**Commissioner** Marilyn Brown • **Commissioner** Paula Brooks • **Commissioner** John O'Grady
President

**Economic Development & Planning Department**
James Schimmer, Director

# Technical Review Committee Agenda

**Franklin County Engineer's Office**
**970 Dublin Road**
**Columbus, OH 43215**

**January 27, 2015**
**1:30 p.m.**

1. **New Business**

   A. **Board of Zoning Appeals**

      i. **VA-3828 – Jonathan Lee**

| | |
|---|---|
| **Applicant:** | Barret, Easterday, Cunningham & Eselgroth LLP |
| **Owner:** | Peters Family Farms, Inc. |
| **Township:** | Hamilton Township |
| **Site:** | 5812 Lockbourne Road (PID #150-000070) |
| **Acreage:** | 87.95 - acres |
| **Zoning:** | Rural District |
| **Utilities:** | On-site water and wastewater |
| **Request:** | Requesting a Variance from Section 302.044 of the Franklin County Zoning Resolution to allow a lot split that will fail to meet the minimum rear yard requirement in an area zoned Rural. |

   B. **Planning Commission**

      i. **JEFF-15-01 – Matt Brown**

| | |
|---|---|
| **Applicant:** | Jefferson Township Zoning Commission |
| **Township:** | Jefferson Township |
| **Request:** | Requesting a comprehensive amendment to the Jefferson Township Zoning Resolution. |

2. **Adjournment of Meeting to February 24, 2015**

Franklin County
Where Government Works

**Commissioners**
Marilyn Brown, President
Paula Brooks
John O'Grady

**Economic Development & Planning Department**
James Schimmer, Director

Application for
# Zoning Variance
*Revised January 1, 2009*

RECEIVED
JAN 14 2015
VA
Franklin County Planning Department
Franklin County, Ohio

## Property Information

| | |
|---|---|
| Site Address: 5812 Lockbourne Road Columbus, Ohio 43137 | |
| Parcel ID(s): 150-000070 | Zoning: Rural |
| Township: Hamilton | Acreage: 2.501 |
| Water Supply: ☐ Public (Central) ☑ Private (Onsite) | Wastewater Treatment: ☐ Public (Central) ☑ Private (Onsite) |

## Applicant Information

| | |
|---|---|
| Name/Company Name: Barrett, Easterday, Cunningham & Eselgroth LLP on behalf of Peters Family Farms, Inc and Brian & Galina Peters | |
| Address: 7259 Sawmill Road Dublin, Ohio 43016 | |
| Phone #: 614-210-1840 | Fax #: 614-210-1841 |
| Email: mmason@farmlawyers.com (Mark W. Mason) kkwilhelmy@farmlawyers.com (Kristi Kress Wilhelmy) | |

## Property Owner Information

| | |
|---|---|
| Name/Company Name: Peters Family Farms, Inc. | |
| Address: 5812 Lockbourne Road Lockbourne, Ohio 43137 | |
| Phone #: 614-491-7008 | Fax #: |
| Email: | |

## Agent Information (if applicable)

| | |
|---|---|
| Name/Company Name: Barrett, Easterday, Cunningham & Eselgroth LLP | |
| Address: 7259 Sawmill Road Dublin, Ohio 43016 | |
| Phone #: 614-210-1840 | Fax #: 614-210-1841 |
| Email: mmason@farmlawyers.com | |

## Staff Use Only

Case #: VA-3828
Date filed: 1/14/2015
Fee paid: 350.00
Receipt #: 15-00081
Received by: JPL
Hearing date: 2/17/2014
Zoning Compliance: 9772-14-LS

## Document Submission

The following documents must accompany this application:

- ☑ Completed application
- ☑ Fee Payment (Checks only)
- ☑ Auditor's map (8 ½" x 11")
- ☑ Site Map (max 11" x 17")
- ☑ Covenants and deed
- ☑ Notarized signatures
- ☐ Proof of water & waste water supply

