) Such measures over three (3) feet in height or involving over one thousand (1,000) square feet of surface area may be submitted by the Community NFIP Administrator to the U.S. Army Corps of Engineers and/or the Ohio Department of Natural Resources for review, recommendations, and approval as appropriate.

2.) Flood control measures intended to remove lands from the Regulatory Floodplain District classification must be approved by FEMA. The Regulatory Floodplain District shall be changed to coincide only with effective revisions to published NFIP maps.

610.08 - BUILDINGS AND STRUCTURES

Temporary or permanent placement of buildings and structures, new construction and substantial improvement of residential and nonresidential buildings shall meet the following. A registered professional engineer, architect and/or surveyor shall demonstrate compliance with these standards:

610.081 - Residential Construction

1.) Flood protection shall be achieved by elevating the building. Buildings shall not be permitted with floor levels below the base flood elevation. The lowest floor, including basement, shall be at least one (1) foot above the Base Flood Elevation, plus Floodway computation increases. Floodway computation increases range from 0.0 to 0.5 feet and are listed in the Flood Insurance Study published by FEMA and available at the Franklin County Development Department.

2.) All structural, site and/or grading plans for residential development activities in the floodplain shall be prepared and sealed by a registered professional engineer and/or architect.

3.) The applicant shall obtain and furnish to the Community NFIP Administrator as-built elevations, (certified by a Registered Surveyor), of the basement and first floor, to be maintained on file for public inspection.

4.) No residential buildings and/or structures shall be located in the Floodway portion of the Floodplain.

610.082 - Non-Residential Construction

1.) New construction and substantial improvement of any non-residential structure shall either have the lowest floor, including basement, elevated at least one (1) foot above the Base Flood Elevation, plus floodway computation increases or, together with attendant utility and sanitary facilities, shall:

a.) Be flood-proofed so that the structure is watertight with walls substantially impermeable to the passage of water to at least one (1) foot above the Base Flood Elevation, plus floodway computation increases.

b.) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

c.) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the standards of this subsection. A flood proofing certificate, to be completed by a registered professional engineer or architect is required if flood proofing is chosen over elevation.

2.) All structural, site and/or grading plans for non-residential development activities in the floodplain shall be prepared and sealed by a registered professional engineer and/or architect.

3.) The applicant shall obtain and furnish to the Community NFIP Administrator as-built elevations, certified by a Registered Surveyor, of the basement and first floor, to be maintained on file for public inspection.

4.) No non-residential buildings and/or structures shall be located in the Floodway portion of the Floodplain.

610.09 - FLOODWAYS

610.091 - Areas with Floodways

The Flood Insurance Study identifies a segment within areas of special flood hazard known as a floodway. The floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential. The following provisions apply within all delineated floodway areas:

1.) See Sections 610.081(4) and 610.082(4) for residential and non-residential floodway development provisions.

2.) Other encroachments, including fill and other development, are prohibited unless a hydrologic and hydraulic analysis performed in accordance with standard engineering practices demonstrates that the proposed encroachment would not result in any increase in flood levels during the occurrence of the Base Flood Discharge.

3.) Any encroachment within the floodway that would result in an increase in Base Flood Elevations can only be granted upon prior approval by the Federal Emergency Management Agency.

610.092 - Areas without Floodways

In all areas of special flood hazard where FEMA has provided Base Flood Elevation data but has not delineated a floodway, the following provisions apply:

1.) Encroachments, including fill and other development shall only be permitted if it is demonstrated that the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than one-half (1/2) foot at any point.

610.10 - <u>ADDITIONAL PLAN REQUIREMENTS</u>

For Zoning Compliance, Conditional Use Permit, and Variance applications involving the Regulatory Floodplain District, the applicant shall furnish sufficient information to permit the Administration Officer and/or the Board to determine the Regulatory Floodplain and Floodway Boundaries and Base Flood Elevations, and to otherwise facilitate the administration and enforcement of this Resolution. Such information shall include but not be limited to the following:

1.) Plans drawn to scale showing the nature, location, dimensions, and details of the property, development activities, and land use, both existing and proposed;

2.) Elevation in relation to mean sea level of the lowest floor, including basement, of all proposed structures located in special flood hazard areas where Base Flood Elevation data are utilized;

3.) Existing and proposed topographical information;

4.) Elevation in relation to mean sea level to which any proposed structure will be flood-proofed where Base Flood Elevation data are utilized including certification by a registered professional engineer or architect that the flood proofing methods for any non-residential structure meet the flood proofing criteria required by this resolution;

5.) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse will not be diminished.

6.) The applicant shall submit certification of finished elevations, and/or other proofs or assurances of compliance with approved plans to the satisfaction of the Community NFIP Administrator.

7.) Permits issued on the basis of applications, plans, specifications, and other information approved by the Community NFIP Administrator shall authorize only the use, arrangement, and construction set forth therein.

8.) Other information as may be reasonably deemed necessary by the Community NFIP Administrator.

610.11 - COMPLIANCE WITH APPROVED PLANS

Certificates of Zoning Compliance and Conditional Use Permits issued on the basis of applications, plans, specifications, and other information approved by the Administration Officer or the Board shall authorize only the use, arrangement, and construction set forth therein.

The applicant shall submit certification of finished elevations, and/or other proofs or assurances of compliance with approved plans to the satisfaction of the Administration Officer and/or the Board.

610.12 - COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM

The provisions of Section 610 of this Resolution have been submitted to and reviewed by the National Flood Insurance Program (NFIP) State Coordinating Agency and the Federal Emergency Management Agency (FEMA) as required by Federal Law. These agencies have determined that these provisions meet or exceed the Federal Standards of Federal Law 44 CFR part 60.

610.121 - Administration

The administration of this Zoning Resolution shall in no way lower any requirement or standard of the National Flood Insurance Program, 44 CFR Part 60.3 and 60.6.

610.122 - Community NFIP Administrator

The Community NFIP Administrator shall review all applications involving Conditional Uses and Variances in the Floodplain and prepare a brief report and recommendation to be submitted to the Board, prior to action by the Board.

610.13 - WARNING AND DISCLAIMER OF LIABILITY

This Resolution does not imply that areas outside the Regulatory Floodplain District or uses allowed or otherwise permitted or approved within the Regulatory Floodplain District in accordance with the provisions of this Resolution will be free from flooding or flood damages. This Resolution or its administration and/or enforcement shall not create liability on the part of the County, any officer or employee of the County or other staff or personnel involved in its administration and/or enforcement. Additional flood protection beyond that required by this Resolution is recommended and encouraged.

SECTION 620 - EXCAVATION AND QUARRY REGULATIONS

620.02 - PERMITTED USE - Land and structures governed by the EXCAVATION AND QUARRY REGULATIONS shall be used only for the following purposes in addition to permitted uses of the Zoning District in which the land is located:

620.021 - Extraction

141 Dimension Stone
142 Crushed and Broken Stone, including Riprap
144 Sand and Gravel

620.022 - Processing - The temporary erection and operation of plants and equipment necessary for crushing, polishing, dressing or otherwise physically or chemically processing the material extracted on the site including:

3271 Concrete Brick and Block
3272 Concrete Products, except Block and Brick
3273 Ready Mixed Concrete

620.03 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required under the EXCAVATION AND QUARRY REGULATIONS.

620.031 - Intensity of Use - There is no minimum lot area required; however, the lot shall be adequate to provide the yard space required by the following Development Standards and meet the requirements of SECTION 502, ARTICLE V:

1.) For excavation, quarrying and permitted processing, all equipment used shall be constructed, maintained and operated in such a manner as to eliminate, as far as practicable, noise, vibration, or dust which would injure or annoy persons living or working in the vicinity.

2.) Access ways or roads within the premises shall be maintained in a dust free condition through surfacing or such other treatment as may be necessary.

3.) No excavation shall be made from the banks or beds of the Scioto and Olentangy Rivers, or the Big Walnut Creek, Little Walnut Creek, Rocky Fork, Little Darby, Big Darby, Blacklick or Alum Creeks; or any other such stream or waterway designed as necessary to the Flood Control Program of Franklin County and no quarrying shall be permitted closer than two hundred (200) feet of either bank of the above named rivers and creeks except by a finding of the Franklin County Engineer which shall show that such excavation or quarrying shall not impair the lateral support needed for permanent stream levees.

4.) All excavations shall be made either to a depth of five (5) feet below a water producing level, or graded, or back-filled with non-noxious and non-inflammable solids to assure that the excavated area will not collect and retain stagnant water, or that the graded or back-filled surface will create a gentle rolling topography to minimize erosion by wind or rain and substantially conform with the contour of the surrounding area.

5.) Whenever the floor of a quarry is five (5) feet or more below the grade of adjacent land, the property containing the quarry shall be completely enclosed by a barrier either consisting of a mound of earth not less than six (6) feet high located at least twenty-five (25) feet from any street right-of-way and planted with a double row of multiflora rose bushes, other approved landscaping or shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of six (6) feet in height along the property line. Such barriers may be excluded where deemed unnecessary by the Franklin County Engineer because of the presence of a lake, stream or other existing natural barrier.

620.032 - Yard Requirements - An excavation shall be located one hundred (100) feet or more and back-filled to one hundred and fifty (150) feet from a street right-of-way line; quarrying operations shall be located fifty (50) feet or more from a street right-of-way line. With approval by the Franklin County Engineer, such excavation or quarrying may be permitted within these limits to the point of reducing the ground elevation to the established street grade.

Excavation or quarrying shall be no closer than fifty (50) feet to a property boundary line, except with the written consent of said adjacent property owner.

Plants or equipment for processing of extracted materials or other approved ancillary operations shall not be located nearer than six hundred (600) feet to the boundary of the land placed under the provisions of the EXCAVATION AND QUARRY REGULATIONS.

620.04 - REHABILITATION PLAN - Extraction shall be permitted only from areas for which there is a Rehabilitation Plan approved by the Board of County Commissioners.

620.041 - Rehabilitation Plan - All such Rehabilitation Plans shall include the following:

1.) A grading plan showing existing contours in the area to be extracted and proposed future contours showing the topography of the area after completion. Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale with contour lines at intervals of five (5) feet or less.

2.) Existing and proposed drainage of the area.

3.) Details of regrading and revegetation of the site during and at conclusion of the operation.

620.042 - Required Rehabilitation - The following requirements shall be met in the Rehabilitation Plan:

1.) The banks of all extraction, when not back-filled, shall be sloped at a grade of not less than two (2) feet horizontal to one (1) foot vertical. This slope shall be maintained twenty (20) feet beyond the water line if such exists.

2.) Spoil banks shall be graded to a level suiting the existing terrain.

3.) All banks and extracted areas shall be surfaced with at least six (6) inches of suitable soil, except exposed rock surfaces, and shall be planted or seeded with trees, shrubs, legumes or grasses and maintained until the soil is stabilized and approved by the County Engineer.

4.) When any extraction has been completed, such area shall either be left as a permanent spring-fed lake or the floor thereof shall be leveled in such manner as to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion, and shall otherwise comply with these requirements.

5.) All equipment and structures shall be removed within three (3) months of the completion of the extraction of materials.

SECTION 630 - OIL AND GAS DISTRICT REGULATIONS

630.02 - PERMITTED USE - Land and structures governed by the OIL AND GAS DISTRICT REGULATIONS shall be used only for the following purposes in addition to Permitted Uses of the Zoning District in which the land is located.

630.021 - Extraction

1481 Crude Petroleum
1481 Natural Gas
1482 Natural Gas Liquids
1483 Oil and Gas Field Services

630.022 - Temporary Equipment and Structures - The temporary erection of structure and equipment necessary for the drilling and production of oil or gas on the site.

630.03 - DEVELOPMENT STANDARDS - In addition to the provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the OIL AND GAS DISTRICT.

630.031 - Spacing of Wells - No permit shall be issued to drill, deepen, reopen, or plug a well for the production of oil or gas unless the proposed well is located:

1.) Upon a tract or drilling unit containing not less than ten (10) acres;

2.) Not less than four hundred and sixty (460) feet from any well drilling to, producing from, or capable of producing from the same pool;

3.) Not less than two hundred and thirty (230) feet from a boundary of the subject tract or drilling unit.

630.032 - Access and Egress - Prior to commencement of any drilling operations, all private roads used for access to the drill site and the drill site itself shall be surfaced by clean, crushed rock, gravel, decomposed granite, or oiled and maintained to prevent dust and mud.

630.033 - Derricks - All derricks and masts hereafter erected for drilling or redrilling shall be at least equivalent to the American Petroleum Institute Standards 4A, 14th Edition and 4D, 3rd Edition.

630.034 - Signs and Fencing - A sign having a surface area of not less than two (2) square feet and no more than six (6) square feet bearing the current name and number of the well and the name or insignia of the operator shall be displayed at all times from the commencement of drilling operations until the well is abandoned.

All oil well production equipment having external moving parts hazardous to life or limb shall be attended twenty-four (24) hours per day or be enclosed by a steel chain link type fence not less than six (6) feet in height and in addition having not less than three (3) strands of barbed wire sloping outward at approximately a forty-five (45) degree angle and for eighteen (18) inches from the top of the fence. There shall be no aperture below such fence greater than four (4) inches. Fence gates shall be placed at nonhazardous locations and shall be locked at all times when unattended by a watchman or service man.

630.036 - Storage of Equipment - There shall be no storage of materials, equipment, machinery or vehicles which is not for immediate use or servicing on an installation on the drill site. Storage tanks shall be located on the drill site and storage tank capacity at the drill site shall not exceed a total aggregate of two thousand (2,000) barrels exclusive of processing equipment.

630.037 - Flammable Waste Gases - Flammable waste gases or vapors escaping from a production drill site shall be burned or controlled to prevent hazardous concentration reaching sources of ignition or otherwise endangering the area.

630.04 - REHABILITATION PLAN - Drilling and production shall be permitted only from areas for which there is a Rehabilitation Plan approved by the Board of County Commissioners.

630.041 - Rehabilitation Plan - All such Rehabilitation Plans shall include the following:

1.) Redevelopment Plan showing existing and proposed site and all facilities pertinent thereto. Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale.

2.) Details of regrading and revegetation of the site during and at conclusion of the operation.

630.042 - Required Rehabilitation - The following requirements shall be met in the Rehabilitation Plan:

1.) Upon cessation of drilling and beginning of production, the well shall be serviced only with a portable derrick when required.

2.) All concrete, pipe, wood and other foreign materials shall be removed from the drill site to a depth of six (6) feet below grade, unless part of a multi-well cellar then being used in connection with any other well for which a permit has been issued.

3.) All holes and depressions shall be filled and packed with native earth. All oil, waste oil, refuse or waste material shall be removed from the drill site.

4.) Adequate landscaping shall be required of the drilling site with screen planting around visible equipment and tanks, ground cover on other portions of site and maintenance of all equipment and premises in a good and painted condition.

5.) All drilling equipment and the derrick shall be removed from the premises within sixty (60) days following the completion, abandonment or desertion of any well.

SECTION 640 - EXCEPTIONAL USE DISTRICT REGULATIONS

640.02 - SPECIAL USES - The following listed uses shall be subject to these EXCEPTIONAL USE DISTRICT REGULATIONS, except as they may be permitted by other provisions of this Zoning Resolution.

640.021 - Transportation - Airport or flying field, transportation terminals, depots or other transportation facilities not exempt from regulation.

640.022 - Recreation and Amusement - Amusement center, amusement park, skating rink, miniature golf, swimming pool, drive-in theater or similar facility.

Drive-in theater (except adult motion picture theater as defined in Section 720, Article VII)

Athletic field, stadium, racetrack or similar sports facility not otherwise allowed by the provisions of this Zoning Resolution.

Golf club, country club, fishing club or lake, gun club, riding stable, including boarding of animals, or similar recreational facility operated on an admission fee or membership basis.

Resort establishment, park, camping or boating facilities, picnic grounds or similar recreational facility operated on an admission fee or membership basis.

640.023 - Social and Cultural Institution - Cemetery or Crematory not otherwise allowed by the provisions of this Zoning Resolution.

Hospital, sanitarium, convalescent home, rest home or home for children or the aged, not otherwise allowed by the provisions of this Zoning Resolution.

Private school or college including those with students or faculty in residence, not otherwise allowed by the provisions of this Zoning Resolution.

640.024 - Other Uses not Provided for - Other legal uses of unique or exceptional requirements or circumstances that are otherwise not permitted by this Zoning Resolution.

640.03 - PROCEDURE - The following procedure shall be followed in placing land in the EXCEPTIONAL USE DISTRICT.

640.031 - Development Plan - Three (3) copies of a Development Plan shall be submitted with the application for amendment of the Zoning District Map and such plan shall include in text or map form:

1.) The proposed location and size of areas of use; indicating size, location and type of structure.

2.) The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas.

3.) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility or other evidence of reasonableness.

4.) The proposed circulation pattern including streets, both public and private, parking areas, walks and other access ways including their relation to topography, existing streets and other evidence of reasonableness.

5.) The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility lines and land use.

6.) The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities and services and other public improvements.

7.) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan within three (3) years. Such control includes property rights, economic resources and engineering feasibility as may be necessary.

640.032 - Basis of Approval - The basis of approval for the EXCEPTIONAL USE DISTRICT shall be:

1.) That the proposed development is consistent in all respects to the purpose, intent and applicable standards of this Zoning Resolution;

2.) That the proposed development is in conformity with a Comprehensive Plan or a portion thereof as it may apply;

3.) That the proposed development advances the general welfare of the County and that the benefits to be derived from the proposed use justifies the change in the land use character of the area.

640.033 - Effect of Approval - The Development Plan as approved by the County Commissioners shall constitute an amendment of the Special District Map and a supplement to the EXCEPTIONAL USE DISTRICT REGULATIONS as they apply to the land included in the approved amendment.

The approval shall be for a period of three (3) years to allow the preparation of the Subdivision Plat, submitted in accordance with the **Subdivision Regulations for Franklin County, Ohio,** if required; or if no plat is required for the completion of plans for application for a Certificate of Zoning Compliance. If the plat is not submitted and filed nor such Certificate applied for and used within the three (3) year period, the approval shall become voided and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted and approved in accordance with 640.034.

640.034 - Extension of Time or Modification - An extension of the time limit or the modification of the approved Development Plan may be approved by the Board of County Commissioners. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety and welfare of the public or the Development Standards of the EXCEPTIONAL USE DISTRICT.

640.04 - DEVELOPMENT STANDARDS - The provisions of ARTICLE V, GENERAL DEVELOPMENT STANDARDS, shall pertain to the EXCEPTIONAL USE DISTRICT. Because of the unique nature and requirements of these uses, and because their locations cannot be readily predetermined, appropriate Development Standards cannot be set forth, but full usage of Development Standards, requirements, and other provisions of this Zoning Resolution shall be used, as they may be appropriate.

SECTION 650 - BIG DARBY CREEK WATERSHED RIPARIAN SETBACKS

650.02 - PURPOSE AND INTENT

The following district is established to protect and enhance the functions of riparian areas by providing reasonable controls governing structures and uses within a riparian setback along watercourses in the Big Darby Creek Watershed.

650.022 - Findings - It is hereby determined that the system of rivers, streams, and other natural watercourses within the Big Darby Creek Watershed contributes to the health, safety, and general welfare of the residents of the Big Darby Creek Watershed. The specific purpose and intent of this district is to govern uses and developments within riparian setbacks that would impair the ability of riparian areas to**:**

a) Reduce flood impacts by absorbing peak flows, slowing the velocity of flood waters, and regulating base flow.

b) Protect watercourse physical, chemical and biological characteristics and maintain watercourse functions.

c) Preserve to the maximum extent practicable the natural drainage characteristics of the community and building sites and minimize the need to construct, repair, and replace enclosed storm drain systems.

d) Preserve to the maximum extent practicable natural infiltration and ground water recharge, and maintain subsurface flow that replenished water resources, wetlands, and wells.

e) Reduce the long term expense of remedial projects needed to address problems caused by inadequate storm water control.

f) Reduce the need for costly maintenance and repairs to roads, embankments, sewage systems, ditches, water resources, and storm water management practices that are the result of inadequate storm water control due to the loss of riparian areas.

g) Assist in stabilizing the banks of watercourses to reduce streambank erosion and the downstream transport of sediments.

h) Reduce pollutants in watercourses during periods of high flows by filtering, settling, and transforming pollutants before they enter watercourses and those already present in watercourses.

i) Provide shade and nutrient inputs, thus regulating in-stream temperatures and providing food for aquatic communities.

j) Reduce the presence of nuisance species to maintain a healthy, diverse aquatic system.

k) Provide habitat to a wide array of wildlife by maintaining diverse and connected riparian vegetation.

l) Benefit the Big Darby Creek Watershed by minimizing encroachment on watercourse channels and the need for costly engineering solutions such as gabion baskets and rip rap to protect structures and reduce property damage and threats to the safety of watershed residents; and by contributing to the scenic beauty and environment of the Big Darby Creek Watershed, and thereby preserving the character of the Big Darby Creek Watershed, the quality of life of the residents in the Big Darby Creek Watershed, and corresponding property values.