Please see the Application Instructions for complete details

| Case # |
| --- |
| VA-3828 |

| Variance(s) Requested |
| --- |
| Section 302.044 |
| Description Rear Yard Setback |
| Section |
| Description |
| Section |
| Description |

| Describe the project |
| --- |
| The property in question has been owned by the Peters' family for well over 150 years. The original farm house was built in 1850 with registered Indian Mounds located in the yard beside the house. The goal of the Peters' is to carve out a lot that separates the house and mounds from the agriculture buildings and farm land. Once the house has been carved out, Brian and Galina Peters intend to fully restore it. In order to receive financing for the restoration, the property must be titled in Brian and Galina Peters' name. The project will not entail any structures being built or any other changes to the property. |

**NOTE: To receive a variance, you must meet all the variance requirements** in Section 810.04 of the Franklin County Zoning Resolution. Your answers to the following questions will help the Board of Zoning Appeals determine whether you meet the requirements for a variance. If you don't answer the questions, we will consider your application incomplete.

1. Are there special conditions or circumstances applying to the property involved that do not generally apply to other properties in the same zoning district.

   The 2.501 acre lot is unique in that it contains historic Indian Mounds and a home built in 1850. The proposed split is the only way to protect the intregity of the mounds and house while allowing the remaining portion of the real estate and agriculture buildings to continue to operate as a family farm.

2. That a literal interpretation of the requirements of this Zoning Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District under the terms of the Zoning Resolution.

   A literal interpretation of the Zoning Resolution would restrict the Peters ability to transfer the house. Additionally, the configuration of the agriculture buildings would prohibit the Peters from ever being able to split off the house without tearing down existing structures.

3. That the special conditions and circumstances, listed under question #1, do not result from any actions of the applicant.

   None of the special circumstances are the result of actions of the Peters'. The home and mounds were erected long before the Peters' proposed the split. Additionally, Brian and Galina Peters were not responsible for the location of the farm buildings.

Franklin County
Where Government Works

**Commissioners**
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Paula Brooks
John O'Grady

**Economic Development & Planning Department**
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| Case # |
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| VA-3828 |

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| Description Rear Yard Setback |
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| Case # |
| --- |
| VA-3828 |

4. That approving the variance requested will not grant the applicant any special privilege that is denied by this Zoning Resolution to other lands or structures in the same Zoning District.

   The unique nature of the property ensures that the Applicant will not receive any special privileges if the variance is approved. The special circumstances on the property are the basis for the variance request.

5. Would granting the variance 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?

   The proposed variance would not result in any change to the property. No new structures will be built. Indeed, the proposed lot split would be beneficial to the public welfare by allowing an uninhabited home to be restored and utilized.

6. Can there be any beneficial use of the property without the variance?

   There is no beneficial use of the property for Brian & Galina Peters without the variance. They will be unable to obtain the financing necessary to purchase and renovate the residence if the property cannot be parceled out and placed in their names.

7. How substantial is the variance? *(i.e. 10 feet vs. 100 feet - Required frontage vs. proposed)*

   The proposed split is approximately 34 feet shorter than permitted zoning regulations.

8. Would the essential character of the neighborhood be substantially altered or would the adjoining properties suffer substantial harm as a result of the variance?

   No. Many of the adjoining properties are similiar in size and makeup to the proposed split.

9. How would the variance adversely affect the delivery of governmental services?
   *(e.g., water, sewer, garbage, fire, police - Verification from local authorities – i.e. fire might be required)*

   Governmental services will not be effected. There will be no changes to the property.

10. Did the applicant purchase the property with knowledge of the zoning restrictions?

    Brian and Galina Peters are in the process of purchasing the property.

11. Could the applicant's predicament feasibly be obtained through some method other than a variance?

    No. The proposed split is the only way to carve out a parcel with the house & mounds.

12. Would the spirit and intent behind the zoning requirement be observed and would substantial justice be done by granting the variance?