650.04 - APPLICABILITY AND COMPLIANCE

a) Except as otherwise provided in Section 650, all property located within a riparian setback, as determined in accordance with Section 650.09, from a watercourse as defined in Section 650.08 in all zoning districts in the Big Darby Creek Watershed Riparian Setback Overlay District, as defined in Section 650.06, shall be preserved in its natural state.

b) In the event of a conflict between a provision of Section 650 and any other provision of the Franklin County Zoning Resolution, the more stringent regulation applies.

650.06 - ESTABLISHMENT OF DISTRICT

The Big Darby Creek Watershed Riparian Setback Overlay District is hereby established. This district applies to the Big Darby Accord Planning Area, designated as follows:

Beginning at the intersection of the Franklin-Madison County line and the northernmost point of Franklin County's Big Darby Creek Watershed boundary, as defined by the United States Geological Survey Hydrologic Unit Code (HUC) 05060001220, known as the point of beginning then

Southerly along the eastern boundary of the Big Darby Creek Watershed boundary as defined by HUC 05060001220 to the intersection of the Franklin-Pickaway County line, then

Westerly along the Franklin-Pickaway County line to the intersection of Franklin-Madison County line, then

Northerly along the Franklin-Madison County line to northernmost intersection of Franklin-Madison County line and the Big Darby Creek Watershed Boundary, as defined by HUC 0506001220, known here as the point of beginning.

650.08 – WATERCOURSES

650.082 Applicability– Riparian setbacks, as established pursuant to Section 650.09, apply to all:

a) Perennial, ephemeral and intermittent streams with a defined bed, bank or channel, and
b) Watercourses that happen to generally parallel a road for any distance and are not constructed exclusively for road side drainage

650.084 –Drainage Ditches - Riparian setbacks, as established pursuant to Section 650.09, do not apply to drainage ways constructed exclusively for road side drainage and that are generally parallel to road, except when there exist compelling reasons it should, as determined by the Administrative Officer.

650.086 - Reference Map - The Franklin County Hydrography Dataset developed by the Franklin Soil and Water Conservation District (hereinafter referred to as Franklin Soil and Water) may be used as a reference to determine the location of watercourses and the extent of required riparian setbacks. The dataset is an electronic map, created using GIS software. In the event of a conflict between the dataset and the application of a provision of Section 650, the provision of Section 650 will control. Although the dataset is a guide and believed to be accurate, the presence or absence of a watercourse requiring protection shall be based upon actual conditions on the property.

The dataset:

a) Should be used as a reference document. The information contained within is believed to be accurate.
b) Is a guide only
c) Franklin Soil and Water may amend the dataset as necessary from time to time.
d) If any discrepancy is found between the dataset and this regulation, the criteria set forth in Section 650.09 (a) and (b***)*** will prevail.

650.09 – RIPARIAN SETBACKS – Subject to the inclusion of floodplains, wetlands and steep slopes as determined by Section 650.094, the extent of a riparian setback shall be delineated based upon one of the following two methods:

a) Method 1: The setback distance from the centerline of the stream must be sized as the greatest of the following:

    1) The regulatory 100 year floodplain based on Federal Emergency Management Agency (FEMA) mapping;
    2) 100 feet on each side
    3) The distance calculated using the following equation:

    $W = 133DA^{0.43}$
    where:
    DA = drainage area in square miles (mi^2)
    W = setback width in feet (ft)

    W must be divided by two (2) in order to calculate the setback for one side of the stream. If the DA remains relatively constant throughout the reach of interest, then the DA of the downstream edge of the stretch must be used. Where there is a significant increase in the DA from the upstream edge to the downstream edge of the area of interest, the setback width increases accordingly.

b) Method 2: Site Specific Riparian Setback Delineation. The total setback width is the streamway width centered over the meander pattern of the stream plus an additional 100 feet from the edge of the streamway per side.

    "Centering over the meander pattern" can be thought of as determining where a line representing the streamway width would evenly intersect equal elevation lines on either side of the stream.

    Additional guidelines for site specific delineations:

1) The streamway width must be calculated as described in Section 650.09(a) or as ten times the bankfull channel width. This width must be determined by a professional experienced in stream morphology, as determined by the Administrative Officer.
2) If the bankfull channel width does not vary significantly through the reach of interest, calculations may be based on the average site specific width
3) Otherwise the streamway width should vary with bankfull channel width.

No structural sediment controls, such as the installation of silt fence, a sediment settling pond, or other structural post-construction controls, may be used in a stream or the delineated setback, except as permitted in Section 650.144(b) and Section 650.144(c).

650.094 - Inclusion of Floodplain, Wetlands and Steep Slopes– Where applicable, the following provisions governing floodplains, wetlands and steep slopes supersede Section 650.09. In the event of a conflict among the following five (5) provisions, the greatest setback distance applies.

a) For areas with a FEMA-defined 100-year floodplain: If the 100-year floodplain is wider than the riparian setback on either side of a watercourse, the riparian setback is extended to the outer edge of the 100-year floodplain.

b) For areas without a FEMA-defined 100-year floodplain: The Administrative Officer may require a site-specific floodplain delineation in conformance with standard engineering practices. The final delineation must be approved by the Administrative Officer. Any costs associated with reviewing this site-specific floodplain delineation will be borne by the applicant.

c) Where a wetland is identified within a riparian setback, the riparian setback width must be extended to the outermost boundary of the wetland, which should include an additional wetland buffer wherever possible. Wetlands must be delineated through a site survey prepared by a qualified wetlands professional retained by the landowner using delineation protocols accepted by the U.S. Army Corps of Engineers at the time an application is made under this Section 650. Any costs associated with reviewing these delineations may be assessed by Franklin County to the applicant.

d) Where a slope of 12 percent or greater is wholly contained within the riparian setback, the riparian setback width must be extended a distance equal to the horizontal distance of the 12 percent slope area.

e) Where a slope of 12 percent or greater is partially contained with the riparian setback, the riparian setback width must be extended a distance equal to the horizontal distance of the 12 percent slope area that lies within the originally-determined setback plus the lesser of the following three distances:

1) 100 feet for the Big Darby Creek, Little Darby Creek and Hellbranch Run

2) 50 feet for all other watercourses as defined in Section 650.082

3) A distance equal to the horizontal distance of the remainder of the 12 percent slope

f) Except as otherwise provided in Section 650, riparian setbacks must be preserved in their natural state.

650.10 APPLICATIONS AND SITE PLANS - Applicants submitting development applications are responsible for delineating riparian setbacks as required by this regulation.

650.102 – Site Plan Required - Applicants must identify all setbacks on site plans included with subdivision plans, land development plans, and/or zoning permit applications submitted to the Franklin County Development Department.

650.104 – Preparation of Site Plan - The site plan must be prepared by a professional engineer, surveyor, landscape architect, or such other qualified professional as determined by the Administrative Officer and must be based on a survey of the affected land.

650.106 – Required Elements on Site Plans - Applications must submit two (2) copies of the site plan. This site plan must be submitted in addition to any other plan required in conjunction with a development proposal.

a) The site plan must include the following information:

1) The site boundaries with dimensions.
2) The Drainage Area of the site.
3) The locations of all watercourses and wetlands.
4) The limits, with dimensions, of the riparian setbacks.
5) The existing topography at contour intervals of two (2) feet.
6) The location and dimensions of any proposed structures or uses, including proposed soil disturbance, in relationship to all watercourses.
7) North arrow, scale, date, and stamp bearing the name and registration number of the qualified professional who prepared the site plan.
8) Other such information as may be necessary for the Administrative Officer to ensure compliance with this regulation.
9) Soil types and locations
10) Narrative describing proposed uses and maintenance plan within the riparian setback

650.108 – Consultations - The Administrative Officer may, in reviewing the site plan, consult with Franklin Soil and Water or other such experts. Any costs associated with this review may be assessed to the applicant.

650.110 – Construction Fencing Required - Prior to any soil disturbing activities occurring, the riparian setback must be clearly identified by the applicant on site with construction fencing as shown on the site plan. Such identification must be completed prior to the initiation of any soil disturbing activities and must be maintained throughout soil disturbing activities.

650.112 – No Approvals Without Required Site Plan - No approvals or permits will be issued by the Administrative Officer prior to identification of riparian setbacks on the affected land in conformance with this regulation.

650.12 - PERMANENT ON SITE DESIGNATION OF RIPARIAN SETBACK - Riparian setbacks, as required by this Section 650, must be permanently designated on site no later than the end of construction.

650.122 – Appearance - Permanent on-site designations of riparian setbacks must be fashioned in an aesthetically harmonious fashion that is approved by the Administrative Officer such that the location of the setback is apparent to casual observation and in a manner that permits access to the setback area.

a) Designation is encouraged through means such as an intermittent split rail fence with appropriate signage, carsonite posts, or other markings delineating the area as a "conservation zone" or a "natural area".

b) Riparian setbacks may remain in private ownership; however, preservation is strongly encouraged through dedication to the appropriate authority, if such dedication is in the public interest. The use of protective easements as a means of preservation should be considered whenever possible.

650.14 PERMITTED USES IN RIPARIAN SETBACKS - Open space uses that are passive in character are permitted in riparian setbacks, including but not limited to those listed in this Section 650.14. No use permitted under this regulation allows trespass on privately held lands.

650.142 - Permitted Uses Not Requiring a Zoning Certificate - The following uses are permitted and do not require a certificate of zoning compliance:

a) Passive Recreational Activity.
   1) Recreational uses such as hiking, fishing, hunting, picnicking, and similar passive recreational uses, as permitted by federal, state, and local laws.
   2) Unimproved trails. Improved trails require a certification of zoning compliance as listed below in Section 650.144.

      Unimproved trails must meet the following development standards:
      a) Trail surface: unimproved/earthen
      b) Trail width: maximum 5 feet
      c) No clearing of woody vegetation is permitted
      d) Distance from edge of stream, minimum 200 feet (except spurs for river access)
      e) Stream access points may be developed

b) Removal of Damaged or Diseased Trees, or invasive species. Invasive species and damaged or diseased trees that endanger people or that pose a serious threat to property, may be removed.

   Special care should be taken to remove trees sparingly. Damaged or decaying trees serve important ecological functions such as supplying stream habitat and material for organisms that aid in organic decomposition as well as providing habitat for endangered species, such as Indiana bats. Applicants or property owners are encouraged to allow these seemingly-damaged trees to remain in their natural state.

   Applicants or property owners are further encouraged to seek assistance from Franklin Soil and Water for advice on maintaining these important ecological functions.

c) Revegetation and/or Reforestation. Riparian setbacks may be revegetated and/or reforested with native, noninvasive plant species. Applicants or property owners are encouraged to seek guidance from Franklin Soil and Water.

650.144 – Permitted Uses Requiring a Zoning Certificate - The following permitted uses require a zoning certificate as provided for in SECTION 705.02 - CERTIFICATE OF ZONING COMPLIANCE.

a) Paved or otherwise improved trails: Construction of paved or otherwise improved trails in the riparian setback to further passive recreation uses is permitted with a development plan approved by the Administrative Officer.

Construction of paved or otherwise improved trails must meet the following development standards:

1) Trail surface may be improved with a pervious or semi-pervious surface

2) Trail width is a maximum of 10 feet
3) Clearing width is a maximum of 20 feet
4) Distance from edge of stream is a minimum of 300 feet
5) River access points may be developed, but must be unpaved
6) Private trails may not have stream crossings
7) Public trails are permitted only if they are part of a comprehensive trail plan
8) Trails that become damaged due to natural erosion:
    a. May not be repaired
    b. Must be moved upland or removed altogether.

b) Crossings: Crossings of designated watercourses through riparian setbacks with roads, driveways, easements, bridges, culverts, utility service lines, or other means may be permitted provided such crossings minimize disturbance in riparian setbacks and mitigate any necessary disturbances. Mitigation must be consistent with Ohio EPA Permit No. OHC100001, Part III.G.2.b.iii.

A new crossing is permitted only when one of the following findings is made by the Administrative Officer:

1) The parcel has no other existing access,
2) The crossing is necessary for public health or safety
3) The applicant can demonstrate that important ecological protection and ecological benefits are realized, such as saving a mature woodlot, preventing habitat degradation, avoiding flow alteration, or ensuring passage for fish.
4) The applicant demonstrates that the new crossing is necessary to achieve important ecological protection goals, or maximized ecological benefit, and that the crossing can be installed and maintained with minimal environmental impacts.

Such crossings may only be undertaken upon approval of a Crossing Plan by the Administrative Officer in consultation with Franklin Soil and Water. Such activity must minimize disturbance to the riparian buffer and mitigate any disturbances. Any costs associated with review of Crossing Plans may be assessed to the applicant.

c) Stream Quality Improvement Projects. Streambank stabilization, erosion control work, or large scale stream channel and riparian buffer restoration work along designated watercourses may be allowed, provided they comply with the following:

1) The project is ecologically compatible and substantially uses natural materials and native plant species where practical and available.
2) The project must comply with the applicable portions of the Ohio DNR Rainwater and Land Development handbook.
3) The project shall only be undertaken upon approval of a Streambank Stabilization Plan by the Administrative Officer.
4) All streambank stabilization plans should provide long term streambank protection.
5) All erosion control measures shall be limited to the purposes of stream quality protection and enhancing stream channel stability.

In reviewing this plan, the Administrative Officer may consult with representatives of the Ohio Department of Natural Resources, Division of Natural Areas and Preserves or Division of Soil and Water Conservation; the Ohio EPA, Division of Surface Water; the Franklin Soil and Water Conservation District; or other technical experts as necessary. Any costs associated with review of Streambank Stabilization Plans may be assessed to the applicant.

650.146 - Proof of compliance with outside permits. If any activities will occur below the ordinary high water mark of the designated watercourse, the applicant must submit proof of compliance with the applicable conditions of a US Army Corps of Engineers Section 404 Permit (either a Nationwide Permit, including the Ohio State Certification Special Conditions and Limitations, or an Individual Permit, including Ohio 401 water quality certification).

Proof of compliance is considered one of the following:

a) A comprehensive site plan and a copy of the authorization letter from the U.S. Army Corps of Engineers approving activities under the applicable Nationwide Permit, or

b) A comprehensive site plan and a copy of the authorization letter from the U.S. Army Corps of Engineers approving activities under an Individual Permit.

650.16 PROHIBITED USES IN RIPARIAN SETBACKS

Any use not authorized under Section 650.14 PERMITTED USES IN RIPARIAN SETBACKS is prohibited in riparian setbacks. Exceptions to prohibited uses are listed below in Section 650.164.

650.162 List of Prohibited Uses - Prohibited uses are not limited to those examples listed here:

a) Construction. Construction of buildings or structures of any kind or size are prohibited. This restriction applies to new construction, and does not apply to existing residential structures and associated accessory structures.

b) Dredging or Dumping. Drilling, filling, dredging, excavation or dumping of soil, other earthen material, spoils, liquid, or solid materials is prohibited except as permitted under this regulation.

c) Fences and Walls**:** Erection of fences or walls is prohibited.

d) Roads or Driveways. Installation of roads or driveways is prohibited.

e) Motorized Vehicles. Use of motorized vehicles is prohibited, with the exception of emergency vehicles when necessary for public health and safety, or except as permitted under this regulation.

f) Disturbance of Existing Vegetation: Disturbance of existing vegetation at any time during development is prohibited, except as listed below under Exceptions to Prohibited Uses.

g) Parking Spaces or Lots and Loading/Unloading Spaces for Vehicles: Establishment of parking spaces, parking lots, or loading/unloading spaces is prohibited

h) New Surface and/or Subsurface Sewage Disposal or Treatment Areas. Use of areas within riparian setbacks for the disposal or treatment of sewage is prohibited, except as necessary to repair or replace an existing home sewage disposal system if permitted by the Franklin County Board of Health.

i) Stormwater Management Facilities: Stormwater management facilities are prohibited within riparian setbacks,

650.164 - Exceptions to Prohibited Uses - The following activities are exempt from the restrictions defined in Section 650.16 PROHIBITED USES IN RIPARIAN SETBACKS

a) The passive enjoyment, access, and maintenance of lawns, landscaping, shrubbery, or trees existing at the time of passage of this regulation.

b) Plantings that are necessary to implement a properly designed and permitted stream restoration project.

c) Plantings that are consistent with this section.

d) Conservation maintenance that the landowner deems necessary to control noxious weeds, dead or diseased trees that pose a danger to life or property, or invasive species (as defined by Ohio DNR, Division of Natural Areas and Preserves), provided such maintenance activity is done in conformance with all other applicable requirements contain in Section 650.

   If conservation maintenance does occur, the landowner must replace any removed vegetation with native vegetation in accordance with a Natural Resource Management Plan approved by Franklin Soil and Water.

650.18 NON-CONFORMING STRUCTURES OR USES IN RIPARIAN SETBACKS

As provided for Section 110.04

650.20 VARIANCES WITHIN RIPARIAN SETBACKS

a) The Franklin County Board of Zoning Appeals (BZA) may grant a variance to this Section 650 as provided below. For any variance granted by the BZA, mitigation is required consistent with Ohio EPA Permit No. OHC100001, part G.2.b.iii. In granting a variance, the following conditions apply:

1) In determining whether there is unnecessary hardship with respect to the use of a property or practical difficulty with respect to maintaining the riparian setback as established in this regulation, such as to justify the granting of a variance, the BZA must consider the potential harm or reduction in riparian functions that may be caused by a proposed structure or use.

2) The BZA may not authorize any structure or use in a Zoning District other than those authorized in the underlying Zoning District.

3) Variances are void if not implemented within one (1) year of the date of issuance.

b) In making a determination under Section 650.20(a) of this regulation, the BZA must consider the following, in addition to the findings required in Section 810.041, APPROVAL OF VARIANCE:

1) The native vegetation of the property.

2) The extent to which the requested variance impairs the flood control, erosion control, water quality protection, or other functions of the riparian setback. This determination must be based on sufficient technical and scientific data.

3) Soil-disturbing activities permitted in the riparian setback through variances must minimize clearing to the extent possible and must include the use of Best Management Practices necessary to minimize erosion and control sediment. Prior to any soil-disturbing activity, the applicant must consult with Franklin Soil and Water.

4) The degree to which the presence of significant impervious cover, or smooth vegetation such as maintained lawns, in the riparian setback compromises its benefits to any waterway. Variances shall not be granted for asphalt or concrete paving in the riparian setback. Variances may be granted for driveways constructed with pervious pavement, or other BMPs approved by Franklin Soil and Water when necessary.

c) In order to maintain the riparian setback to the maximum extent practicable, the BZA may consider granting variations to other area or setback requirements imposed on a property by the Franklin County Zoning Resolution.

650.22 - PROCEDURES FOR VARIANCES & APPEALS

As provided for in Section 810

650.24 - INSPECTION OF RIPARIAN SETBACKS

Periodic inspections of riparian setbacks by the Administrative Officer or Franklin Soil and Water will be conducted as follows:

a) Prior to soil disturbing activities authorized under this regulation, a preconstruction meeting at the proposed site shall occur to ensure that all riparian setbacks are adequately protected. This meeting shall be arranged between the developer, site engineer and Franklin Soil and Water no less than seven (7) days prior to beginning any earth-disturbing activity associated with the site.

b) Any time it is brought to the attention of the Administrative Officer that uses or structures are occurring that may reasonably be expected to violate the provisions of this regulation.

c) The Administrative Officer or Franklin Soil and Water shall periodically inspect the riparian setbacks for violations, including entering upon lands for the purpose of inspection.

d) All inspections will be documented by the Administrative Officer or Franklin Soil and Water. The property owner will be notified within 30 days of the inspection date. The owner must correct any violations within 30 days of receipt of this notification.

e) The property owner must bear any expenses required to correct the violation.

650.26 - PENALTIES

As provided for in Section 710.

SECTION 655 - ALUM CREEK WATERSHED AND BIG WALNUT CREEK WATERSHED RIPARIAN SETBACKS

Effective November 11, 2011

655.02 - PURPOSE AND INTENT

The following district is established to protect and enhance the functions of riparian areas by providing reasonable controls governing structures and uses within a riparian setback along watercourses in the Alum Creek watershed and Big Walnut Creek watershed.

655.022 – Findings - It is hereby determined that the system of rivers, streams, and other natural watercourses within the Alum Creek watershed and Big Walnut Creek watershed contribute to the health, safety, and general welfare of the residents of those watersheds. The specific purpose and intent of this district is to govern uses and developments within riparian setbacks that would impair the ability of riparian areas to**:**

a) Reduce flood impacts by absorbing peak flows, slowing the velocity of flood waters, and regulating base flow.

b) Protect watercourse physical, chemical and biological characteristics and maintain watercourse functions.

c) Preserve to the maximum extent practicable the natural drainage characteristics of the community and building sites.

d) Preserve to the maximum extent practicable natural infiltration and ground water recharge, and maintain subsurface flow that replenishes water resources, wetlands, and wells.

e) Reduce the long term expense of remedial projects needed to address problems caused by inadequate storm water control.

f) Reduce the need for costly maintenance and repairs to roads, embankments, sewage systems, ditches, water resources, and storm water management practices that are the result of inadequate storm water control due to the loss of riparian areas.

g) Assist in stabilizing the banks of watercourses to reduce streambank erosion and the downstream transport of sediments.

h) Reduce pollutants in watercourses during periods of high flows by filtering, settling, and transforming pollutants before they enter watercourses.

i) Provide shade and nutrient inputs, thus regulating in-stream temperatures and providing food for aquatic communities.

j) Reduce the presence of nuisance species to maintain a healthy, diverse aquatic system.

k) Provide habitat to a wide array of wildlife by maintaining diverse and connected riparian vegetation.

l) Benefit the Alum Creek watershed and Big Walnut Creek watershed by minimizing encroachment on watercourse channels and the need for costly engineering solutions to protect structures and reduce property damage and threats to the safety of watershed residents; by contributing to the scenic beauty and environment of the Alum Creek watershed and Big Walnut Creek watershed; and by preserving the character and quality of life for the residents in the Alum Creek watershed and Big Walnut Creek watershed, and corresponding property values.

655.04 - APPLICABILITY AND COMPLIANCE

a) Except as otherwise provided in Section 655, all property located within a riparian setback from a watercourse that is subject to this Section shall be preserved in its natural state.

b) Any property owned by a local, State or Federal agency must comply with the provisions of Section 655.

c) In the event of a conflict between a provision of Section 655 and any other provision of the Franklin County Zoning Resolution, Franklin County Subdivision Regulations, or other adopted regulation, the more stringent regulation applies.

655.06 - ESTABLISHMENT OF DISTRICT

The Alum Creek Watershed and Big Walnut Creek Watershed Riparian Setback Overlay District is hereby established. This district applies in the following areas:

a) All territory in Blendon, Clinton and Mifflin Townships located within the Alum Creek watershed as designated by the United States Geological Survey Hydrologic Unit Code (HUC) 05060001160

b) All territory in Blendon and Mifflin Townships located within the Big Walnut Creek watershed as designated by the United States Geological Survey HUC 05060001130 and 05060001150

655.08 – WATERCOURSES

655.082 – Applicability– Riparian setbacks, as established pursuant to Section 655.09, apply to all:

a) Perennial, ephemeral and intermittent streams with a defined bed, bank or channel, and
b) Watercourses that happen to generally parallel a road for any distance and are not constructed exclusively for road side drainage

655.084 – Reference Map - The Franklin County Hydrography Dataset developed by the Franklin Soil and Water Conservation District (hereinafter referred to as Franklin Soil and Water) may be used as a reference to determine the location of watercourses and the extent of required riparian setbacks. The dataset is an electronic map, created using GIS software. In the event of a conflict between the dataset and the application of a provision of Section 655, the provision of Section 655 will control. Although the dataset is a guide and believed to be accurate, the presence or absence of a watercourse requiring protection shall be based upon actual conditions on the property. The Reference Map will be updated from time to time as observed or measured field conditions may change. Any changes to the Reference Map will be in accordance with all applicable federal or State of Ohio requirements related to riparian setbacks, storm water controls, flood control, or such other applicable laws or regulations.

655.09 – RIPARIAN SETBACKS – Subject to the inclusion of floodplains, wetlands and steep slopes as determined by Section 655.094, the extent of a riparian setback shall be delineated based upon one of the following two methods:

a) Method 1: The setback distance from the centerline of the stream must be sized as the greater of the following:

   1) The regulatory 100-year floodplain based on Federal Emergency Management Agency (FEMA) mapping; or
   2) 100 feet on each side.

b) Method 2: Site Specific Riparian Setback Delineation. The total setback width is the streamway width centered over the meander pattern of the stream plus an additional 100 feet from the edge of the streamway per side.

   "Centering over the meander pattern" can be thought of as determining where a line representing the streamway width would evenly intersect equal elevation lines on either side of the stream.

c) Not withstanding the foregoing, the following requirements apply to Site Specific Riparian Setback Delineation:
   1) The streamway width must be calculated as ten times the bankfull channel width.
   2) The streamway width must vary with bankfull channel width.
   3) Calculations may be based on the average site specific width only if the bankfull channel width does not vary significantly through the reach of interest.

655.094 – Inclusion of Floodplain, Wetlands and Steep Slopes– Where applicable, the following provisions governing floodplains, wetlands and steep slopes supersede Section 655.09. In the event of a conflict among the following three (3) provisions, the greatest setback distance applies.

a) For areas with a FEMA-defined 100-year floodplain: If the 100-year floodplain is wider than the riparian setback on either side of a watercourse, the riparian setback is extended to the outer edge of the 100-year floodplain.

b) Where a wetland is identified within a riparian setback, the riparian setback width must be extended to the outermost boundary of the wetland. Wetlands must be delineated through a site survey prepared by a qualified wetlands professional retained by the landowner using delineation protocols adopted by the U.S. Army Corps of Engineers at the time an application is made under this Section 655.

c) Where a slope of 12 percent or greater or a slope designated as Highly Erodible Land (HEL), as defined in Section 720, is partially contained within the riparian setback, the riparian setback width must be extended to the top of the 12 percent slope or the top of the slope designated as HEL.

   1) In case of landowner disagreement with any steep slope or HEL designation the property owner may, at their own expense, hire a registered professional surveyor or qualified soil scientist to provide additional information to the Administrative Officer to assist in the determination of steep slope or HEL.

655.096 – Reduced Riparian Setback –A reduced riparian setback may apply to lots of record, with the same geometry as at the time of passage of Section 655.

a) All areas. All land located in the overlay district, as outlined in Section 655.06, may reduce the riparian setback as follows:

   1) For properties without centralized sewer, the riparian setback may be reduced to the point where up to 1 acre of contiguous land area is available outside of the stream buffer, as determined by Section 655.09, but in no circumstance shall the stream buffer be less than 50 feet as measured from the centerline of the stream.

   2) For properties with centralized sewer, the riparian setback may be reduced to the point where up to 7,200 square feet of contiguous land area is available outside of the stream buffer, as determined by Section 655.09, but in no circumstance shall the stream buffer be less than 50 feet as measured from the centerline of the stream.

b) Hoover Reservoir Area. Lands draining to Hoover Reservoir may reduce the riparian setback as follows:

   1) For properties without centralized sewer, the riparian setback may be reduced to the point where up to 1 acre of contiguous land area is available outside of the stream buffer, as determined by Section 655.09, but in no circumstance shall the stream buffer be less than 37.5 feet as measured from the centerline of the stream.

   2) For properties with centralized sewer, the riparian setback may be reduced to the point where up to 7,200 square feet of contiguous land area is available outside of the stream buffer, as determined by Section 655.09, but in no circumstance shall the stream buffer be less than 37.5 feet as measured from the centerline of the stream.

c) Not withstanding the foregoing, the following requirements apply to reduced riparian setbacks:

   1) In situations where the stream buffer may be reduced all other provisions under Section 655 still apply.
   2) The riparian setback may only be reduced in locations where the original setback was determined by the 100 feet from stream centerline provision of Section 655.09(a(2)).
   3) Under no circumstance may the riparian setback be reduced where the original setback was determined by the regulatory 100-year floodplain provision of Section 655.09(a(1)).
   4) Development permitted under Section 655.096 must limit clearing of vegetation to only that necessary for the construction of the proposed structure, change in grade, or other permitted use.

655.10 APPLICATIONS AND SITE PLANS - Applicants submitting development applications are responsible for delineating riparian setbacks as required by this regulation.

655.102 – Site Plan Required - Applicants must identify all setbacks on site plans included with subdivision plans, land development plans, and/or zoning permit applications submitted to the Franklin County Economic Development and Planning Department.

655.104 – Preparation of Site Plan - The site plan must be prepared and sealed by a professional engineer, surveyor, or landscape architect.

655.106 – Required Elements on Site Plans - Applicants must submit two (2) copies of the site plan. This site plan must be submitted in addition to any other plan required in conjunction with a development proposal.

a) The site plan must include the following information:

1) The site boundaries with dimensions;
2) The Drainage Area of the site;
3) The locations of all watercourses and wetlands;
4) The limits, with dimensions, of the riparian setbacks;
5) The existing topography at contour intervals of two (2) feet;
6) The location and dimensions of any proposed structures or uses, including proposed soil disturbance, in relationship to all watercourses;
7) The proposed location of construction fencing delineating riparian setback area as required in Section 655.108;
8) North arrow, scale, date, and stamp bearing the name and registration number of the qualified professional who prepared the site plan;
9) Soil types and locations;
10) Other such information as may be reasonably necessary for the Administrative Officer to ensure compliance with this regulation; and
11) Narrative describing proposed uses and maintenance plan within the riparian setback.

655.108 – Construction Fencing Required - Prior to any soil disturbing activities occurring, the riparian setback must be clearly identified by the applicant on site with construction fencing as shown on the site plan and the fencing must be maintained throughout soil disturbing activities.

655.110 – No Approvals Without Required Site Plan - No approvals or permits will be issued by the Administrative Officer without submission of a site plan as required by this regulation, including the prior identification of riparian setbacks on the affected land.

655.112 – Inspection Of Riparian Setbacks - Prior to soil disturbing activities authorized under this regulation, a preconstruction meeting at the proposed site shall occur to ensure that all riparian setbacks are adequately protected. The meeting shall be arranged by the property owner or designated representative with the Administrative Officer. The property owner, developer and site engineer shall meet with the Administrative Officer prior to beginning any earth-disturbing activity associated with the site.

655.12 PERMITTED USES IN RIPARIAN SETBACKS - Open space uses that are passive in character are permitted in riparian setbacks, including but not limited to those listed in this Section 655.12. No use permitted under this regulation allows trespass on privately held lands.

655.122 – Permitted Uses Not Requiring a Zoning Certificate - The following uses are permitted and do not require a certificate of zoning compliance:

a) Property Maintenance. The enjoyment, access, and maintenance of lawns, landscaping, shrubbery, or trees existing at the time of passage of this regulation.

b) Passive Recreational Activity.
   1) Non-motorized recreational uses such as hiking, fishing, hunting, picnicking, and similar passive recreational uses, as permitted by federal, state, and local laws.
   2) Unimproved trails and stream access points. Improved trails require a certification of zoning compliance as listed below in Section 655.124.

      Unimproved trails and stream access points must meet the following development standards:
      a) Surface: unimproved/earthen;
      b) Width: maximum 5 feet;
      c) No clearing of woody vegetation is permitted; and
      d) Distance from edge of stream: minimum 50 feet (except spurs for river access).

c) Removal of Damaged or Diseased Trees, invasive species, or noxious weeds. Invasive species (as defined by the Ohio Department of Natural Resources), noxious weeds and damaged or diseased trees that endanger people or that pose a serious threat to property, may be removed.

   Special care should be taken to remove trees sparingly. Damaged or decaying trees serve important ecological functions such as supplying stream habitat and material for organisms that aid in organic decomposition as well as providing habitat for endangered species, such as Indiana bats. Applicants or property owners are encouraged to allow these seemingly-damaged trees to remain in their natural state.

   Applicants or property owners are further encouraged to seek assistance from Franklin Soil and Water for advice on maintaining these important ecological functions. Franklin Soil and Water can also provide information regarding best management practices in herbicide application techniques for controlling invasive species and noxious weeds in accordance with Ohio DNR and other applicable state and federal regulations.

d) Revegetation and/or Reforestation. Riparian setbacks may be revegetated and/or reforested with Ohio-native, noninvasive plant species. Applicants or property owners are encouraged to seek guidance from Franklin Soil and Water.

655.124 – Permitted Uses Requiring a Zoning Certificate - The following permitted uses require a zoning certificate as provided for in SECTION 705.02 - CERTIFICATE OF ZONING COMPLIANCE.

a) Fences and walls. Fences and walls that provide adequate surface water flow through, under or around, as determined by Franklin Soil and Water, are permitted.

b) Paved or otherwise improved trails. Construction of paved or otherwise improved trails in the riparian setback to further passive recreational uses is permitted with a development plan approved by the Administrative Officer.

Construction of paved or otherwise improved trails must meet the following development standards:

1) Paved trail surfaces must be improved with a pervious or semi-pervious material.
2) Trail width is a maximum of 12 feet
3) Clearing width is a maximum of 20 feet
4) Distance from edge of stream is a minimum of 100 feet
5) Trails that become damaged due to natural erosion:
    a. May not be repaired, and
    b. Must be moved upland or removed altogether and stabilized.

c) Crossings. Crossings through riparian setbacks with roads, driveways, easements, bridges, culverts, utility service lines, or other means may be permitted provided such crossings minimize disturbance in riparian setbacks. Mitigation of crossings may be required by state and federal agencies.

A certificate of zoning compliance for a new crossing will only be issued when one of the following findings is made by the Administrative Officer:

1) The parcel has no other existing access;
2) The crossing is necessary for public health or safety;
3) The applicant can demonstrate that important ecological protection and ecological benefits are realized, such as saving a mature woodlot, preventing habitat degradation, avoiding flow alteration, or ensuring passage for fish; or
4) The applicant demonstrates that the new crossing is necessary to achieve important ecological protection goals, or maximized ecological benefit, and that the crossing can be installed and maintained with minimal environmental impacts.

Such crossings may only be undertaken upon approval of a Crossing Plan by the Administrative Officer in consultation with Franklin Soil and Water. Such activity must minimize disturbance to the riparian buffer and mitigate any disturbances.

d) Stream Quality Improvement Projects. Streambank stabilization, erosion control work, or large scale stream channel and riparian buffer restoration work along designated watercourses may be allowed, provided they comply with the following:

1) The project is ecologically compatible and substantially uses natural materials and native plant species where practical and available.
2) The project must comply with the applicable portions of the Ohio DNR Rainwater and Land Development handbook.
3) The project shall only be undertaken upon approval of a Streambank Stabilization Plan by the Administrative Officer.
4) All streambank stabilization plans should provide long term streambank protection.

5) All erosion control measures shall be limited to the purposes of stream quality protection and enhancing stream channel stability.

In reviewing this plan, the Administrative Officer may consult with representatives of the Ohio Department of Natural Resources, Division of Natural Areas and Preserves or Division of Soil and Water Conservation; the Ohio EPA, Division of Surface Water; the Franklin Soil and Water Conservation District; or other technical experts as necessary.

655.126 – Proof of compliance with outside permits. If any activities will occur below the ordinary high water mark, as defined in Section 720, of the designated watercourse, the applicant must submit proof of compliance with the applicable conditions of a US Army Corps of Engineers Section 404 Permit (either a Nationwide Permit, including the Ohio State Certification Special Conditions and Limitations, or an Individual Permit, including Ohio 401 water quality certification).

Proof of compliance is considered one of the following:

a) A comprehensive site plan and a copy of the authorization letter from the U.S. Army Corps of Engineers approving activities under the applicable Nationwide Permit, or

b) A comprehensive site plan and a copy of the authorization letter from the U.S. Army Corps of Engineers approving activities under an Individual Permit.

655.14 PROHIBITED USES IN RIPARIAN SETBACKS

Any use not authorized under Section 655.12 – PERMITTED USES IN RIPARIAN SETBACKS is prohibited in riparian setbacks.

655.142 – List of Prohibited Uses - Prohibited uses are not limited to those examples listed here:

a) Construction. Construction of buildings or structures of any kind or size are prohibited except as provided for in Sections 655.144 and 655.18. This restriction applies to new construction, and does not apply to existing residential structures and associated accessory structures.

b) Dredging or Dumping. Drilling, filling, dredging, excavation or dumping of soil, other earthen material, spoils, liquid, or solid materials is prohibited except as permitted under this regulation.

c) Roads or Driveways. Installation of roads or driveways is prohibited, unless approved in association with an approved crossing plan.

d) Motorized Vehicles. Use of motorized vehicles is prohibited, with the exception of emergency vehicles when necessary for public health and safety, or except as permitted under this regulation.

e) Parking Spaces or Lots and Loading/Unloading Spaces for Vehicles. Establishment of parking spaces, parking lots, or loading/unloading spaces is prohibited.

f) New Surface and/or Subsurface Sewage Disposal or Treatment Areas. Use of areas within riparian setbacks for the disposal or treatment of sewage is prohibited, except as necessary to repair or

replace an existing home sewage disposal system if permitted by the Franklin County Board of Health.

g) Stormwater management and drainage facilities. Stormwater management and drainage facilities including appurtenances thereto are prohibited within riparian setbacks.

h) Sediment and Erosion Controls. No structural sediment controls, such as a silt fence, a sediment settling pond, or other structural post-construction controls, may be used in a stream or the delineated setback, except as permitted in Section 655.124.

655.144 – Exceptions to Prohibited Uses – The following activities are exempt from the restrictions set forth in Section 655.14 – PROHIBITED USES IN RIPARIAN SETBACKS. The exceptions listed below do not apply to uses and structures that are non-confirming with respect to the requirements of the underlying zoning district. Such existing non-conforming uses and structures must comply with the requirements of Section 110.04 of the Zoning Resolution.

a) The construction or reconstruction of any structure, or other impervious surface, permitted in the underlying zoning district on an existing, legal impervious surface on a lot of record developed with a single- or two-family dwelling existing at the time of passage of this regulation.
b) The installation of conduits flowing from stormwater management facilities designed to treat stormwater.
c) All activities conducted by the Franklin County Engineer that are necessary to provide and maintain public transportation infrastructure.
d) All activities conducted by the Franklin County Drainage Engineer that are necessary to provide and maintain public drainage improvements.

655.16 NON-CONFORMING STRUCTURES OR USES IN RIPARIAN SETBACKS

The procedures for reviewing non-conforming structures and uses are set forth in Section 110.04 of the Zoning Resolution.

655.18 VARIANCES WITHIN RIPARIAN SETBACKS

a) The Franklin County Board of Zoning Appeals (BZA) may grant a variance to this Section 655 as provided for by Section 810.04, APPROVAL OF A VARIANCE. In addition to the findings required by Section 810.04 the BZA must consider the following:

    1) The native vegetation of the property.

    2) The extent to which the requested variance impairs the flood control, erosion control, water quality protection, or other functions of the riparian setback. This determination must be based on sufficient technical and scientific data as determined by the Technical Review Committee.

    3) Soil-disturbing activities permitted in the riparian setback through variances must minimize clearing to the extent possible and must include the use of Best Management Practices necessary to minimize erosion and control sediment.

4) The degree to which the presence of significant impervious cover, or smooth vegetation such as maintained lawns, in the riparian setback compromises its benefits to any waterway.

b) In order to maintain the riparian setback to the maximum extent practicable, the BZA may consider granting variations to other area or setback requirements imposed on a property by the Franklin County Zoning Resolution.

655.20 - PROCEDURES FOR VARIANCES & APPEALS

The procedures for granting variances and appeals of the determinations of the Administrative Officer are set forth in Section 810 of the Zoning Resolution.

655.22 - PENALTIES

The penalties for violation of any provision of this Section are set forth in Section 710 of the Zoning Resolution.