    Yes. With no new structures being built, the character of the property will stay the same. Denying the variance would do a substantial injustice in that without the variance a building would need to be destroyed.

| Case # |
| --- |
| VA-3828 |

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Case #
VA-3828

## Affidavit

**I hereby certify that the facts, statements, and information presented within this application form are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application form may result in my application being delayed or not approved by the County. I hereby certify that I have read and fully understand all the information required in this application form.**

Mark W. Moore
Applicant

13 JANUARY 2015
Date

Jack D. Peters
Property Owner (Signature must be notarized)

1-14-'15
Date

Thomas E. Petell
Property Owner (Signature must be notarized)

1-14-15
Date

Taylor 1-14-15

***Agent must provide documentation that they are legally representing the property owner.**

****Approval does not invalidate any restrictions and/or covenants that are on the property.**

TAYLOR SAWYER - NOTARY PUBLIC
COMM. EXP: FEB 23, 2019
STATE OF OHIO

Clarence E. Mingo, II
Franklin County Auditor

## Property Report

Generated on 01/16/15 at 03:40:18 PM

| Parcel ID | Map Routing No | Card No | Location |
|---|---|---|---|
| 150-000070-00 | 150-O026 -113-00 | 1 | 5812 LOCKBOURNE RD |

GIS

**Disclaimer**

This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

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JAN 14 2015

Franklin County Planning Department
Franklin County, OH

VA-3828

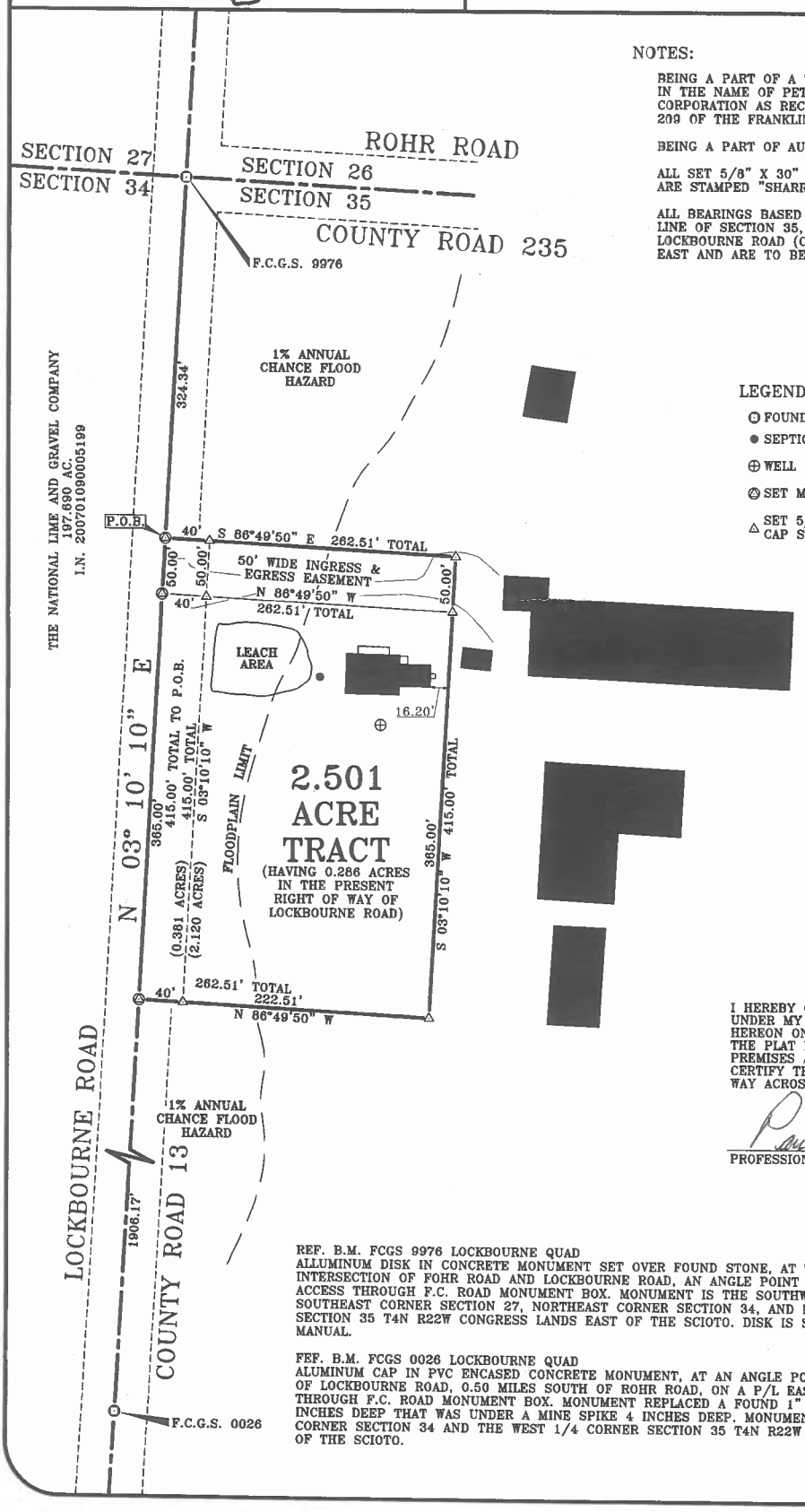
P.S.,P.S.
SURVEYING
740-986-8417
1-800-848-3548
PAUL SHARRETT
PROFESSIONAL SURVEYOR
8720 S.R. 138
CLARKSBURG, OHIO 43115
• LOTS
• FARMS
• SUBDIVISIONS
• CONSTRUCTION