SECTION 660 - AIRPORT ENVIRONS (NOISE) OVERLAY DISTRICT

660.01 - INTENT

As part of the Federal Aviation Administration's plan to reduce incompatible land uses around airports, Part 150 Airport Noise Studies have been undertaken at Port Columbus, Rickenbacker, Ohio State University and Bolton Field Airports to determine those areas adversely affected by airport noise. The primary intent of the study was to determine those areas which were severely impacted, to the extent that the airport should acquire them through fair market acquisitions or eminent domain to relieve owners of unreasonable noise levels imposed by the airport. A second objective of the study was to identify areas around airports which were considered too noisy for twenty-four (24) hour-a-day human residence or institutional areas, and to suggest alternative land uses which would be more appropriate. The third objective was to identify areas near airports which were adversely impacted by airport noise, but with proper soundproofing, would be appropriate for residential and institutional usage. In the case of areas which were already inhabited, airports could negotiate with property owners to assist them in retro-fitting their structures to be more soundproof from airport noise. Lastly, the study intended to identify noise corridors which should be planned to regulate future airport encroachment by inappropriate land uses. A study was done of Port Columbus in 1989. A model ordinance was generated from that study and suggested for adoption by the Mid Ohio Regional Planning Commission. The City of Columbus adopted a version derived from this model ordinance in June 1994, and Franklin County now desires to also comply with the intent of the study and to adopt airport noise regulations.

Airport hazards within the AEO-Airport Environs Overlay District are hereby declared a public nuisance. Within the AEO-Airport Environs Overlay District and its three subdistricts specific airport standards and requirements shall apply to each property in addition to the standards and requirements of the underlying zoning district. In the case of conflicting standards and requirements, the more stringent standards and requirements shall apply.

660.02 - Definitions

For the purposes of this chapter the following terms, phrases words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural, and words in the masculine gender include the feminine and neuter. Definitions contained in Section 720, and not in conflict, shall apply.

660.021 - Airport - Means any airfield owned and operated by a governmental agency, and subject to Ldn contours approved by the Federal Aviation Administration, presently including Port Columbus International Airport, Rickenbacker, Ohio State University and Bolton Field airports.

660.022 - Airport Environs - Means the geographic area that is affected by the airport air traffic operations and is defined on the basis of those areas immediately impacted by the most recently charted and most restrictive 65 Ldn Contour and greater noise exposure areas based upon the Land Use Compatibility Guidelines approved by the Federal Aviation Administration (FAA). These areas constitute the AEO-Airport Environs Overlay District established in this chapter.

660.023 - Airport Hazard - Means any building, structure or object of natural growth or use of land within an airport hazard area which obstructs the air space required for the flight of aircraft in landing or taking

off at an airport or which is otherwise hazardous to such landing or taking off of aircraft.

660.024 - Airport Hazard Area - Means any area of land adjacent to an airport which has been declared to be an "airport hazard area" by its operating authority in connection with any airport approach plan recommended by such authority.

660.025 - Day-Night Sound Level (Ldn) - Means a cumulative aircraft noise index which estimates the exposure of an area to aircraft noise and relates the estimated exposure to an expected community response. The Day-night sound level noise metric assesses a ten decibel (10dB) penalty to all noise events occurring between 10:00 p.m. and 7:00 a.m.

660.026 - Ldn Contour - Means a line linking together a series of points of equal cumulative noise exposure based on the Ldn metric. Such contours are developed by computer model based on aircraft flight patterns, number of daily aircraft operations by type of aircraft and time of day, noise characteristics of each aircraft, and typical runway usage patterns.

660.027 - Operating Authority - Means the person, board, commission or agency responsible for management of an airport.

660.028 - Structure - Means a combination of materials to form a construction for occupancy or use and in addition means any object, whether permanent or temporary, including, but not limited to, tower, crane, smokestack, earth formation, transmission line or flagpole, and includes a mobile or tethered object.

660.03 - Boundaries of Overlay

The AEO-Airport Environs Overlay District shall contain all airport environs for Port Columbus International Airport, Rickenbacker, Ohio State University and Bolton Field Airports and shall be indicated AEO on the Franklin County Zoning Map in accordance with the noise contours recommended for protection in the Part 150 study of each respective airport.

The AEO-Airport Environs Overlay District is subdivided into three subdistricts which represent different levels of noise impact. The geographic location of these noise zone subdistricts shall be indicated on the Zoning Map, as per the requirements of this Zoning Code, as follows:

A.) Subdistrict A,which shall include the area within the sixty-five (65) Ldn to seventy (70) Ldn noise exposure area;

B.) Subdistrict B, which shall include the area within the seventy (70) Ldn to seventy-five (75) Ldn noise exposure area;

C.) Subdistrict C, which shall include the area within the seventy-five (75) Ldn and greater noise exposure area.

The boundaries of the AEO-Airport Environs Overlay District and its subdistricts, as adopted herein, shall be reviewed and amended as appropriate whenever the operating authority of an airport certifies its update or amendment of the noise contour maps and/or the FAR Part 150 Noise Compatibility Program to the Development Director with a copy thereof.

Copies of the appropriate noise contour maps and FAR Part 150 Noise Compatibility Studies shall be on file and open to public inspection in offices of the airports cited in this section. Copies of all appropriate noise contour maps also shall be on file and open to public inspection in the Franklin County Development Department.

660.04 - Application

Within the AEO-Airport Environs Overlay District, any proposed building, structure or use shall be subject to review and evaluation relative to the standards and requirements set forth herein.

660.05 - Exemptions

The provisions of this chapter shall **not** be deemed applicable to the following uses in the AEO-Airport Environs Overlay District when permitted in the underlying district.

A.) Existing Use - A use existing on the effective date of this chapter shall not be required to change in order to comply with these regulations.

B.) Temporary Structure and Uses - Temporary building or structure that is not used for residential purposes and which meets applicable requirements as contained within this Zoning Code.

C.) Agricultural Structures - Bona fide agricultural building, structure, improvement, or associated non-residential development.

D.) Accessory Use or Structure - Accessory use or structure incidental to a permitted principal structure or use and within the intent, purpose, or objectives of these regulations.

660.06 - Development Standards

The following development standards shall apply to all proposed uses and structures in the AEO-Airport Environs Overlay District:

A.) Proposed Uses - Table 1, Land Use Compatibility Standards, contained herein identify development standards that apply to proposed uses within the AEO-Airport Environs Overlay District. Any proposed use shall comply with these standards, and zoning standards overlaid. In the case of a conflict, the more restrictive standard shall apply;

B.) Interior Day-Night Average Noise Level (Ldn) - All proposed uses and structures must comply with the Noise Level Reduction (NLR) standards as provided in Table 1 of this section. Compliance with NLR requirements shall be evidenced prior to issuance of an occupancy permit.

660.07 - Avigation Easement

In the case of a variance or conditional use permit, the applicant, prior to receiving final approval of said request, shall convey to the appropriate airport an avigation easement permitting the right of flight in the airspace above subject property. Avigation easements may be obtained for all other new uses. Such easements shall be supplied in a form prescribed by the operating authority of the appropriate airport and shall be recorded on the title of the subject property.

660.08 - Notice to Purchasers Required

The Development Department and/or the airport may provide notice to all applicants for any development related permit informing that the respective property is located, either partially or wholly, within the Airport Environs Zoning District and may be subject to aircraft over flight.

660.09 - Development Plan

A development plan including maps, plans and drawings shall be submitted with any application for a Certificate of Zoning Compliance or rezoning, and shall include:

A.) Proposed Use: All elements of the proposed development shall be consistent with Table 1, Land Use Compatibility Standards;

B.) Siting. Buildings, structures and active outdoor recreational space shall be located the greatest distance from the noise source, taking maximum advantage of existing topographical features to minimize noise impact, and within zoning district requirements, such as required setbacks. Buildings and structures shall be oriented to minimize exposure to the noise source and building openings, such as windows, shall be located away from the noise source;

C.) Site/Ldn Contour Map: showing the location of subject property on the contour map;

D.) Location of Structures;

E.) Specification of Uses;

F.) Narrative Description;

G.) Design Consideration Regarding Noise: The amount of passive outdoor recreational space where individuals would be subject to noticeable or severe levels of noise should be minimized. Natural or man made materials would be used to deflect noise.

Section 660.10 - Field Testing of Interior Noise Levels

Field testing of interior noise levels may be made by a property owner within the affected noise contours or the appropriate airport. Such field testing must be performed using appropriate sound measuring devices by technicians trained in their use if the results are to be relied upon for sound related land use decisions.

TABLE 1 - LAND USE COMPATIBILITY STANDARDS

{AEO-Airport Environs Overlay District}

LAND USE - (provided it is permitted in the district overlaid):

	A 65	B 70	C 75 (Ldn)
RESIDENTIAL			
Single, Two & Multi	Y(1)	N	N
Manufactured housing	N	N	N
Hotels, Motels	Y(2)	Y(3)	N
All other residential	Y(1)	Y(1)	N
COMMERCIAL			
Retail	Y	Y(2)	Y(3)
Business services	Y	Y(2)	Y(3)
Personal services	Y	Y(2)	N
Professional services	Y	Y(2)	Y(3)
Offices	Y	Y(2)	N
All other commercial	Y	Y(2)	Y(3)
MANUFACTURING			
Manufacturing, warehousing, distribution	Y	Y(2)	Y(3)
Parking facilities	Y	Y(2)	Y(3)
All other manufacturing	Y	Y(2)	Y(3)
INSTITUTIONAL			
Hospitals, Nursing	Y(2)	Y(3)	N
Other medical facilities	Y	Y(2)	Y(3)
Educational facilities	Y(2)	Y(3)	N
Public assembly, churches	Y(2)	Y(3)	N
Government facilities	Y	Y(2)	Y(3)
Parks, recreation	Y	Y(2)	Y(3)
All other public/semi public	Y	Y	Y
ALL OTHER USES	Y	Y	Y

KEY:
Y - Land use is permitted
N - Land use is prohibited
(1) - Interior noise level reduction of 25dB required in District A, 30 dB in District B
(2) - Interior noise level reduction of 25dB is required for all areas where the public is received, office areas, noise sensitive areas,

or where normal noise level is low.
(3) - Interior noise level reduction of 30dB is required for all areas where the public is received, office areas, noise sensitive areas, or where the normal noise level is low.

Section 2 - That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Section 660.11 - Development Review

The zoning compliance process shall apply to the AEO-Airport Environs Overlay District with the following additional review:

Airport Authority Staff Review - The Development Department shall provide a copy of any application for a Certificate of Zoning Clearance within the AEO-Airport Environs Overlay District, including the development plan, within five (5) days of its submittal by the applicant, to the staff of the operating authority of the appropriate airport for the subject site and which shall provide a written recommendation to the Development Department within seven (7) days after receipt.

SECTION 670 – SMART GROWTH OVERLAY

670.02 - PURPOSE AND INTENT

The purpose of the Smart Growth Overlay (SGO) is to apply standards designed for corridors that typically include a mix of pedestrian and vehicle-oriented development patterns, setbacks ranging from 20 to 50 feet, varying lot widths and commercial uses.

The overlay standards are intended to achieve the following objectives:

a) Establish, reinforce and enhance the character and pedestrian-oriented development patterns of suburban commercial corridors
b) Implement appropriate building and parking setback standards that accommodate redevelopment and establish continuity and consistency along the corridors
c) Promote development that features landscaping, façade transparency, rear parking lots, user-friendly access and appropriately-scaled lighting and signage.

Use of this overlay also serves as a means of implementing key policy recommendations of comprehensive land use plans.

670.04 - ESTABLISHMENT OF DISTRICT

The Smart Growth Overlay District is hereby established. The district applies to the following areas:

670.042 Primary streets - For the purposes and requirements of a Smart Growth Overlay area, the term "primary street" means all of the following:

a) Agler Road
b) Alkire Road
c) Brown Road
d) Cleveland Avenue
e) Executive Parkway
f) Frank Road
g) Georgesville Road
h) Harrisburg Pike
i) Industrial Mile Road
j) Innis Road
k) London-Groveport Road
l) Morse Road
m) Norton Road
n) Phillipi Road
o) Stelzer Road
p) Sunbury Road
q) Valley Quail Boulevard South
r) West Broad Street
s) West Mound Street
t) Westerville Road
u) Wilson Road

The boundaries of the Smart Growth Overlay areas are part of the Official Zoning Map.

670.06 - APPLICABILITY, EXTENT AND COMPLIANCE

The standards and requirements of the Smart Growth Overlay apply as follows:

670.062 Applicability area - The provisions of the SGO shall apply to properties that front any primary street defined above within the following areas:

a) Blendon Township
b) Clinton Township
c) Franklin Township, except for those areas:
    a. That front Philippi Road north of the Surface Road intersection.
    b. That front Wilson Road north of West Broad Street.
d) Mifflin Township
e) Pleasant Township

670.066 Non conforming structures - The placement, construction, or reconstruction of a principal structure is subject to all standards and requirements of this Section 670, except as applied to non-conforming buildings as provided in SECTION 110.042- NON-CONFORMING STRUCTURES AND DEVELOPMENT and except as applied to routine maintenance and in-kind replacement of materials. Where there is a conflict between Section 110.042 and Section 670.068 below, 670.068 controls

670.068 - Expansions and extensions of buildings

a) 50 percent or more: The expansion of a building's gross floor area by 50 percent or more is subject to all the provisions of the SGO and must follow building design standards as listed in Section 670.083 Design Standards for Frontage Buildings.
b) Less than 50 percent and more than 25 percent: The expansion of a building's gross floor area by 25 percent or more, but less than 50 percent may follow building design standards as listed in Section 670.084 Optional Design Standards for Non-Frontage Building, as long as 50 percent or more of the expansion extends the building toward a primary street.
c) Less than 25 percent: The expansion of building's gross floor area by less than 25 percent may follow building design standards as listed in Section 670.084 Optional Design Standards for Non-Frontage Buildings.
d) Exterior alteration of a primary building frontage is subject to applicable provisions of Section 670.082. For purposes of this requirement, the placement of window shutters, fabric canopies and awnings, building-mounted signage, exterior material change and/or reconfiguration or upgrade of building entrances is not considered to be exterior alteration.

670.0610- Interface with other sections- The standards contained in the SGO are in addition to the regulations of the underlying zoning districts and the general development standards contained in the Franklin County Zoning Resolution. Where a specific overlay standard is imposed, it is to be followed in lieu of a general development standard. Where the overlay does not address a required standard and it is otherwise contained elsewhere in the Zoning Resolution, the Zoning Resolution standard shall be followed. Except as conditioned by the Board of Zoning Appeals, the provisions of this overlay are deemed more restrictive.

670.0612 Exemptions –

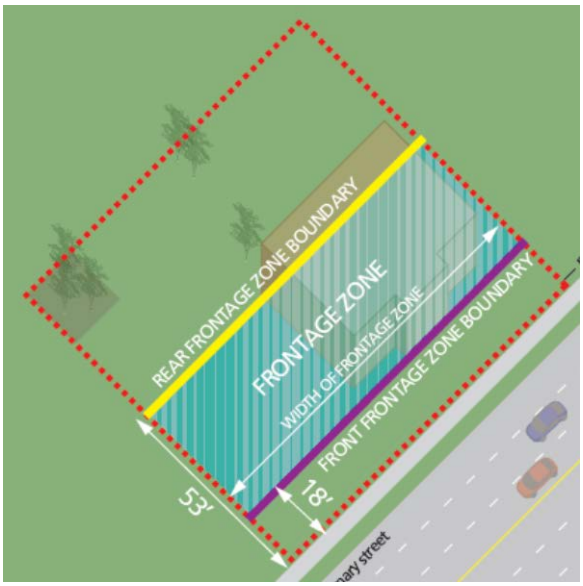
a) Properties that are used exclusively as one- and two-family residences are exempt from the standards and requirements of the SGO.

b) Routine maintenance and in-kind replacement of sign materials are exempt from the sign standards and requirements.

670.08 – DEVELOPMENT STANDARDS

670.081 Definitions

a) "Front frontage zone boundary" means a line, parallel to the primary street centerline, located 18 feet from the front property line and extending from one side property line to the other.
b) "Rear frontage zone boundary" means a line, parallel to the primary street centerline, located 53 feet from the front property line and extending from one side property line to the other.
c) "Frontage zone" means the area on a property between the front frontage zone boundary and rear frontage zone boundary.
d) "Frontage building" means any building wholly or partially located within the frontage zone
e) "Width of the frontage zone" means the average of the widths of the front frontage zone boundary and rear frontage zone boundary



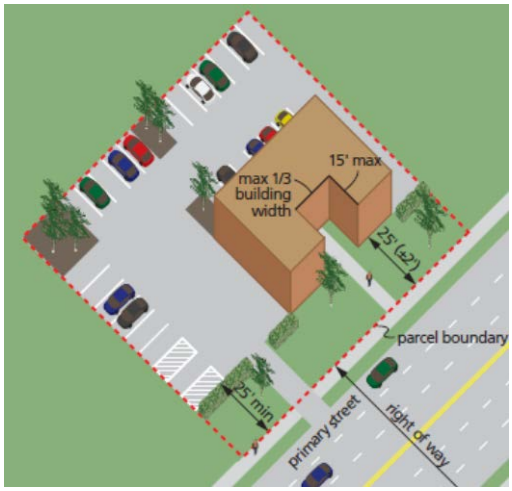
Illustrations of terms contained in Section 670.081, Definitions

670.082 Applicability of Development Standards

a) If less than 60 percent of the width of the frontage zone is occupied by one or more primary buildings, to a depth of at least 20 feet, Section 670.083 applies. Otherwise, applicants may choose to use Section 670.084 instead of Section 670.083 for a proposed building.
b) For corner lots, unless the property's frontage along two public streets meets at a single point, the frontage for that street is calculated separately for each public street along which the property has frontage.

670.083 Design Standards for Frontage Buildings

a) <u>Front setback along a primary street</u> – Front setback depends on the proportion of Along a primary street, the front building line setback for a building or structure shall be 25 +/- two (2)



Illustrations of required front building setback, maximum interior lot line setback and optional front building setback offset of 3 feet toward / 15 feet away from street

feet, however, a maximum of one-third (1/3) the overall width of such building or structure may be located up to five (5) feet in advance of and/or up to 15 feet beyond the 25 +/- two (2) foot line. Minor architectural accents will not be considered as part of the building for the purposes of front setback.

b) Setback along a non-primary street: Along a street that is not a primary street, the setback for a building or structure shall be a minimum of 10 feet and a maximum of 25 feet.

c) Parking lots - The setback for a parking lot along a primary street shall be a minimum of 25 feet and a minimum of 5 feet along any other public right-of-way.

d) Increase in required minimum setback - The minimum required setback for the following may increase upon determination by the Administrative Officer, in consultation with the Franklin County Engineer's Office, that a greater setback is required for future right-of-way needs.
   1) Minimum required building or structure setback along a non-primary street
   2) Minimum required setback for a parking lot along a non-primary street
   3) Minimum required setback along a non-primary street for outside-occurring activities, including outdoor dining

e) Orientation– A principal building shall be oriented to address and be within 15 degrees of parallel to a primary street.

f) Width – The width of a principal building(s), including any significant architectural appurtenances thereto, along a primary building frontage shall be a minimum of 60 percent of the lot width; except for a building serving an activity that occurs primarily outside a structure.

g) Entrance– A primary building frontage shall incorporate a primary entrance door.

h) Façade - A building frontage that exceeds a width of 50 feet shall include vertical piers or other vertical visual elements to break the plane of the building frontage. The vertical piers or vertical elements shall be spaced at intervals of 15 feet to 35 feet along the entire building frontage
   4) For a primary building frontage of a commercial use, a minimum of 40 percent of the area between the height of 2 feet and 10 feet above grade shall be in clear window glass that permits a full, unobstructed view of the interior to a depth of at least 4 feet. For any secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of 10 feet.
   5) Any pickup unit or canopy shall be attached to the principal building and be located behind or to the side of the building

Illustration of minimum building height and minimum building width for frontage buildings

670.084 Optional Design Standards for Non-Frontage Buildings.

a) Front building setback – As provided for in SECTION 504-BUILDING LINES ALONG PUBLIC RIGHTS-OF-WAY

b) Parking setback – As provided for in SECTION 504-BUILDING LINES ALONG PUBLIC RIGHTS-OF-WAY

c) Façade - A building frontage that exceeds a width of 150 feet shall include vertical piers or other vertical visual elements to break the plane of the building frontage. The vertical piers or vertical elements shall be spaced at intervals of 35 feet to 60 feet along the entire building frontage
    1) For a building frontage of a commercial use, a minimum of 20 percent of the area between the height of 2 feet and 10 feet above grade shall be in clear window glass that permits a full, unobstructed view of the interior to a depth of at least 4 feet. For any secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of 10 feet.
    2) Any pickup unit or canopy shall be attached to the principal building and be located behind or to the side of the building

670.085 Design Standards for All Buildings

a) Height
    1) The minimum height of a building shall be 16 feet above grade.
    2) The maximum height of a building located in any commercial zoning district, industrial zoning district or R-24 zoning district, is 60 feet, except when maximum building height is addressed in a planned development district, in which case the approved development plan applies instead.
b) Screening of Mechanical Equipment- All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.
c) Outdoor dining – The setback for activity occurring outside a structure in conjunction with a bar or restaurant shall be a minimum of 15 feet along any public right-of-way
d) Other outside-occurring activities - When activity, other than outdoor dining, occurs outside of a structure, such as a car sales lot, miniature golf facility, or mulch sales, the setback for such activity shall be a minimum of 25 feet along a primary street; and a minimum of ten (10) feet along any other public way or along a lot line that borders (disregarding alleys) a residentially-zoned or used property.

670.086 Signs.

Sign standards are as follows:

a) A sign for a commercial use shall comply with provision of SECTION 541 – SIGN AND BILLBOARD REGULATIONS.
b) In addition to signs prohibited in SECTION 541 – SIGN AND BILLBOARD REGULATIONS, the following types of signs are not permitted: off-premise signs, billboards, signs with flashing lights or bare bulbs, co-op signs, rotating signs, monopole signs, automatic changeable copy signs, bench signs, projecting signs and roof-mounted signs.
c) Ground Signs.
    1) One ground sign is permitted for each 500 feet or fraction thereof of frontage on a primary street. For properties fronting on more than one primary street, each primary streets is considered separately for this calculation.
    2) For properties with frontage on a secondary street, an additional ground sign is permitted along that secondary street if the sign clearly addresses that secondary street rather than a primary street.
    3) Only a monument-type ground sign is permitted.
    4) The sign base shall complement the overall sign design, the design of the building and the site landscaping.

5) The bottom edge of the sign must be in continuous or near-continuous contact with its structural base and must be a minimum of 12 inches above the ground.
6) The setback for a ground sign shall be a minimum of 15 feet from all property lines.
7) The height of a ground sign shall not exceed the maximums listed below:
    i. For signs along a road with a speed limit of 35 mph or less: 8 feet above grade
    ii. For signs along a road with a speed limit greater than 35 mph, but less than 50 mph: 12 feet above grade
    iii. For signs along a road with a speed limit of 50 mph or more: 16 feet above grade
8) When indirectly lighting a ground sign, the light source shall be screened from motorist view.

d) Wall Sign
    1) Multiple wall signs, including those for individual tenants, are permitted on the primary building frontage provided the aggregate graphic area does not exceed the allowable graphic area for its building frontage.
    2) For a use fronting on more than one (1) street, a wall sign with a maximum area of 30 square feet is permitted on the secondary building frontage.
e) The following signs are permitted in addition to the primary sign:
    1) Pickup unit menu board(s) with a total graphic area not to exceed 30 square feet;
    2) Signs associated with identifying the sale of gasoline with a graphic area not to exceed 5 square feet.

670.088 Landscaping and screening.

Landscaping and screening standards are as follows:

a) Front yard- The front yard shall be planted with live vegetation and shade tree(s), except for paved areas expressly designed for vehicular and pedestrian use. One shade tree is required for each 50 lineal feet, or fraction thereof, of frontage.
b) Alternate front yard planting - In lieu of the tree planting requirement for activities occurred outside of a structure, the setback area shall be landscaped and planted with at least one (1) shade tree and three (3) evergreen shrubs per 30 linear feet, or fraction thereof, of frontage. A combination of methods (a) and (b) is permitted.
c) Tree size - At the time of planting a new shade tree shall have a minimum two (2) inch caliper trunk and new shrubs for screening shall have a minimum height of 24 inches.
d) Maintenance - All plants and landscaped areas shall be maintained in a neat and healthy condition. Replacement plants shall be planted no later than the next planting season and shall also meet the size requirements of this section.
e) Species - Native species are strongly recommended for all landscaping requirements. Applicants are encouraged to consult with Franklin Soil and Water Conservation District to identify opportunities to use native plants.
f) Adjacent to residential property - Screening shall be provided along a lot line that borders property used exclusively for residential purposes. A screen, such as a fence or evergreen plants, shall maintain minimum 75 percent opacity and permanently obstruct the view to a height of six (6) feet. Any fence must comply with SECTION 501 – FENCE REQUIREMENTS.
g) Parking lots

1) A surface parking lot or vehicular circulation area shall be screened from all abutting public streets with a wall or fence, or a continuous row of shrubs to a minimum height of 3 feet [2 feet at time of planting] and a maximum height of 5 feet, or a mound, subject to approval by the Administrative Officer. Screening shall be maintained to provide opacity of not less than 75 percent when in leaf. A combination of a wall, fence, mound and shrubs is permitted.
2) Chain-link fences are not permitted. All other fence materials shall comply with Section 501.024 – Fence Materials
3) In all surface parking areas in which more than 10 parking spaces are required:
   a. A landscaped island or peninsula of at least 140 square feet at least 9 feet in width left unpaved, but concrete curbed, filled with suitable topsoil and covered with either grass, groundcover, or mulch shall be provided for every 10 parking spaces, or portion thereof;
   b. No less than one (1) shade tree of 2 inches or more in caliper shall be provided in each landscaped island or peninsula;
   c. Every parking aisle that is bounded at an end by a traffic lane shall be terminated at such traffic lanes by such a landscaped island or peninsula;
   d. Landscaped islands or peninsulas do not need to be uniformly spaced, but must be contained within and dispersed throughout the interior of a parking lot.
   e. Space devoted to interior landscaping shall be in addition to any required front, side or rear yard or any required screening area.
   f. Applicants are encouraged to incorporate openings in curbs on landscaped islands or peninsulas for stormwater infiltration. Applicants should consult with Franklin Soil and Water Conservation District and the Franklin County Engineer's Office.

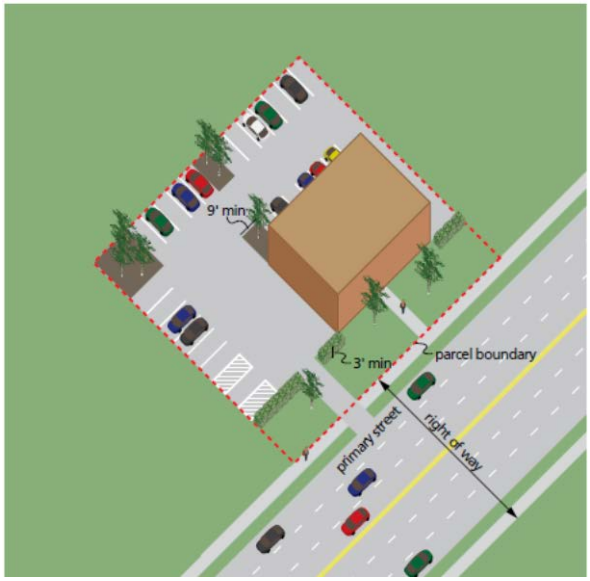
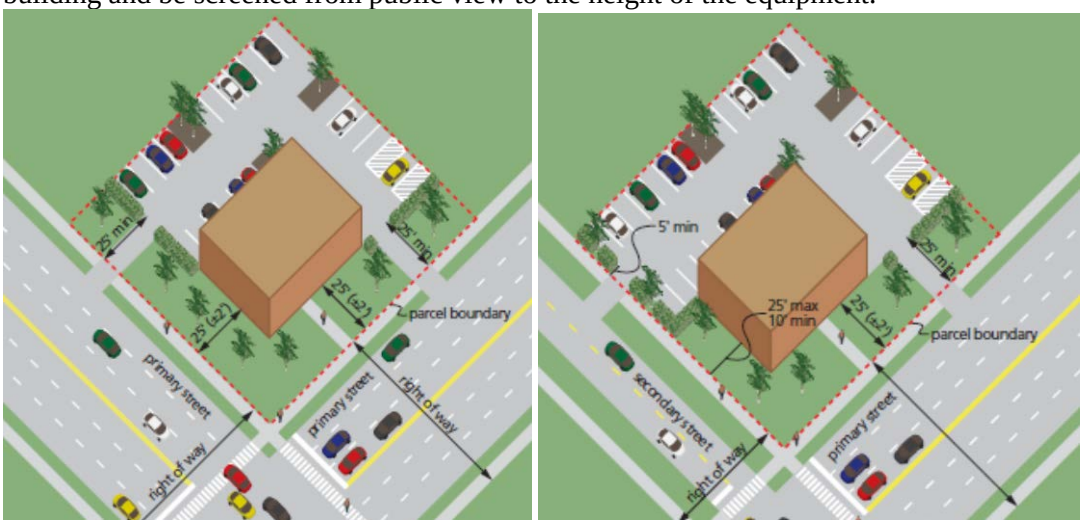


Illustration of required front yard parking lot screening and interior parking lot landscaping

J. Mechanical equipment - Ground-mounted mechanical equipment shall be located behind the principal building and be screened from public view to the height of the equipment.



Illustrations of various setback requirements for corner lots:

On left, for a lot fronting two primary streets.

On right, for a lot fronting a primary and non-primary street.

670.0810 Lighting.

Lighting standards are as follows:

a) Minimize light trespass- Exterior lighting shall be designed located, constructed and maintained to minimize light and reflected light trespass and spill over off the subject property.
b) Height- The height of any source of exterior lighting shall not exceed 28 feet above grade.
c) Shielding for tall lighting- Lights greater than 18 feet shall have fully shielded, recessed lamps directed downward to prevent glare and shine above the horizontal plane.
d) Design cohesiveness- All external outdoor lighting fixtures, which are being used for the same purpose, within a given development shall be from the same or similar manufacturer's type to insure aesthetic compatibility.
e) Canopy lighting - Canopy lighting shall be recessed within a canopy and use an opaque shield around the sides of a light. Exterior building illumination shall be fully shielded.
f) Maximum illumination- The light level along a property line adjacent to a residentially-zoned or used property shall not exceed an average intensity of one-half (1/2) footcandle.

670.0812 Parking and circulation.

The parking standards in this section apply to existing buildings, additions, and new construction. The requirements below supersede all requirements of Section 504.01 – BUILDING LINES ESTABLISHED and any front building setback requirement of an underlying zoning district.

a) Setback - No parking lot, stacking space, loading space or circulation aisle is permitted between the principal building and a street centerline.
b) Parking lot location- A surface parking lot shall be located behind the principal building; however, up to half the number of parking spaces provided may be located at the side of the principal building.
c) Number of spaces- All uses must provide a minimum number of parking spaces according to the following requirements:

		Selected uses: 58 Eating and drinking places 80 Health services 86 Membership organizations	All other uses
Requirement, listed as percentage of spaces listed in Section 531.02 ►	Minimum number of parking spaces	75 percent	65 percent
	Maximum number of parking spaces, using standard sealed surface	100 percent	100 percent
	Maximum number of parking spaces, using porous surface, subject to section (d) below	115 percent	115 percent

d) Porous surfaces – The following are additional requirements for use of porous surfaces:
   1) All use of porous parking surfaces is subject to the approval of the Administrative Officer, in consultation with Franklin Soil and Water Conservation District and the Franklin County Engineer's Office
   2) Any development that proposes exceeding maximum number of parking spaces using a standard sealed surface as listed above must use a porous surface for all spaces exceeding the maximum
   3) Developments may use a porous surface for any number of parking spaces
   4) In no cases shall the maximum number of spaces provided exceed the limits listed above.
   5) Porous surfaces must be adequately maintained in good working order, as determined by the Administrative Officer in consultation with Franklin Soil and Water Conservation District and the Franklin County Engineer's Office.

e) Loading spaces - For any use listed as requiring loading spaces in Section 531.03 – MINIMUM NUMBER OF LOADING SPACES REQUIRED, loading spaces shall be provided according to the following schedule
   1) Under 5,000 square feet of gross floor area: no loading spaces required
   2) For each additional 10,000 square feet of gross floor area, or fraction thereof, a minimum of one (1) loading space is required.
   3) Location of loading spaces must comply with all requirements in subsection (a)

670.0814 Bicycle infrastructure

a) Number of spaces required - One bicycle space shall be provided as follows:

Size of parking lot	Number of bicycle spaces required
1 to 300 spaces	1 bicycle space per 20 parking spaces (or portion)
301 to 950 spaces	15 bicycle spaces plus 1 additional bicycle space for each 50 parking spaces over 300 (or portion)
951 spaces or larger	28 bicycle spaces

b) Location and installation
   1) Racks must be located as follows:
      a. For buildings with one or two tenants: within 50 feet of a primary entrance
      b. For buildings with three or more tenants:
         i. At least half of the required bicycle spaces must be within 50 feet of primary entrances, with the remainder being within 100 feet of primary entrances
         ii. Bicycle spaces must be reasonably distributed among primary entrances
   2) Racks should be positioned to minimize interference with visually-impaired pedestrians
   3) Racks shall be securely anchored to an approved hard surface.

c) Rack Design
   1) Bicycle racks must support the bicycle upright by its frame in two places, allowing both the frame and one or both wheels to be secured.
   2) Inverted 'U' type, 'A' type, post and loop type racks are encouraged. Creative styles may be used, but must support bikes in the required fashion. Creative styles are subject to approval by the Administrative Officer
   3) Comb, wave and toast-type racks are prohibited

d) Spacing
   1) Bicycle spaces must be a minimum of 72 inches long and 30 inches wide
   2) Racks must be separated by a 30 inches minimum measured on center
   3) If provided, aisles between rows of bike racks must be a minimum of 48 inches wide

Illustrations of permitted bicycle racks. From left: Inverted U-type, A-type, Post-and-loop type

Illustrations of prohibited bicycle racks. From left: Comb-type, wave-type, toast-type

670.0816 Pedestrian infrastructure

Pedestrian walkways must be provided as follows:

a) Access to building - A pedestrian walkway is required from the sidewalk to a primary entrance
b) Circulation system- A pedestrian circulation system shall be created so that a pedestrian using a sidewalk along a public street can access adjacent buildings on paths delineated with markings, crosswalks, and/or different materials, directing foot traffic and separating it from primary access drives. The circulation system shall allow reasonable safe, delineated access among multiple buildings on a development parcel and between parking areas and buildings
c) Design and location - A sidewalk is required, with the following requirements
    a. Sidewalks are required along each public street, extending the breadth of the lot. Alleys are excluded.
    b. Sidewalks and entryways shall comply with all federal and state of Ohio accessibility requirements including but not limited to the Americans with Disabilities Act, notwithstanding the foregoing.
    c. Newly installed sidewalks must be a minimum width and clearway of five (5) feet
    d. Sidewalks on the subject property must connect with adjacent sidewalks, if provided
    e. Sidewalks shall have a maximum one-half inch threshold when joining to a parking, street or other sidewalk to promote accessibility
    f. On request of the Administrative Officer in consultation with the Franklin County Engineer's Office and/or township road superintendent, sidewalks may be required to be installed outside the right-of-way. If this is required, applicants must execute a public-access easement for such sidewalk.

670.0820 Administrative flexibility provision

Upon written request by an applicant, the Administrative Officer may grant the following exceptions to the relevant sections below. A maximum of *three* exceptions is permitted for any development parcel.

a) Parking spaces: For parking lots larger than 20 spaces, plus or minus 5 percent of spaces,
b) Landscaping requirements: A 2 percent reduction in required landscaping area

c) Reduction in required window glass surface area up to 5 percent
d) Wall sign area: Additional 10 square feet permitted.
e) Increase in maximum building of height, up to 5 percent
f) Lighting: Additional 4 feet permitted for maximum lighting height
g) Ground sign setback: Reduction of up to 2 feet
h) Front parking lot setback: Reduction of up to 2 feet
i) Minimum building width: Reduction of up to 5 percent

670.10 PERMITTED USES

Uses are limited to those allowed in the underlying zoning district, including any additional overlays. The following exceptions apply:

a) For properties in any commercial district, as defined in SECTION 4.00 – THE COMMERCIAL DISTRICTS, the following uses are permitted in addition to those listed in their respective sections.
    1. Townhomes
    2. Condominium and Apartment dwelling structures
b) For properties in the R-24 – SUBURBAN APARTMENT RESIDENTIAL DISTRICT, Condominium and Apartment dwelling structures are permitted without a limit on the number of stories, provided however that structures shall not exceed the maximum height listed in 670.082(c).

ARTICLE VII
ADMINISTRATION

SECTION 705 - ENFORCEMENT OF REGULATIONS

705.01 - ADMINISTRATIVE OFFICER - This Zoning Resolution shall be administered and enforced by an Administrative Officer, that being the Director of the Franklin County Development Department or his designated representative, who shall be appointed by the Board of County Commissioners as is prescribed by Section 303.16, **Ohio Revised Code,** and is hereby empowered;

705.011 - Certificate of Zoning Compliance - To issue a Certificate of Zoning Compliance when these regulations have been followed or, to refuse to issue the same in the event of non-compliance.

705.012 - Collection of Fees - To collect the designated fees as set forth in this Zoning Resolution for Certificates of Zoning Compliance, application for amendment or changes, Appeal and Conditional Use.

705.013 - Making and Keeping of Records - To make and keep all records necessary and appropriate to the office, including record of the issuance and denial of all Certificates of Zoning Compliance and of receipt of complaints of violation of this Zoning Resolution and action taken on the same.

705.014 - Inspection of Building or Land - To inspect any building or land to determine whether any violations of this Zoning Resolution have been committed or exist.

705.015 - Interpretation and Enforcement - To interpret and enforce this Zoning Resolution and take all necessary steps to remedy any condition found in violation by ordering in writing, the discontinuance of illegal uses or illegal work in progress, and may request the Franklin County Prosecuting Attorney to commence appropriate action. Any person aggrieved by any decision or interpretation, either written or verbal, of the zoning officer may appeal such decision without fee to the Board of Zoning Appeals. Such appeals shall take priority on the BZA agenda, and shall be heard at the next available hearing, with abutters notified by the county zoning office.

705.016 - Advise Zoning Commission - To keep the Rural Zoning Commission advised of all matters other than routine duties pertaining to the enforcement of this Zoning Resolution and to transmit all applications and records pertaining to supplements and amendments.

705.017 - Advise Board of Appeals - To keep the Board of Zoning Appeals advised of all matters pertaining to Conditional Use Permits, Appeals or Variances and to transmit all applications and records pertaining thereto.

705.02 - CERTIFICATE OF ZONING COMPLIANCE – No occupied or vacant land shall hereafter be changed in its use in whole or part until the Certificate of Zoning Compliance has been issued by the Administrative Officer. No activity resulting in a disturbance equal to or greater than 1 acre of occupied or vacant land shall hereafter be permitted until the Certificate of Zoning Compliance has been issued by the Administrative Officer. No existing or new building shall hereafter be changed in its use in whole or in part until the Certificate of Zoning Compliance shall have been issued by the Administrative Officer. This section shall in no case be construed as requiring a Certificate of Zoning Compliance in the event of a change in ownership or tenancy only, without a change in use or intended use, provided that no major

repairs, alterations, or additions are proposed for such building.

705.021 - Building Permit - No building permit for the extension, erection or alteration of any building shall be issued before an application has been made and a Certificate of Zoning Compliance issued, and no building shall be occupied until such certificate is approved.

705.022 - Application for Certificates - Each application for a Certificate of Zoning Compliance for new development shall be accompanied by a plan in duplicate, prepared by a professional engineer, surveyor or architect, drawn to scale, one (1) copy of which shall be returned to the owner upon approval. The plan shall show the following:

1.) The actual dimensions of the lot including easements;

2.) The exact size and location of all buildings on the lot;

3.) The proposed new construction;

4.) The existing and intended use of all parts of the land or buildings;

5.) Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution;

6.) The proposed provision of water and sanitary sewer facilities;

7) A grading plan and storm sewer layout, to include existing and proposed surface and subsurface draining features indicating how storm runoff will be handled;

8.) The requirements of 705.022, or portions thereof, may be waived by the Administrative Officer when, in his opinion, the applicant has satisfactorily demonstrated that all aspects relative to the above have been suitably addressed.