# SITUATED IN THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 22 WEST, MATHEW'S SURVEY OF THE CONGRESS LAND EAST OF THE SCIOTO, PART OF LOT 5 OF THE PARTITION OF THOMAS M. CLARK VS JULIANA CLARK ET AL AS RECORDED IN THE COURT OF COMMON PLEAS IN COMPLETE RECORD 38, PAGE 199 (THIS PLAT IS ALSO RECORDED IN PLAT BOOK 1, PAGE 366 OF THE FRANKLIN COUNTY RECORDER'S OFFICE), HAMILTON TOWNSHIP, FRANKLIN COUNTY, STATE OF OHIO

STATE OF OHIO
SHARRETT
S-8019
REGISTERED
PROFESSIONAL SURVEYOR

| DRAWN | DATE | |
|---|---|---|
| P.R.S. | 11-4-14 | FILENAME: FR1401.DWG |

FOR: PETERS FAMILY FARMS, INC.




NOTES:

BEING A PART OF A TRACT OF LAND THAT IS NOW OR FORMERLY IN THE NAME OF PETERS FAMILY FARMS, INC., AN OHIO CORPORATION AS RECORDED IN DEED BOOK VOLUME 3509, PAGE 209 OF THE FRANKLIN COUNTY RECORDER'S OFFICE.

BEING A PART OF AUDITOR'S PARCEL 150-000070-00.

ALL SET 5/8" X 30" IRON PINS WITH PLASTIC IDENTIFICATION CAPS ARE STAMPED "SHARRETT-8019".

ALL BEARINGS BASED UPON AN ASSUMED MERIDIAN WITH THE WEST LINE OF SECTION 35, ALSO BEING THE CENTERLINE OF LOCKBOURNE ROAD (COUNTY ROAD 13) BEING, NORTH 03° 10' 10" EAST AND ARE TO BE USED TO DENOTE ANGLES ONLY.