Applications for Certificates of Zoning Compliance must comply with applicable local and state requirements and regulations. These may include, but are not limited to, the Franklin County Storm Water Management Manual if the proposal will disturb 1 or more acres of land, Franklin County Public Health Regulations, Franklin County Sanitary Engineer requirements, Franklin County Drainage Engineer requirements, Franklin County Engineer requirements and requirements of the applicable Ohio Environmental Protection Agency Construction permit.

705.023 - Fees - When making application for a Certificate of Zoning Compliance, applicants shall pay a fee to defray the administrative costs of processing the application. The required fee is listed on the department's most current schedule of fees.

705.024 - Issuance of Certificates - Certificates of Zoning Compliance shall be issued or refusal thereof given within seven (7) working days after the date of application if all information required in the application is complete. Written notice of such refusal and reason thereof shall be given to the applicant.

705.025 - Expiration of Certificate of Zoning Compliance - If the change or modifications described in any Certificate of Zoning Compliance has not begun within six (6) months from the date of issuance

thereof, said Certificate of Zoning Compliance shall expire, it shall be revoked by the Administrative Officer and written notice thereof shall be given to the persons affected. If the work described in any Certificate of Zoning Compliance has not been substantially completed within one (1) year of the date of issuance thereof, said Certificate of Zoning Compliance shall expire and be revoked by the Administrative Officer and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled Zoning Compliance shall not proceed unless and until a new Certificate of Zoning Compliance has been obtained.

SECTION 710 - PENALTIES FOR VIOLATION

710.01 - PENALTY FOR VIOLATION OF ZONING RESOLUTION - Any person violating any provision of any article of this Zoning Resolution, or who shall violate or fail to comply with any order made thereunder; or who shall falsify plans or statements filed thereunder; or who shall continue to work upon any structure after having received written notice from the Administrative Officer to cease work, shall be guilty of a misdemeanor, and subject to the penalty provided in Section 303.09, **Ohio Revised Code.**

SECTION 715 - AMENDMENTS OR SUPPLEMENTS TO ZONING RESOLUTION

715.01 - CHANGE OR AMENDMENT BY BOARD OF COUNTY COMMISSIONERS - The Board of County Commissioners may change or amend the text of this Zoning Resolution, the Zoning District Map or the Special District Map.

715.011 - Initiation by Resolution - Proposed changes or amendments may be initiated by the Board of County Commissioners by resolution or by motion of the Rural Zoning Commission.

715.012 - Initiation by Application - Proposed changes or amendments may be initiated by one or more owners or lessees of land within the area that is proposed to be changed by amendment of the Zoning District Map or by one (1) or more owners or lessees of land to be affected by change or amendment of other provisions of this Zoning Resolution.

715.013 - Resubmission of Application - If a proposed amendment or supplement initiated by application is disapproved by the Board of County Commissioners, another application for amendment or supplement affecting the land included in the disapproved application shall not be submitted within one (1) year from the date of disapproval, except with a statement by the Franklin County Regional Planning Commission of changed or changing conditions affecting the land sufficient to warrant reconsideration.

715.05 - INITIATION OF ACTION BY OWNER OR LESSEE OF LAND - Two (2) copies of a provided application form shall be filed with the Administrative Officer not less than thirty (30) days prior to the public hearing of the Rural Zoning Commission at which the proposal is to be considered.

715.051 - Application - The application for any proposed change or amendment shall contain:

1.) A description or statement of the present and proposed provisions of this Zoning Resolution or the proposed change of the district boundaries of the Zoning District Map or Special District Map;

2.) A description by map or text of the property to be affected by the proposed change or amendment;

3.) A statement of the relation of the proposed change or amendment to the general health, safety and welfare of the public in terms of need or appropriateness within the area by reason of changed or changing conditions and the relation to appropriate plans for the area;

4.) A list of owners and addresses of property within, contiguous to, and directly across the road from and all other property owners within three hundred (300) feet of the boundary of such area proposed to be rezoned. Such list shall be in accordance with the Franklin County Auditor's

current tax list;

715.052 - Fees - Applicants shall pay a fee to the County of Franklin, Ohio, for each application for any proposed change or amendment to cover the necessary administrative and advertising costs. The required fee is listed on the department's most current schedule of fees.

SECTION 716 - PROCEDURE FOR CONSIDERATION OF PROPOSED CHANGE OR AMENDMENT

716.01 - ESTABLISHMENT OF PUBLIC HEARING BY RURAL ZONING COMMISSION - Upon the certification of such resolution by the Board of County Commissioners, the adoption of such motion by the Rural Zoning Commission or the filing of such application for a proposed change or amendment of the text of this Zoning Resolution, the Zoning District Map or Special District Map, the Rural Zoning Commission shall set a date for a public hearing.

716.011 - Hearing Date - The date for a public hearing shall be set for not less than twenty (20) days nor more than forty (40) days from the date of the resolution, motion or application.

716.012 - Notice of Hearing - Notice setting forth the time and the place of such hearing and the nature of the proposed change or amendment shall be given by the Rural Zoning Commission by one (1) publication in one (1) or more newspapers of general circulation in each township affected by such proposed change or amendment at least ten (10) days before the date of such public hearing.

If the proposed change or amendment intends to affect (rezone or redistrict) ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be mailed by the Rural Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area affected by the proposed change or amendment. Such notice is to be mailed to the address of such owners appearing on the County Auditor's current tax list or the County Treasurer's mailing list. The failure of delivery of such notice shall not invalidate any such amendment. The published and mailed notices shall set forth the time, date and place of the public hearing, and shall include all of the requirements of ORC 303.12 (C) or (D).

716.02 - ACTION BY THE FRANKLIN COUNTY PLANNING COMMISSION - The Franklin County Planning Commission shall consider the proposed change or amendment and make recommendations concerning the approval, denial or some modification thereof to be considered by the Rural Zoning Commission.

716.021 - Staff Review - The staff of the Franklin County Planning Commission together with the Franklin County Engineer, the Franklin County Board of Health and other appropriate agencies or bodies shall present to the Franklin County Planning Commission a written report including all apparent facts, implications and conclusions concerning the proposed change or amendment.

716.022 - Recommendation - The Franklin County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Rural Zoning Commission. Such recommendation shall be considered at the public hearing held by the county Rural Zoning Commission on such proposed amendment.

716.03 - ACTION BY THE RURAL ZONING COMMISSION - After a public hearing, the Rural Zoning Commission shall act on a proposed change or amendment.

716.031 - Consideration - The Rural Zoning Commission shall consider the approval, denial or some modification of the proposed change or amendment as such proposal in the Commission's judgment advances the general health, safety and welfare of the public by encouraging appropriate use and development of the land affected and the comprehensive or overall development of the surrounding area.

716.032 - Recommendation - Within thirty (30) days after the public hearing, the Rural Zoning Commission shall submit to the Board of County Commissioners a recommendation of approval, denial or some modification of the proposed change or amendment including a statement of reasons for such recommendation, together with such resolution or application, the text and map pertaining thereto, and the recommendation of the Franklin County Planning Commission.

716.04 - ACTION BY THE BOARD OF COUNTY COMMISSIONERS - Upon receipt of such recommendation concerning proposed change or amendment the Board of County Commissioners shall set a time for a public hearing.

716.041 - Hearing Date - The date for a public hearing shall be set for not more than thirty (30) days from the date of the receipt of recommendation from the Rural Zoning Commission.

716.042 - Notice of Hearing - Notice setting forth the time and place of the public hearing and a summary of the proposed change or amendment shall be given by the Board of County Commissioners by one (1) publication in one (1) or more newspapers of general circulation in Franklin County at least ten (10) days before the date of the public hearing.

Written notice by first class mail shall be given as set forth in SECTION 303.21, OHIO REVISED CODE.

716.043 - Final Action - Within twenty (20) days after such public hearing, the Board of County Commissioners shall either adopt or deny the recommendations of the Rural Zoning Commission or adopt some modification thereof.

In the event the Board of County Commissioners denies or modifies the recommendation of the Rural Zoning Commission, the unanimous vote of the Board of County Commissioners shall be required.

716.044 - Date of Effect - Such change or amendment as the Board of County Commissioners shall adopt shall become effective in thirty (30) days after the date of such adoption unless within such thirty (30) day period there is presented to the Board of County Commissioners a petition, as set forth in Section 303.12, **Ohio Revised Code,** requesting the Board of County Commissioners to submit the proposed change or amendment to referendum vote.

SECTION 720 - DEFINITIONS

720.01 - DEFINITION OF WORDS - Except where specifically defined herein, all words used in this Zoning Resolution shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural; the word structure includes the word building; the word lot includes the word plot or parcel; the term "shall" is always mandatory; the words "used" or "occupied", as applied to any land or structure shall be construed to include the words "intended, arranged or designed to be used or occupied."

720.011 - Specifically Defined Words - The following listed words are specifically defined for use in this Zoning Resolution:

100-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.

ACCESS DRIVE – A travelway providing access for vehicles from a public right-of-way or private street to a parking space, garage, dwelling, or other structure or use.

ACCESSORY BUILDING - A customary accessory building or use is one which:

a.) Is subordinate to in area, extent or purpose and serves the principal building or use;

b.) Contributes to the comfort, convenience, or necessity of occupants of the principal building or use served; and

c.) Is located on the same lot as the principal building or principal use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same lot with the building or use served.

ADMINISTRATION OFFICER - The official charged with the administration and enforcement of the Zoning Resolution.

ADULT - An individual eighteen years of age or older.

ADULT BOOK STORE - Adult book store means an establishment deriving a majority of its gross income from the sale or rental of, or having a majority of its stock in trade in, books, magazines or other periodicals, films, or mechanical or non-mechanical devices, which constitute adult materials.

ADULT MATERIAL - Adult material means any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing, or any service, capable of arousing interest through sight, sound, or touch, and:

1.) Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; or

2.) Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.

ADULT MOTION PICTURE THEATER - Adult motion picture theater means an enclosed motion picture theater or motion picture drive-in theater used for presenting, and deriving a majority of its gross income from adult material for observation by patrons therein.

ADULTS ONLY ENTERTAINMENT ESTABLISHMENT – Adults-only entertainment establishment means an establishment which features services which constitute adult material, or which features exhibitions of persons totally nude, topless or bottomless, strippers, male or female impersonators, or similar entertainment which constitute adult material.

ADULT CARE FACILITY - An adult family home or an adult group home. For the purposes of this ordinance, any residence, facility. institution, hotel, congregate housing project, or similar facility that provides accommodations and supervision to three (3) to sixteen (16) unrelated adults, at least three (3) of whom are provided personal care services, is an adult care facility regardless of how the facility holds itself out to the public. Adult care facility does not include:

a.) A facility operated by a hospice care program licensed under ORC 3712.04 that is used exclusively for care of hospice patients;

b.) A nursing home, rest home, or home for the aging as defined in ORC 3721.01;

c.) A community alternative home as defined in ORC 3724.01;

d.) An alcohol and drug addiction program as defined in ORC 3793.01.

ADULT FAMILY HOME - A residence or facility that provides accommodations to three (3) to five (5) unrelated adults and supervision and personal care services to at least three (3) adults (ORC 3722).

ADULT GROUP HOME - As defined under ORC 3722, an adult group home means a residence or facility that provides accommodations to six (6) to sixteen (16) unrelated adults and provides supervision and adult personal care services to at least three (3) of the unrelated adults.

ADULT RABBIT – any of several soft-furred, long-eared, mammals of the family Leporidae having a divided upper lip and long hind legs. "Adult" refers to the capability to produce offspring.

ADVERTISING AREA - The advertising area of a sign or billboard is the entire area within a continuous perimeter forming a basic geometric figure which encloses the message or display along with any frame or other material, color, internal illumination or other feature which forms as an integral part of the message and is used to differentiate the sign or billboard from the wall or supporting structure upon which it is placed. The necessary supports or uprights are excluded from the graphic area if they give the visual appearance of a single color.

ADVERTISING FACE (Sign Face) - Shall be that advertising area of the billboard (advertising structure) devoted solely to advertising purposes.

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; timber; 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.

ALLEY - Secondary access way of not less than twenty (20) feet in width dedicated to public use for travel or transportation and affording vehicular access to abutting property.

ALTERNATIVE WASTEWATER TREATMENT SYSTEM – Shall include, but is not limited to, systems that involve constructed wetlands or land application technology for the treatment of wastewater.

APARTMENT - A portion of a building consisting of a room or suite of rooms intended, designed, or used as a permanent residence by an individual or one (1) family.

APARTMENT HOUSE - See dwellings, multi-family

APIARIST – see BEEKEEPER.

APIARY - the assembly of one or more colonies of bees at a single location.

APICULTURE – the cultivation of bees for purposes of producing honey, pollination services, queen breeding programs, or other products of the hive.

AREA OF SHALLOW FLOODING - A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - The land in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year. Areas of special flood hazard are designated by the Federal Emergency Management Agency as Zone A, AE, AH, AO, A1-30, and A99.

BANKFULL CHANNEL WIDTH - The width of a stream during channel-forming or effective discharge, defined as: $\mathbf{W = 133\ (DA)^{0.43}}$, where DA is the drainage area of the stream in square miles and W is the bankfull channel width in feet.

BASE FLOOD - A flood which is representative of large floods known to have occurred in the central Ohio region and characteristic of floods expected to have a one percent (1%) chance of being equaled or exceeded in any given year. Sometimes referred to as Regional Flood or One Hundred (100) Year Flood.

BASEMENT - A story all or partly underground but having at least one-half (l/2) of its height below the average level of the adjoining ground.

BEEKEPER - a person who owns or has charge of one or more colonies of bees.

BEEKEEPING EQUIPMENT - anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

BILLBOARD (Off-Premise Sign) - A billboard shall be defined as a sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located. A billboard is an *Advertising Structure*. An advertising structure shall be the entire structure including the advertising face and any supporting or appurtenant structures thereto.

BOARDER - A renter who rents a room or suite of rooms and is provided regular meals as well as lodging.

BOARDING HOUSE - A facility which provides rooms for rent and meals for boarders.

BORROW PIT - A pit adjacent to a fill or embankment from which material is taken for the purpose of making the fill or constructing and maintaining that embankment.

BOTTOMLESS - Bottomless means less than full opaque covering or male or female genitals, pubic area or buttocks.

BUILDING - A structure having a roof supported by columns, walls or any series of structures separated by fire separations but contained under a common roof or within common walls and requiring a building permit in accordance with the building regulations of Franklin County or the State of Ohio that is used for shelter, occupancy, enclosure, or support of persons, animals or property.

BUILDING, HEIGHT OF - The vertical distance measured from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.

BUILDING SETBACK LINE - A line establishing the minimum allowable distance between the nearest portion of any building and the center line of any street when measured perpendicularly thereto.

BUS – Any motor vehicle that has motor power and is designed and used for carrying more than nine (9) passengers, except any motor vehicle that is designed and used for carrying not more than fifteen (15) passengers in a ridesharing arrangement.

BZA – The Franklin County Board of Zoning Appeals.

CABO - Council of American Building Officials.

CARRY OUT RESTAURANT - An establishment which by design of physical facilities, by service or by packaging procedures permits or encourages the purchase of prepared ready-to-eat foods intended primarily to be consumed off the premises, and where the consumption of food in motor vehicles is not permitted or not encouraged.

CENTERLINE - The midpoint between two (2) edges of a paved road.

CENTRALIZED (Public) WATER AND SANITARY SEWER SERVICE - Any system, other than an alternative waste water treatment system, individual well, septic tank tile field that is operated by a municipality, governmental agency, or a public utility for the collection, treatment and disposal of wastes and furnishing of potable water.

CERTIFICATE OF ZONING COMPLIANCE - A document issued by the zoning administrator which stipulates whether a planned use either meets or does not meet the requirements of this zoning resolution.

CEPAC - Franklin County Chemical Emergency Preparedness Advisory Council. A consortium of the Franklin County Board of Health and the Columbus Board of Health which tracks use and storage of hazardous materials, as required under the SARA Title III act.

CHANNEL - A natural or artificial depression of perceptible extent with definite bed and banks to confine and conduct flowing water either continuously or periodically.

CHILD DAYCARE - Any place, home or institution which cares for young children apart from their parents when received for regular periods of time for compensation such as kindergarten, nursery school or class for young children that develops basic skills and social behavior by games, exercises, toys and simple handicraft. Daycare is included in the definition of childcare; the care of more than twelve (12) children is a business.

COLD-FRAME – An unheated outdoor apparatus consisting of a wooden or concrete frame and a top of glass or clear plastic, used for protecting seedlings and plants from the cold.

COLONY - Colony or hive means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and drones, including brood, combs, honey and the receptacle inhabited by the bees.

COMMUNITY GARDEN – An area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption, sales, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

CONDITIONAL USE - A use which is essential to or would promote the public health, safety or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those imposed within this ordinance.

CONFORMING USE - Any lawful use of a building, structure, lot, sign or fence which complies with the provisions of this resolution.

CONSTRUCTION VEHICLE – Any vehicle designed and/or used in association with construction, development, demolition, and/or transportation activities including (but not limited to) bulldozers, back hoes, dump trucks and bobcats.

COMMERCIAL TRACTOR – Any motor vehicle that has motive power and either is designed or used for drawing other motor vehicles, or is designed or used for drawing another motor vehicle while carrying a portion of the other motor vehicle on its load, or both.

COMMERCIAL VEHICLE – A commercial vehicle shall be defined as any vehicle used or designed to be used for business or commercial purposes, and/or the transportation of merchandise, cargo or freight and shall include but not be limited to commercial tractors, semi-trailers, dump trucks, construction vehicles, limousines, buses or any vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or truck. Commercial vehicles do not include passenger cars that qualify as non-commercial motor vehicles as defined in Ohio Revised Code Section 4501.01.

COMMUNITY NFIP ADMINISTRATOR - The person, persons, agency, or other local government entity responsible for the administration and enforcement of the National Flood Insurance Program in compliance with Federal Law 44 CFR Parts 59 and 60. For unincorporated Franklin County (NFIP Community Number 390167) the Franklin County Development Department is the Community NFIP Administrator.

CRITICAL AREA - An area with one (1) or more of the following characteristics: (1.) slopes in excess of twenty percent (20%); (2.) floodplain; (3.) soils classified as having a high water table; (4.) soils classified as highly erodible, subject to erosion or highly acidic; (5.) land incapable of meeting percolation requirements; (6.) land formerly used for landfill operations or hazardous industrial use; (7.) fault areas; (8.) stream corridors; (9.) estuaries; (10.) mature stands of native vegetation; and (11.) aquifer recharge and discharge areas.

CULVERT - A drain, ditch or conduit not incorporated in a closed system, that carries drainage water under a driveway, railroad, pedestrian walk or public way.

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.

DAY CARE CENTER - See CHILD CARE.

DECIBEL - A unit of sound.

DECIDUOUS - Plants that drop their leaves before becoming dormant in winter.

DEED - A legal document conveying ownership of real property.

DEPARTMENT - When used without clarification means the Franklin County Development Department.

DETACHED - A structure which is separate from and does not share a common wall or connect in any way to another structure.

DETENTION BASIN - A storage facility for the temporary storage of storm water runoff.

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

DIRECTOR - When used without clarification means the Franklin County Development Director.

DISTURBANCE - Any clearing, grading, excavating, filling, or other alteration of land surface where natural or man-made cover is destroyed in a manner that exposes the underlying soils.

DRAINAGE AREA (DA) - The amount of land area draining to a particular watercourse.

DRIVE-THROUGH BUSINESS OR WINDOW - An establishment or part of an establishment designed for the conduct of business with customers who remain within a vehicle during the transaction.

DRIVEWAY – See Access Drive.

DUMPSTER – Any container used for the temporary storage of trash, pending collection, having a capacity of at least one (1) cubic yard or 200 gallons.

DWELLING - Any building which is completely intended for, designed for, and used for residence purposes, but for the purposes of this ordinance, shall not include a hotel, motel, nursing home, tourist cabins, college or university dormitories, or military barracks.

DWELLING, ATTACHED, SINGLE-FAMILY - A dwelling unit which is attached to one (1) or more dwelling units, each of which has independent access to the outside of the building to ground level and which has no less than two (2) exterior walls fully exposed and not in common with the exterior walls of any other unit.