LEGEND:

- FOUND "FCGS" MONUMENT
- SEPTIC TANK
- WELL
- SET MAGNETIC NAIL
- SET 5/8" X 30" IRON PIN & I.D. CAP STAMPED "SHARRETT-8019"

100 0 100
Scale: 1" = 100'

REFERENCES:

DEEDS AS NOTED
COUNTY MAPS
PREVIOUS SURVEYS
EXISTING MONUMENTS

RECEIVED
JAN 14 2015
Franklin County Planning Department
Franklin County, Ohio

VA-3828

I HEREBY CERTIFY THAT AN ACTUAL SURVEY WAS MADE UNDER MY DIRECT SUPERVISION OF THE PREMISES SHOWN HEREON ON THE 4th DAY OF NOVEMBER, 2014 AND THAT THE PLAT IS A CORRECT REPRESENTATION OF THE PREMISES AS DETERNIMED BY SAID SURVEY. I FURTHER CERTIFY THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS ANY BOUNDARY EXCEPT AS SHOWN.

Paul Sharrett DATE 11-28-14
PROFESSIONAL SURVEYOR NO. 8019

REF. B.M. FCGS 9976 LOCKBOURNE QUAD
ALLUMINUM DISK IN CONCRETE MONUMENT SET OVER FOUND STONE, AT THE CENTERLINE INTERSECTION OF FOHR ROAD AND LOCKBOURNE ROAD, AN ANGLE POINT ON LOCKBOURNE ROAD, ACCESS THROUGH F.C. ROAD MONUMENT BOX. MONUMENT IS THE SOUTHWEST CORNER SECTION 26, SOUTHEAST CORNER SECTION 27, NORTHEAST CORNER SECTION 34, AND NORTHWEST CORNER SECTION 35 T4N R22W CONGRESS LANDS EAST OF THE SCIOTO. DISK IS STAMPED AS PER BLM MANUAL.

FEF. B.M. FCGS 0026 LOCKBOURNE QUAD
ALUMINUM CAP IN PVC ENCASED CONCRETE MONUMENT, AT AN ANGLE POINT IN THE CENTERLINE OF LOCKBOURNE ROAD, 0.50 MILES SOUTH OF ROHR ROAD, ON A P/L EAST AND WEST, ACCESS THROUGH F.C. ROAD MONUMENT BOX. MONUMENT REPLACED A FOUND 1" SOLID IRON PIN 10 INCHES DEEP THAT WAS UNDER A MINE SPIKE 4 INCHES DEEP. MONUMENT IS THE EAST 1/4 CORNER SECTION 34 AND THE WEST 1/4 CORNER SECTION 35 T4N R22W CONGRESS LANDS EAST OF THE SCIOTO.

Received 1-21-2014
VA-3828





Summary
Land Profile
Residential
Commercial
Improvements
Permits
Mapping
Sketch
Photo
Aerial Photos
Transfers
Tax & Payments
Tax Distribution

**TAXID: 150-000070-00**
**PETERS FAMILY FARMS INC**

**PARID: 150-0026 -113-00**
**5812 LOCKBOURNE RD**

1 of 2
Return to Search Results

Actions
Neighborhood Sales
Printable Summary
Printable Version

Reports
Mailing List

Go

Links
FC Treasurer
FC Recorder
Sex Offender Inquiry

## Owner

| | |
|---|---|
| Owner | PETERS FAMILY FARMS INC |
| Owner Address | |
| Legal Description | 5812 LOCKBOURNE RD<br>R22T4S3-4-5<br>87.952 ACRES |
| Acres | 87.952 |
| Tax Bill Mailing | PETERS FAMILY FARMS INC<br><br>5812 LOCKBOURNE RD<br>LOCKBOURNE OH 43137-9256 |

## Tax Status

| | |
|---|---|
| Property Class | A - Agricultural |
| Land Use | 101 - AGRICULTURAL |
| Tax District | 150 - HAMILTON TOWNSHIP |
| School District | 2505 - HAMILTON LSD |
| City/Township | HAMILTON TOWNSHIP |
| Appraisal Neighborhood | 07600 |
| CAUV Property | Yes |
| 2.5% Reduction | Yes |
| Homestead | No |
| Board of Revision | Yes |
| Zip Code | 43137 |

## Current Market Value

| | Land | Improvements | Total |
|---|---|---|---|
| Base | 435,600.00 | 273,200.00 | 708,800.00 |
| TIF | | | |
| Exempt | | | |
| Total | 435,600.00 | 273,200.00 | 708,800.00 |
| CAUV | 245,690.00 | | 245,690.00 |

## Taxable Value

| | Land | Improvements | Total |
|---|---|---|---|
| Base | 86,000.00 | 95,620.00 | 181,620.00 |
| TIF | | | |
| Exempt | | | |
| Total | 86,000.00 | 95,620.00 | 181,620.00 |
| CAUV | 245,690.00 | | 245,690.00 |

## Annual Taxes

| Current Taxes | Taxes Paid | CDQ |
|---|---|---|
| 11311.68 | 0 | |

Received 1-21-2014
VA-3828



**Building Data**

| Yr Built | Sq Ft | Rooms | Bedrooms | Full Baths | Half Baths |
|---|---|---|---|---|---|
| 1850 | 3,321 | 7 | 3 | 1 | |

**Site Data**

| Frontage | Depth | Acres | Historic District |
|---|---|---|---|
| | | 87.952 | |
| | | 87.952 | |
| | | 87.952 | |
| | | 87.952 | |
| | | 87.952 | |

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Received 1-21-2014
VA-3828

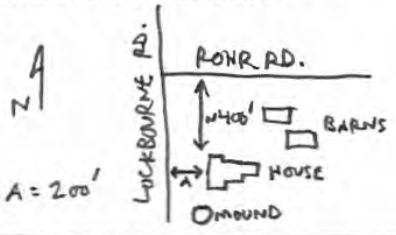
AREA 13 CODED

# OHIO HISTORIC INVENTORY

Ohio Historic Preservation Office
Ohio Historical Center
Columbus, Ohio 43211

1. No. CI-93 FRA-2371-25
2. County FRANKLIN
3. Location of Negatives
4. Present Name(s) FRANK PETERS RESIDENCE
5. Other Name(s)

6. Specific Location 5540 LOCKBOURNE RD.
7. City or Town COLUMBUS If Rural, Township & Vicinity HAMILTON TP.
8. Site Plan with North Arrow




9. Coordinates
Lat. _____ Long. _____
U.T.M. Reference

| Zone | Easting | Northing |
|---|---|---|
| 17 | 331385 | 4412225 |

10. Site ☐ Building ☒ Structure ☐ Object ☐
11. On National Register? Yes ☐ No ☒
12. Is It Eligible? Yes ☒ No ☐
13. Part of Estab. Hist. Dist.? Yes ☐ No ☒
14. District Potent'l? Yes ☐ No ☒
15. Name of Established District —

16. Thematic Category AGRICULTURE
17. Date(s) or Period C. 1840
18. Style or Design GOTHIC REVIVAL
19. Architect or Engineer
20. Contractor or Builder THOMAS CLARK?
21. Original Use, if apparent RES.
22. Present Use RES.
23. Ownership Public ☐ Private ☒
24. Owner's Name & Address, if known FRANK H. PETERS 5540 LOCKBOURNE RD LOCKBOURNE
25. Open to Public? Yes ☐ No ☒
26. Local Contact Person or Organization ONPO
27. Other Surveys in Which Included

28. No. of Stories 1 1/2
29. Basement? Yes ☒ No ☐
30. Foundation Material BRICK
31. Wall Construction BRICK
32. Roof Type & Material GABLE/HIP MTL
33. No. of Bays Front 4 Side 4
34. Wall Treatment PLAIN
35. Plan Shape RECT
36. Changes (Explain in #42) Addition ☒ Altered ☒ Moved ☐
37. Condition Interior _____ Exterior GOOD
38. Preservation Underway? Yes ☐ No ☒
39. Endangered? By What? Yes ☐ No ☒
40. Visible from Public Road? Yes ☒ No ☐
41. Distance from and Frontage on Road 175' x 600'

42. Further Description of Important Features
1ST FLR IS BELOW GROUND LEVEL - HOUSE SET INTO HILLSIDE. N 1/2 OF FIRST FLR IS EXPOSED. 2ND FLR MAIN FLOOR. [illegible] PORTICO ON 2ND FLR - [illegible] ONCE ON THIS SITE. FOUNDATION FOR [illegible] IS OUTLINED.