DWELLING, DETACHED, SINGLE-FAMILY - A dwelling standing by itself and containing only one (1) dwelling unit, separate from other dwellings by open space, which dwelling unit shall be constructed in accordance with the any of the following:

1.) The CABO One (1) and Two (2) Family Building Code;

2.) The Ohio Basic Building Code for industrialized units as provided in ORC 3781.06, (C);

3.) The United States Department of Housing and Urban Development 1974 Manufactured Housing Construction Safety Standards and which manufactured home also meets all of the following criteria:

a.) The structure fronts on an approved public or private street;

b.) The structure is affixed to a permanent frost free foundation (slab, crawl or full foundation constructed in accordance with the CABO 1995 One and Two Family Code);

c.) The structure is connected to appropriate utilities;

d.) The structure is at least twenty-two (22) feet minimum in both length and width, with a minimum habitable area of nine hundred (900) square feet;

e.) The structure has a six (6) inch minimum cove overhang, including appropriate guttering, a minimum roof pitch of 3/12 and conventional residential siding (lap, clapboard, shake, masonry, vertical natural materials);

f.) The structure has the indicia of mobility (trailer tongue, running lights, wheels and axles) removed prior to placement on its foundation;

g.) Safety requirements for egress shall be one (1) five (5.0) net square foot window opening (represents the half of a double hung sash window) in each bedroom on the first floor. The area measured shall be the net opening without special tools and shall be no more than forty-four (44) inches off the interior floor. Smoke detectors shall be provided in every bedroom;

h.) The structure is intended to be assessed and taxed as permanent real estate, not personal property. The title for such structure shall be surrendered to the county auditor upon its fixture to a permanent foundation and such surrender shall be notice to the auditor to tax said structure as real estate from that day forward;

i.) The structure was manufactured after January 1, 1995 in accordance with Ohio Revised Code 3781.05 (F).

DWELLING, FARM - A single family dwelling on a lot of five (5) or more acres.

DWELLING, TWO-FAMILY - A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units living independently of each other.

DWELLING, (MULTI-FAMILY) OR APARTMENTS - A residential building arranged or intended for three or more dwelling units, as separate housekeeping units.

DWELLING UNIT - A building or portion thereof providing complete housekeeping facilities (cooking, personal washing, sanitary toilets and sleeping) for one (1) person or one (1) family.

EASEMENT - A grant of one (1) or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

EPHEMERAL STREAM - A watercourse or stream that flows only in response to precipitation.

ENVIRONMENTAL IMPACT STATEMENT (EIS) - A statement on the effect of development proposals and other major actions which significantly affect the environment.

ESTABLISHED GRADE - That point where the grade line intersects the fronting wall of the building.

FACADE - The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

FACING - The facing of a sign or billboard is the readable copy area of any sign or billboard visible to traffic proceeding along a public street in one (1) direction.

FAMILY - An individual or two (2) or more persons related by blood or marriage or group of not more than four (4) unrelated persons (excluding servants) who need not be related by blood or marriage, living together in a single dwelling unit as their common home for the time, as distinguished from a group occupying a boarding house, lodging house, hotel, club, fraternity or sorority house.

FEED LOT - Land used for the confining and commercial feeding of livestock and not necessarily connected with any general farming upon the same lot or premises. A plot of land on which livestock are fattened for market. All feed lots shall obtain appropriate permits for waste treatment and disposal from the OEPA or the Franklin County Board of Health prior to the issuance of a zoning permit.

FEMA - Federal Emergency Management Agency. This agency has overall responsibility for administering the National Flood Insurance Program.

FENCE - A fence is an artificially constructed barrier of material, such as wood, or a combination of materials which are commonly manufactured and utilized for attractively and effectively enclosing and screening areas of land. Material which is not originally manufactured for purposes of fencing and or screening shall not be utilized when constructing a fence.

A fence intended for purposes of screening in accordance with Section 521 shall be a minimum of six (6) feet in height, but in no case shall any fence exceed eight (8) feet in height.

FIRM - Flood Insurance Rate Map, which is an official map on which the Federal Emergency Management Agency has delineated the areas of special flood hazard.

FLOOD OR FLOODING - A general and temporary condition of partial or complete inundation of normally dry areas from: (1.) the overflow of inland or tidal waters; and/or (2.) the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD INSURANCE STUDY - The official report in which the Federal Emergency Management Agency has provided flood profiles, floodway boundaries and the water surface elevations of the base flood.

FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than that prescribed by the Flood Insurance Study.

FLOODPLAIN - The areas adjoining a watercourse which are expected to be flooded as a result of a severe combination of meteorological and hydrological conditions.

FREE-STANDING SIGN - A sign intended to be erected and used permanently whose support structure is imbedded in the ground.

FRONTAGE - The side(s) of a lot abutting on a dedicated public or, in some cases, approved private street.

GIS - Geographic Information System.

GRANNY FLAT - A granny flat is a subservient apartment within a principal single family structure which meets all requirements of Section 302.039, plus allows usage only by members of the resident owner's family. Usage by servants or personal staff also would be considered family. Usage by persons outside the family would not be permitted unless granted a variance for such use.

GREENBELT - An open landscaped area which is used as a buffer between land uses.

GREENWAY – A linear open space or natural area along a watercourse. Greenways can be used to connect parklands, enhance recreational opportunities, and protect natural habitat and scenic areas.

GROSS FLOOR AREA - Gross floor area of a residential structure shall be computed as the sum of the gross horizontal area of the several floors of the residential structure, excluding finished or unfinished basements, breezeways, carports, garages, storage areas with only outside access, porches, unfinished attics, and other unheated and/or unfinished areas attached to the principal use or structure.

Gross floor area of non-residential structure shall be computed as the sum of the gross horizontal floor area of the specified use.

GROUNDWATER - The supply of freshwater under the surface in an aquifer or soil that forms the natural reservoir for potable water.

HEIGHT OF A SIGN OR BILLBOARD - Unless otherwise specified, the height of a sign or billboard is the vertical distance between the top of its advertising area and the nearest grade of the earth's surface.

HIGHLY ERODIBLE LAND - A highly erodible soil, or soil map unit, has a maximum potential for erosion that equals, or exceeds, eight times the tolerable erosion rate. The maximum erosion potential is calculated without consideration to crop management or conservation practices, which can markedly lower the actual erosion rate on a given field.

The maximum potential erosion rate is determined by multiplying the rainfall factor (R) by the erodibility value of the soil (K) by the slope factor (LS) and dividing the product by the soil loss tolerance (T). The equation is expressed by the formula RKLS/T. A soil is highly erodible if the result of the equation RKLS/T is equal to or greater than eight.

The following list contains common HEL soil types:

Alexandria silt loam (12 to 18 percent slopes, eroded) AdD2
Alexandria silt loam (18 to 25 percent slopes, eroded) AdE2
Eldean silt loam (12 to 18 percent slopes, eroded) ElD2
Glynwood silt loam (6 to 12 percent slopes, eroded) GwC2
Hennepin and Miamian loams (18 to 25 percent slopes, eroded) HeE2
Hennepin and Miamian loams (25 to 50 percent slopes, eroded) HeF2
Miamian silty clay loam (12 to 18 percent slopes, eroded) MID2
Ritchey silt loam (12 to 18 percent slopes, eroded) RhD2
Udorthents (loamy, rolling) Up

Udorthents (loamy, sloping) Ur
Udorthents (loamy, steep) Us

HIVE – See COLONY

HOME OCCUPATION, PERMITTED USE - Any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit and allowed by Section 511.02.

HOME OCCUPATION, CONDITIONAL USE – Any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit or accessory unit and allowed by Section 511.03.

HOMEOWNERS ASSOCIATION - A community association, which is organized in a development in which individual owners share common interests in open space or facilities.

HONEY BEE - all life stages of the common domestic honey bee, *Apis mellifera* species.

HOOP HOUSE – An apparatus made of polyvinyl chloride (PVC) piping or other material covered with translucent plastic, constructed in a half-round or hoop shape, used for growing and protecting plants.

IMPERVIOUS COVER - Any paved, hardened, or structural surface regardless of its composition including but not limited to buildings, roads, driveways, parking lots, loading/unloading areas, decks, patios, and swimming pools

IMPROVEMENT - A structural addition to a house or accessory structure which represents less than 50% of the value of the existing structure.

INDIVIDUAL WASTEWATER TREATMENT SYSTEM – An individual system or part thereof that treats and/or decomposes sanitary sewage and including but not limited to an individual aeration system, individual septic tank, individual leach field, or evaporation-transpiration mound. Said system shall be approved for use by the Ohio Department of Health and the Franklin County Board of Health and permitted by the Franklin County Board of Health.

INTEGRATED PEST MANAGEMENT (IPM) – An ecosystem-based agricultural pest control strategy that focuses on long-term prevention of pests or their damage through a combination of biological control, habitat manipulation, cultural practices, and use of resistant varieties. Pesticides are used only if non-chemical methods are not successful, and pesticide treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial organisms, and the environment. IPM-compliant fertilizers include compost, composted manure, seaweed, fish emulsion, bone meal, blood meal, coffee grounds, earthworm castings, bat guano, sheet-mulching and cover crops.

INTERMITTENT STREAM - A stream or portion of a stream that is dry for part of the year, ordinarily more than 3 months. It is often delineated with dashed lines on USGS maps.

KENNEL - An establishment for the breeding or boarding of dogs.

LANDSCAPE - (1) An expanse of natural scenery; (2) The addition of lawns, trees, plants, and other natural and decorative features to the land.

LOT, MINIMUM SIZE - A parcel of land occupied or to be occupied by a principal structure or group of structures and accessory structures together with such yards, open spaces, lot width and lot area as are required by this Zoning Resolution, and having not less than the minimum required frontage upon a street, either shown and identified by lot number on a plat of record, or considered as a unit of property and described by metes and bounds.

LOT, DEPTH OF - The average horizontal distance between front and rear lot lines.

LOT LINE - A line bounding or demarcating a plot of land or ground as established by a plat of record.

LOT WIDTH - The average horizontal distance between side lot lines.

LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided that such enclosure is built in accordance with the applicable design requirements.

MANUFACTURED HOME - Any non self-propelled vehicle transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and which conforms with the federal construction and safety standards established by the Secretary of Housing and Urban development (HUD) pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974. Calculations used to determine the number of square feet in a structure's exterior dimensions are measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows (ORC 4501.01). For the purposes of this section, chassis means a steel frame specifically designed and constructed with wheels or running gear and towing tongue installed for transportation on public streets or highways and designed without the need for a permanent foundation arriving at the site complete and ready for residential occupancy except for minor and incidental unpacking and assembly operations; location on wheels, jacks, blocks, or other foundation, connection to utilities and the like.

MEANDER PATTERN - The characterization of a stream’s curvature along its length.

MOBILE HOME - A non self-propelled dwelling unit built on a permanent movable chassis which is eight (8) feet or more in width and more than thirty-five (35) feet in length, which when erected on site is three hundred and twenty (320) or more square feet, that is transportable in one (1) or more sections and which does not qualify as a manufactured home. Specifically it does not conform to the 1974 HUD standards for manufactured homes.

MOTOR VEHICLE - Motor vehicle means any vehicle, including recreational vehicles, propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires.

NFIP - National Flood Insurance Program.

NON-COMMERCIAL MOTOR VEHICLE – Any motor vehicle, including a farm truck as defined in Section 4503.04 of the Ohio Revised Code, that is designed by the manufacturer to carry a load of no more than one (1) ton and is used exclusively for purposes other than engaging in business for profit.

NON-CONFORMING USE - A legal use of a building and/or of land that antedates the adoption of these Regulations and does not conform to the Regulations for the Zoning District in which it is located.

NON CONFORMING LOT OF RECORD - A parcel of real estate which has been surveyed, given a legal metes and bounds description and legally recorded in the County Recorder's office prior to the adoption of or amendment to the Zoning Resolution, and which does not conform with the current zoning regulations.

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 prevails.

NUDE (NUDITY) - Nude (nudity) means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than full, opaque covering of any portion thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

OBSTRUCTION - Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter which is in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or which is placed where the flow of water might carry the same downstream to the damage of life or property.

OHIO EPA - The Ohio Environmental Protection Agency

OHIO DNR - The Ohio Department of Natural Resources

OPAQUENESS - The degree to which a wall, fence, structure or landscaping is solid or impenetrable to light or vision in a generally uniform pattern over its surface.

OPACITY - Degree of obstruction of light.

OPEN SPACE - Any parcel or area of unimproved land or water set aside, dedicated designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

ORDINARY HIGH WATER MARK - The line between upland and bottom land which persists through successive changes in water level, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation.

OUTDOOR STORAGE - The keeping, in an unroofed area of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.

PARCEL - A lot or tract of land.

PARKING FACILITY – Any area used for the parking of motor vehicles, including recreational vehicles.

PERENNIAL STREAM - A stream that has continuous flow throughout the year, except during periods of drought.

PERMITTED USE - Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

POLITICAL GRAPHIC - A billboard or other graphic the purpose of which is to support or oppose any candidate or candidates for public office or any ballot questions or issues to be voted on in any election.

PORTABLE SIGN - A sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

PREDATOR-PROOF SHELTERING STRUCTURE – a structure, not necessarily attached to the ground, with a top and sides that provides shelter and protection for small animals or birds and which, by design, will prevent predator or other animals from gaining access.

PRIME AGRICULTURAL SOILS - Any of the soil types identified in section 302.041 having been found to be particularly suited to agricultural uses.

PRINCIPLE USE - The primary or predominant use of any lot.

PUBLIC IMPROVEMENT - Any improvement, facility or service together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy or similar essential services.

REGULATORY FLOODPLAIN - A watercourse and the areas adjoining a watercourse which have been or hereafter may be covered by the Base Flood.

RECREATIONAL VEHICLE - A vehicle which is: (1) built on a single chassis, (2) four hundred (400) square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

RIDESHARING ARRANGEMENT – The transportation of persons in a motor vehicle where the transportation is incidental to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools and buspools.

RIPARIAN AREA - The transition area between flowing water and terrestrial ecosystems that may be composed of trees, shrubs and surrounding vegetation which serve to stabilize erodible soil, improve both surface and ground water quality, increase stream shading and enhance wildlife habitat.

RIPARIAN SETBACK - The real property adjacent to a designated watercourse located in the area defined by the criteria set forth in this regulation.

RELIGIOUS USE - A structure or place in which worship, ceremonies, rituals and education pertaining to a particular system of beliefs are held.

RESIDENTIAL ZONING DISTRICT OR USE - Residentially zoned district or use means any residential zoning district as listed in Section 201, Article II or any non-conforming residential subdivision zoned Rural or any area where persons may reside.

RIGHT-OF-WAY - A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and occupied or intended to be occupied by a road, crosswalk, railroad, electric transmission line, oil or gas pipeline, water line, sanitary storm sewer or other similar uses.

RODENT-PROOF CONTAINER – a container which, by design, will prevent rodents or other animals from accessing its contents.

RZC – The Franklin County Rural Zoning Commission.

SCREENING - A method of visually shielding or obscuring one (1) abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

SEPTIC SYSTEM - An underground system with a septic tank used for the decomposition of domestic waters.

SEMI-TRAILER – Any vehicle of the trailer type that does not have motive power and is so designed or used with another and separate motor vehicle that in operation a part of its own weight or that of its load, or both, rests upon and is carried by the other vehicle furnishing the motive power for propelling itself and the semi trailer.

SETBACK WIDTH (W) - The total area, on both sides of the watercourse that is to be designated as the "Riparian Setback".

SEXUAL ACTIVITY - Sexual activity means sexual conduct or sexual contact, or both.

SEXUAL CONDUCT - Sexual conduct means vaginal intercourse between a male and a female, and anal intercourse, fellatio, and cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.

SEXUAL CONTACT - Sexual contact means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

SEXUAL EXCITEMENT - Sexual excitement means the condition of human male or female genitals, when in a state of sexual stimulation or arousal.

SIC - Standard Industrial Classification Manual, current edition.

SIGN - A sign shall be defined as an outdoor display intended to identify or attract attention to the premises on which it is located; the businesses, organizations, or individuals conducting professional activities on the premises; or the products or services sold, distributed, produced, or repaired on the premises. Signs also include outdoor displays used by businesses, organizations, or individuals conducting professional activities on the premises to convey information, ideas, and opinions to the public.

SLOPE - The ratio of elevation change to horizontal distance, expressed as a percentage. Slope is computed by dividing the vertical distance (rise) by the horizontal distance (run).

SOIL AND WATER CONSERVATION DISTRICT - An entity organized under Chapter 1515 of the Ohio Revised Code referring to either the Soil and Water Conservation District Board or its designated employee(s), subsequently referred to as Franklin Soil and Water.

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 which may result in, or contribute to, erosion and sediment pollution.

STORMWATER BEST MANAGEMENT PRACTICES (Stormwater BMPs) - Schedules of activities, prohibitions of practices, maintenance procedures and other management practices (both structural and non-structural) to prevent or reduce the pollution of surface waters of the state. Stormwater BMPs also include treatment requirements, operating procedures and practices to control plant and/or construction site runoff, spillage or leaks, sludge or waste disposal or drainage from raw material storage.

STORMWATER MANAGEMENT FACILITY - Any constructed system designed to mitigate the adverse impacts of storm water or runoff pollution.

STREAM - Any perennial, ephemeral or intermittent stream or watercourse with a defined bed, bank or channel.

STREAM CENTERLINE - The line representing the one dimensional flow path of a stream.

STREAMWAY - The zone including the main channel of a stream and the attached floodplain wide enough to accommodate meander migration over time.

STREET - A street is an existing state, county, township or municipal roadway, which is shown on a plat approved pursuant to law or by other appropriate official action, consisting of at least forty (40) feet of improved, dedicated and publicly maintained right-of-way; or, a street is an approved private vehicular access which by regulations herein allowing private streets creates legal road frontage for future development.

STREET RIGHT-OF-WAY LINE - The dividing line between a street right-of-way and the contiguous property.

STRUCTURE - Anything constructed or erected, the use of which requires permanent location on the ground, or to something having permanent location on the ground including advertising signs, billboards and other construction or erection with special function or form, except fences or walks. For purposes of this resolution, paved courtyards, parking areas other than driveways, tennis courts, in-ground swimming pools, basketball courts and other ground structures are structures.

STRUCTURE, ACCESSORY OR ANCILLARY - A subordinate structure, the use of which is incidental to that of a principal structure on the same lot.

STRUCTURE, PRINCIPAL - A structure in which is conducted the principal use of the lot on which it is situated.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

TECHNICAL REVIEW COMMITTEE - Advisory group to the Franklin County Economic Development and Planning Department consisting of the Franklin Soil & Water Conservation District office and representation from the following Franklin County agencies: Public Health, County Engineer's office, County Drainage Engineer's office and Sanitary Engineer's office. Other parties may also participate in Technical Review Committee activities, depending of the nature and location of the proposed activity.

TELECOMMUNICATIONS TOWER - Any free-standing structure, or any structure to be attached to a building or other structure, that meets all of the following criteria:

1.) The freestanding or attached structure is proposed to be constructed on or after the effective date of the Ohio Revised Code amendment to Section 303.211 (10/31/96);

2.) The freestanding or attached structure is proposed to be owned or principally used by a public utility engaged in the provision of telecommunications services;

3.) The freestanding or attached structure is proposed to be located in an unincorporated area of a township, in an area zoned for residential use;

4.) The freestanding structure is proposed to top at a height that is greater than thirty-eight (38) feet;

5.) The freestanding or attached structure is proposed to have radio frequency transmission or reception equipment attached to it.

TEMPORARY STRUCTURE - A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

TEMPORARY USE - A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

TENT – A collapsible shelter of canvas or similar material sustained by poles and used as a temporary enclosure.

TOPLESS - Topless means the showing of a female breast with less than a full opaque covering of any portion thereof below the top of the nipple.

TOWNHOUSE - A building consisting of a series of three (3) or more attached or semi-detached dwelling units, each with a ground floor and a separate ownership or condominium.

TRACT - An area, parcel, site, piece of land, or property which is the subject of a development application.

TRAILER – Any vehicle without motive power that is designed or used for carrying property or persons wholly on its own structure and drawn by a motor vehicle.

TRAILER SIGN - A sign mounted on a trailer chassis with or without wheels and used as an on-premise sign.

TRANSITIONAL AREA - (1) An area in the process of changing from one (1) use to another; (2) An area which acts as a buffer between two (2) land uses of different intensity.

USGS - United States Geological Survey

VARIANCE - Permission to depart from the literal requirements of a zoning ordinance.

VEHICLE - Vehicle means everything on wheels or runners, including motorized bicycles.