43. History and Significance
GT-GT GRANDFATHER OF OWNER WAS THOMAS CLARK - PROB. BUILDER. FARM IN SAME FAMILY SINCE ACQ. FROM GOVT.

44. Description of Environment and Outbuildings
HILLTOP SURROUNDED BY TREES; FARM BELOW; INDIAN MOUND JUST S. OF HOUSE.

45. Sources of Information
OWNER, OBSERVATION.

46. Prepared by J. BARRE
47. Organization ONPO
48. Date 8/10/75
49. Revision Date(s)

1. No. FRA-2371-25
2. County FRANKLIN
4. Present Name(s) PETERS, FRANK, RESIDENCE
5. Other Name(s)

Received 1-21-2014
VA-3828

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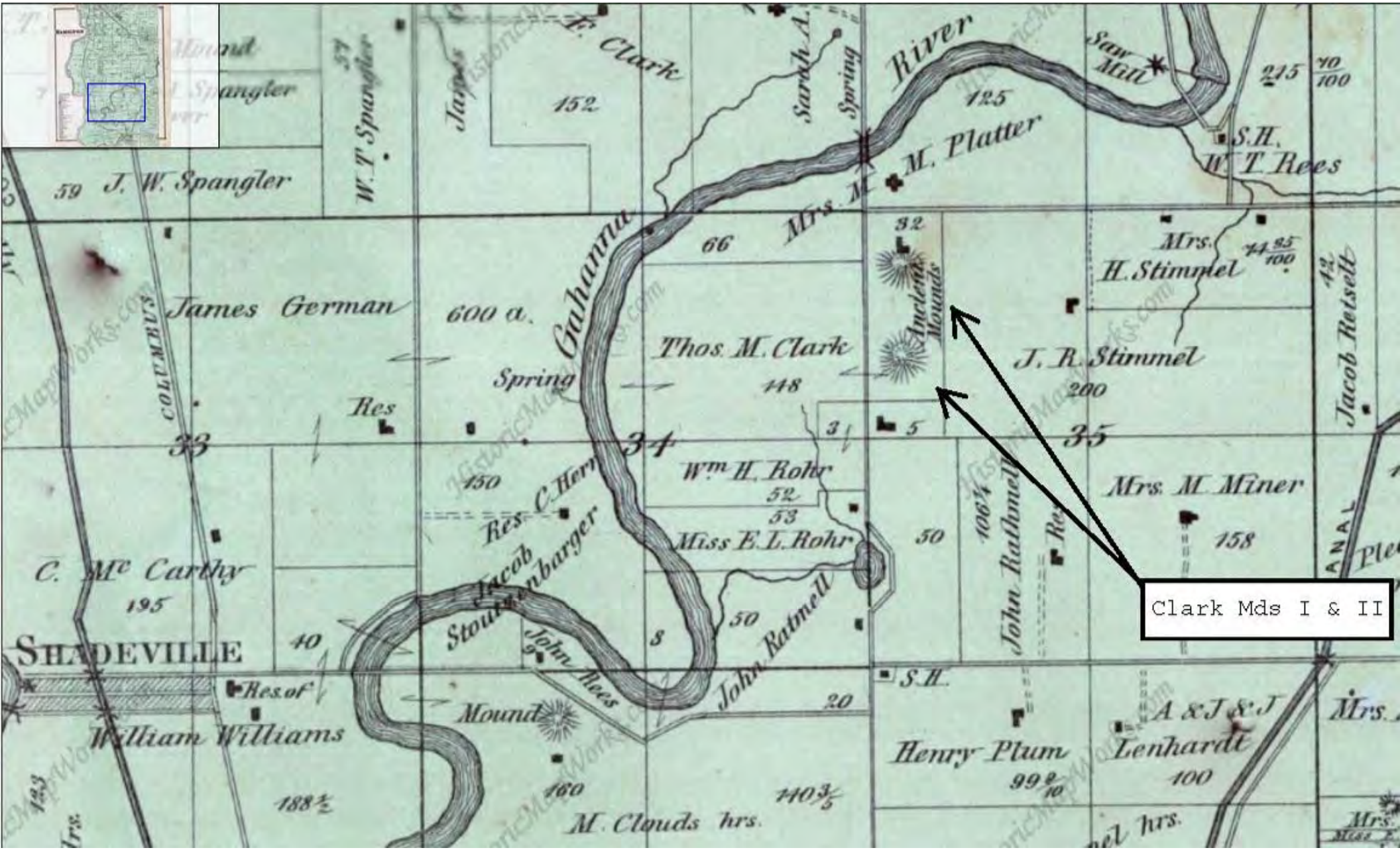