WASTEWATER - Water carrying wastes from homes, businesses, and industries that is a mixture of water and dissolved or suspended solids, or excess irrigation water that is runoff to adjacent land.

WATERCOURSE - A channel in which a flow of water occurs either continuously or intermittently in a definite direction. The term applies to either natural or artificially constructed channels.

WETLAND - 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. (OAC 3745-1-02). Areas lacking wetland vegetation due to ongoing disturbance such as cultivated fields or maintained utility rights-of-way but having wetland soils and hydrology that could support such vegetation in the future may still be categorized as wetlands.

YARD, REAR - An open space between the rear line of the principal structure (exclusive of steps) and the rear line of the lot and extending the full width of the lot and may be used for accessory structures.

YARD, SIDE - An open, unoccupied space on the same lot with a structure between the side line of the structure (exclusive of steps) and the side line of the lot and extending from the front line to the rear line of the lot.

ZONING DISTRICT - Any section of Franklin County in which zoning regulations are uniform.

ZONING MAP - The map or maps, which are part of the zoning ordinance, and delineate the boundaries of zone districts. This map or maps may be in both hard copy and computerized form.

SECTION 725 - EXISTING ZONING RESOLUTIONS

725.01 - CONVERSION OF ZONING RESOLUTION AND MAPS - The Franklin County Zoning Resolution adopted November 12, 1948 and as amended since, including the Zoning District Maps , is hereby amended. Zoning categories from 1948 are hereby converted to the most identical current land use category. The portions of the 1948 Zoning text which remained after the 1966 general amendments (case 1300) are hereby abolished. Territory in the former 1948 zoning districts shall be incorporated into the current zoning resolution as provided in Table 725-1.

725.011 - Zoning Districts Amended - The 1948 zoning districts are converted from the column on the left to the districts in the column on the right.

Table 725-1

1948 Zoning District	**1996 Zoning District (conversion)**
1 and 2-R-5	R-8
2-SDR-6	R-12
AR-14-26	R-24
AR-8-18	R-24
AR-7-16	R-24
LC	NC - Neighborhood Commercial
GC	CS - Community Service
LM	LI - Limited Industrial
HM	GI - General Industrial

725.014 - Zoning District Map - The Zoning District Map as it has been amended from 1948 to the present is readopted in its present form, with no district boundary changes made as part of the overall text amendments proposed in 1996. The 1948 zoning district names shall be converted in accordance with Table 725-1.

725.015 - Repeal of Conflicting Resolution - The County Zoning Resolution or parts thereof now in effect in Franklin County, Ohio, not otherwise adopted as a part of this Zoning Resolution, and in conflict with the Zoning Regulations as they are established or established hereafter are hereby repealed. However, all suits at law or in equity and/or all prosecutions resulting from violation of any Zoning Resolution heretofore in effect, which are now pending in any of the Courts of the State of Ohio or of the United States, shall not be abated or abandoned by reason of the adoption of this Zoning Resolution but shall be prosecuted to their finality the same as if this Zoning Resolution had not been adopted; and any and all violations of existing Zoning Resolutions, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Zoning Resolution shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may have heretofore been instituted or prosecuted.

SECTION 730 - SEVERABILITY OF ZONING RESOLUTION

730.01 - INVALID PROVISIONS - If for any reason any one (1) or more sections, sentences, clauses or parts of this Zoning Resolution are held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Zoning Resolution but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Zoning Resolution held invalid and the invalidity of any section, sentence, clauses, or parts of this Zoning Resolution in any one (1) or more instances shall not attest or prejudice in any way the validity of this Zoning Resolution in any other instance.

ARTICLE VIII
BOARD OF ZONING APPEALS

SECTION 800 - CREATION OF THE BOARD OF ZONING APPEALS

800.01 - APPOINTED BY THE COUNTY COMMISSIONERS - There shall be a Franklin County Board of Zoning Appeals consisting of five (5) members appointed by the Franklin County Commissioners as provided by Section 303.13 of the Ohio Revised Code.

800.02 - ORGANIZATION AND MEMBERS - The Board of Zoning Appeals shall organize and adopt rules in accordance with the Zoning Resolution. Meetings of the Board of Appeals shall be held at the call of the Chairman, and at such other times as the Board determines. The Chairman, or in his absence the acting chairman, may administer oaths, and the Board of Zoning Appeals may compel the attendance of witnesses. All meetings of the Board of Zoning Appeals shall be open to the public. The Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of County Commissioners, and be a public record.

SECTION 801 - POWERS AND DUTIES OF THE BOARD OF ZONING APPEALS

801.01 - POWERS AND DUTIES - The Board of Zoning Appeals shall have the following powers and duties:

801.011 - Administrative Review - To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative officer in the enforcement of this Zoning Resolution.

801.012 - Conditional Use - To authorize only such conditional uses as the Board of Zoning Appeals is specifically authorized to pass on by the terms of this Zoning Resolution.

801.013 - Variances - To hear and decide in specific cases such variance from the terms of this Zoning Resolution as will not be contrary to the public interest where, owing to special conditions on the land, a literal enforcement of the provisions of this Zoning Resolution would result in unnecessary hardship. In granting such variance, the Board of Zoning Appeals shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the Zoning District in conformity with this Zoning Resolution.

SECTION 805 - PROCEDURE FOR ADMINISTRATIVE APPEAL

805.01 - Procedure - Appeals to the BZA may be taken by any person aggrieved or by any officer of Franklin County affected by any decision of the Zoning Administrative Officer. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Administrative Officer and with the BZA, a notice of appeal specifying the grounds upon which the appeal is being taken. The Administrative Officer shall transmit to the BZA all the papers constituting the record upon which the action appealed was taken. The BZA shall fix a reasonable time for the public hearing of the appeal, give at least ten (l0) days notice in writing to the parties in interest, give notice of such public hearing by one (1) publication in one (1) or more newspapers of general circulation in Franklin County at least ten (l0) days before the date of such hearing and decide the appeal within a reasonable time after it is submitted.

SECTION 810 - PROCEDURE FOR VARIANCE

810.01 - NATURE OF VARIANCE - On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable Development Standards of the Zoning Resolution unreasonable and, therefore, the procedure for variance from Development Standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.

810.02 - WRITTEN APPLICATION - Two (2) copies of a provided application accompanied by a copy of the denied Certificate of Zoning and a statement of the reason for denial shall be filed with the Zoning Administrator not more than twenty (20) days from the date such denial of the Certificate of Zoning is issued.

810.021 - Description of Property and Nature of Variance - The application shall include the following statements:

1.) The nature of the variance; including the specific provisions of the Zoning Resolution upon which the variance is requested;

2.) A legal description of the property;

3.) A statement of the special circumstances or conditions applying to the land or structure and not applying generally throughout the Zoning District;

4.) A statement showing that the special conditions and circumstances do not result from the actions of the applicant;

5.) A statement showing that the granting of the applicant is necessary to the preservation and enjoyment of substantial property rights;

6.) A list of the names and addresses of all adjacent property owners and property owners within three hundred (300) feet of the proposed use. Such list shall be in accordance with the Franklin County Auditor's current tax list;

7.) Such other information regarding the application for appeal as may be pertinent or required for appropriate action by the Board of Zoning Appeals.

810.022 - Plot Plan - The application shall be accompanied by three (3) copies of a plot plan drawn to an appropriate scale showing the following:

1.) The boundaries and dimensions of the lot;

2.) The nature of the special conditions or circumstances giving rise to the application for approval;

3.) The size and location of existing and proposed structures;

4.) The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces, and landscaping;

5.) The relationship of the requested variance to the Development Standards;

6.) The use of land and location of structures on adjacent property.

810.03 - FRANKLIN COUNTY ZONING DEPARTMENT REVIEW - One (1) copy of the application and plot plan shall be forwarded to the Franklin County Development Department prior to the deadline established by the department.

810.031 - Written Report - The Franklin County Development Department, acting through its staff, shall review the application and submit a written report to the Board of Zoning Appeals on or before the date of the public hearing and such report will be to recommend approval, modification of disapproval of the variance and the reasons thereof.

810.04 - ACTIONS OF THE BOARD OF ZONING APPEALS - The Board of Zoning Appeals shall hold a public hearing and act on an appeal in one of the following ways:

810.041 - Approval of Variance - The Board of Zoning Appeals shall only approve a variance or modification thereof if all the following findings are made:

1.) That special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the same Zoning District;

2.) That a literal interpretation of the provisions of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Zoning Resolution;

3.) That the special conditions and circumstances do not result from the action of the applicant;

4.) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Zoning Resolution to other lands or structures in the same Zoning District;

5.) That granting the variance will not adversely affect the health or safety of persons residing or working in the vicinity of the proposed development, be materially detrimental to the public welfare, or injurious to private property or public improvements in the vicinity;

810.042 - Certificate of Zoning - A Certificate of Zoning Compliance may only be issued for an approved variance within the period of one (1) year from the date of final approval by the Board of Zoning Appeals. If a variance has not been used within one (1) year of its issuance, meaning there has no been active and substantial improvement to a property in accordance with a valid variance, then the variance shall expire and no work may commence without either renewing the variance or receiving a new variance approval from the Board of Zoning Appeals.

810.043 - Building Permit - A Building Permit may be obtained only for the development in accordance with the approved plot plan.

SECTION 815 - PROCEDURE FOR AUTHORIZING A CONDITIONAL USE

815.01 - NATURE OF CONDITIONAL USES - Specifically listed CONDITIONAL USES are provided within the Zoning District Regulations in recognition that such uses, although often desirable, will more intensely affect the surrounding area in which they are located than the PERMITTED USES of such Zoning Districts.

The intent of the PROCEDURE FOR AUTHORIZING A CONDITIONAL USE is to set forth the Development Standards and criteria for locating and developing a CONDITIONAL USE in accordance with the nature of the surrounding area, conditions of development, and with regard to appropriate plans.

815.02 - WRITTEN APPLICATIONS - Two (2) copies of a provided application form shall be filed with the Zoning Administrator not less than twenty (20) days prior to the date of the public hearing.

815.021 - Description of Property and Intended Use - The application shall include the following statements:

1.) A legal description of the property;

2.) The proposed use of the property;

3.) A statement of the necessity or desirability of the proposed use to the neighborhood or community;

4.) A statement of the relationship of the proposed use to adjacent property and land use;

5.) A list of the names and addresses of all adjacent property owners and property owners within three hundred (300) feet of the proposed conditional use. Such list shall be in accordance with the Franklin County Auditor's current tax list;

6.) Such other information regarding the property, proposed use or surrounding area as may be pertinent to the application or required for appropriate action by the Board of Zoning Appeals.

815.022 - Plot Plan - The application shall be accompanied by three (3) copies of a plot plan, drawn to an appropriate scale, clearly showing the following:

1.)The boundaries and dimensions of the lot;

2.) The size and location of existing and proposed structures;

3.) The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces, and landscaping;

4.) The relationship of the proposed development to the Development Standards;

5.) The use of land and location of structures on adjacent property.

815.03 - FRANKLIN COUNTY DEVELOPMENT DEPARTMENT REVIEW - One (1) copy of the application and plot plan shall be forwarded to the Franklin County Development Department not less than fifteen (15) days prior to the date of the public hearing of the application.

815.031 - Written Report - The Franklin County Development Department, acting through its staff shall review the application and submit a written report to the Board of Zoning Appeals on or before the date of the public hearing and such report will be to recommend approval, modification or disapproval of the Conditional Use and the reasons thereof.

815.04 - ACTIONS OF THE BOARD OF ZONING APPEALS - The Board of Zoning Appeals shall hold a public hearing and act on a Conditional Use in one of the following ways:

815.041 - Approval - The Board of Zoning Appeals shall approve an application for a Conditional Use if all the following three (3) conditions are met:

1.) The proposed use is a Conditional Use of the Zoning District, and the applicable Development Standards established in this Zoning Resolution are met;

2.) The proposed development is in accordance with applicable plans or policies for the area;

3.) The proposed development will be in keeping with the existing land use character and physical development potential of the area.

815.042 - Approval with Modification - The Board of Zoning Appeals may approve with modification an application for a Conditional Use, if the proposed use is a Conditional Use of the Zoning District and the applicable Development Standards are met, but plot plan modification is required:

1.) To be in accordance with applicable plans or policies for the area; and

2.) To prevent undesirable effects on adjacent property and the surrounding area.

Such modification may be a limitation on the extent or intensity of development, a requirement for additional screening by fence or landscaping, a change in the method or plan for lighting, control of access, or other conditions of development as may be required. Recommendations regarding the modification of plans or other appropriate actions shall be stated with the reasons for each recommendation.

815.044 - Conditional Use Approval - Upon a favorable finding, the Board of Zoning Appeals shall approve a Conditional Use application within thirty (30) days following the public hearing.

815.045 - Conditional Use Permit - A Certificate of Zoning Compliance may be issued only for an approved Conditional Use within the period of one (1) year from the date of final approval by the Board of Zoning Appeals. If a conditional use permit has not been used within one (1) year of its date of issuance, meaning there has not been active and substantial improvement to a property in accordance with a valid conditional use permit, then the conditional use permit shall expire and no work may commence or continue without either renewing the conditional use or receiving a new conditional use approval from the Board of Zoning Appeals.

815.046 - Building Permit - A Building Permit may be obtained only for the development in accordance with the approved plot plan.

SECTION 821 - FEES FOR CONDITIONAL USES, VARIANCES AND APPEALS

821.01 - FEE TO COVER ADMINISTRATIVE COSTS AND ADVERTISING – Applicants shall pay a fee to the County of Franklin, Ohio, for each application for a Variance or Conditional Use to cover the necessary administrative and advertising costs. The required fee is listed on the department's most current schedule of fees.

SELECTED TOPICAL REFERENCE
FRANKLIN COUNTY ZONING RESOLUTION

TOPIC		SECTION NUMBER(S)
Access Drives (driveways)		502.021
Accessory Uses and Structures		512
Administrative Officer (Zoning Inspector)		705
Adult Book Store, Movie, etc.		720.11, 328.021, 344.032, 346.022
Agricultural Storage and Processing		302.037
Agriculture, regulation of		115
Agricultural Uses		2.10, 110.011, 302.034
Airports, Landing Strips, etc.		7.60, 640.021
Alleys		720.011
Apartments		315, 318, 412.021
Apiaries		115.04
Applications:	Rezoning	715.051
	Variance	810.02
	Appeal	805.01
	Conditional Use	815.02
	Zoning Compliance	705.022
Asphalt (Asphaltic Concrete) Plants		346.031
Assigned Yards		506
Authority of Zoning		100
Automobile:	Parking Standards	531
	Repair	328.021
	Junk (inoperable) Cars	531.054
	Sales	332.021, 332.031
	Service Stations	325.031, 328.021, 332.02
Billboards		541, 541.12

Board of Zoning Appeals (BZA)	801
Borrow Pit	302.036
Building Height (not directly regulated)	420.033 (10), 512.012
Building Lines (Front Setback)	504
Building Permits	705.021, 705.025
Camping Trailers	531.05
Cemeteries	302.033
Certificate of Zoning Compliance	705.02
Child Care (see Rural & other Residential Districts)	322.022
Churches	(see Rural and other Residential Districts)
Commercial Vehicle Parking	531.051
Community Gardens	115.06
Composting Facility	640.024
Concrete Products	600.022, 346.023
Conditional Use Permit Procedures	815
Contractors	332.031, 344.022, 342.021, 346.021
Corner Lots (visibility standard)	504.021
County Commissioners (rezoning actions)	716.04
Definitions	720
Density	(see applicable District Development Standards)
Development Plan	(see applicable Planned or Special District)
Development standards	(see applicable district & Article V)

Drainage (storm water)	502.01, 705.022 (6)
Drive-In Facilities	322.031, 325.032, 328.031
Driveways	531.04
Dust	531.01, 551.022
Enforcement	705
Excavation and Quarry (sand/gravel)	620
Exemptions from Zoning Regulations	110
Exceptional Use	640
Extension of Time	(see applicable Planned District)
Farm Markets	110.01
Farm Village	3.40, 415
Fast-Food Restaurant	(see CC, CS District or Planned District)
Fees	705.012, 705.023, 715.052, 821.01
Fences	501
Fill Material	610.06
Five Acre Residue Requirement (Rural)	302.022
Flexible Arrangements of Structures	506
Floodplains	610
Food and Lodging Facilities	322.032, 325.021, 328.021
Front Yards (see building line)	504
Garage Sales	503
Garages, detached (accessory structure)	512
Glare	551.025
Golf Course	640.022

Government Functions (exemption)		110.015
Gravel Pits		620
Group Homes, Residential Care Facilities		640.24
Home Occupation		511
Horses		302.035
Hospitals		322.022
House Sizes (minimum)		(not directly regulated)
Inoperable Automobiles (junk cars)		531.054
Institutions		322.022
Junk Cars (inoperable automobiles)		531.054
Kennels		302.035
Laboratories		322.032, 342.03
Lighting		551.025, 420.034 (15)
Loading Spaces		531.03
Lot:	% of Lot Coverage	(see applicable district)
	Width & Road Frontage	(see applicable district)
	Minimum Size	502.01
Lot Splits (subdivisions)		302.022, 502.01
Manufacturing		(see industrial districts)
Manufactured Home		319
Meeting Dates		(check with Zoning Department 462-3094)
Mobile Home:		(see definition section)
	Mobile Home Parks	410
	Temporary Placement	302.031
Noise		551.021, 660

Non-Conforming :	Lots	110.041
	Structures	110.042
	Uses	110.043
Nuisances		551
Odor		551.023
Office/retail/Warehousing Combinations		420
Office		322, 325.02, 328.02
OSCAR (Open Space, Conservation and Recreation)		3.50, 416
Outside Storage:	Permitted in CS, LI and GI Districts	
	Screening	521
	Floodplain	610.074
Parking:	Parking Required	531.01
	Number of Spaces	531.02
	Parking Setbacks	504.012
	Parking Space Size	531.011
Parks		(see Rural and other residential Districts & EU District)
Permitted Uses		(see applicable district)
Personal Services		322.032
Planned Districts (Article IV)		400 through 444
Planned Manufactured Home		410, 302.031
Pollution		551
Ponds (refer to FS&WCD)		302.0392
Pools, Swimming		512.014 - 512.017
Pornography		(see definition "Adult Material")
Private Street		302.0391, 405.047, 412.047
Public Notice:	Rezoning	716.012, 716.042
	Variance	(see Ohio Revised Code)
	Conditional Use	(see Ohio Revised Code)

Rear Yards	(see applicable district standards)
Recreational (for fee) Facilities	640
Recreational Vehicles	531.05
Recycling Facility	640.024
Reduced Building Setback	504.014
Repair Services	328.021, 332.02
Research Facilities	322.032
Residential	(see LDR, Rural, R-1, R-2, R-4, R-8, and APR Districts)
Retail Stores	(see NC, CC, CS or SCPD Districts)
Rezoning Procedure (map or text amendment)	716
Road Frontage Requirements	(see applicable district)
Rural Zoning Commission (RZC)	715.011, 716.01, 716.03
Satellite Dish	512.01
Schools	(see LDR, Rural, residential and SO Districts)
Screening Standards	521
Septic Tanks	514
Side Yards	(see applicable district)
Signs	541
Solid Waste Management Facility	640.024
Special Districts	600
Standard Industrial Classification (SIC)	300.021
Street Frontage	(see applicable district)
Street Parking	405.047, 412.047

Street Standards	(see County Subdivision Regulations)
Subdivisions	302.022, 502.01, 705.022
Swimming Pools	512.014 - 512.017
Tents	502.021
Townhouse	(see R-4, R-8, R-12 and PR Districts)
Township Zoning	(Jackson, Jefferson, Perry, Plain, Prairie and Washington Townships currently operate township Zoning Programs as permitted by the Ohio Revised Code)
Toxic/Hazardous Materials	551.026
Trash	551.028
Two-family Residential	(see R-4, R-8, R-12, and PR Districts)
Used Car Sales	332.023, 332.046
Utilities, Public	110.012
Variance	810
Vehicle Sales	332.021, 503
Violations	710
Visibility Maintained	504.02
Waste Management Facility	640.024
Wells	514
Wholesaling	(see CS, SCPD and Industrial Districts)
Wind Energy Systems	561
Yard Areas	(see applicable districts and Article V)
Zoning Compliance	705.02
Zoning District Map	200
Zoning Inspector (Administrative Officer)	705