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Ohio Archaeological Council
Ohio Historic Preservation Office
Ohio Historical Center
Columbus, Ohio 43211

# OHIO ARCHAEOLOGICAL INVENTORY

1. Site Number: 33FR20
2. County: Franklin
3. Township: Hamilton
4. Site Name: Clark Mounds I-II
5. Other Names For Site:

6. City or Town: Shadeville — Vicinity of ☒
7. Map Reference: Lockbourne 7.5' topo sheet
8. Township & Range Number: T 4 N R 22 W
9. Section Number: 35 NW ¼
10. Latitude: 39° 50′ 39″
11. Longitude: 82° 58′ 15″
12. U.T.M. Reference: Zone 17 — Easting 3 3 1 3 7 0 — Northing 4 4 1 2 0 8 0
13. Verbal Site Location: Approx. 200 m E of Lockbourne Rd. just S of F.H.Peters home (approx. 750 m S of Big Walnut Creek).

14. Land Form: Rises in floodplain near or on gradual 1st terrace
15. Elevation: 730 ft.
16. Soil Type: Crosby, Brookston, Kendallville Assoc.
17. Floral Cover: Prob. Elm-Ash Assoc. orig.-now Locust,Maple,Red Oak ~~on mound~~
18. Condition of Site: 1 mound destroyed, other slightly potted
19. Present Use: pasture-alfalfa field
20. Type of Site: Mounds
21. Drainage System: Big Walnut-Scioto
22. Dimensions of Site: Mound I= 15 m in diameter, 2½m (N) high

Mound II = destroyed, said to be 30' diameter, 8' high

23. Ownership: Public ☐ Private ☒
Frank H. Peters
5540 Lockbourne Rd.
Lockbourne, Ohio
24. Form Prepared by: K. Deaver
25. Organization: Preservation Office Region 6A
26. Location of Negatives: None
27. Date of Survey: 10/12/78
28. Survey Conditions:
29. Cultural Classification or Time Period: Unknown

30. Artifacts Collected: None

31. References:
OAHSQ, I, p. 350
Franklin Co. Atlas, p. 29
ThomasAncient Work, p. 171
O.H.S. card file

32. Remarks: Northern most of two mounds still exists. It is in good condition except for a 1m x 3m rectangular depression in the top (resembling a test trench). Adjacent garden had exposed bare ground but displayed no cultural material.

Southern mound destroyed decades ago by field leveling and construction of underground silo. Exact location of southern mound not certain-may have been on what is now an alfalfa field at extreme southern edge of flood plain, or may have been ± 250m further south on edge of gradual terrace. In either case it's gone now. Persistent rumors exist of three other mounds on west side of lockbourne Rd. (opposite southern mound) in what is now Peter's Gravel Quarry. Mounds are said to have been destroyed by quarrying activities during 1960's. However, Peters family has no knowledge of any such features in the quarry area.

33. Use opposite side to copy portion of topographic map with site located, attachment of contact print, sketch of site plan, or continuation of items 1-32.

1. Site No. 33FR20
2. County Franklin
4. Site Name Clark Mounds I-II
5. Other Names for Site

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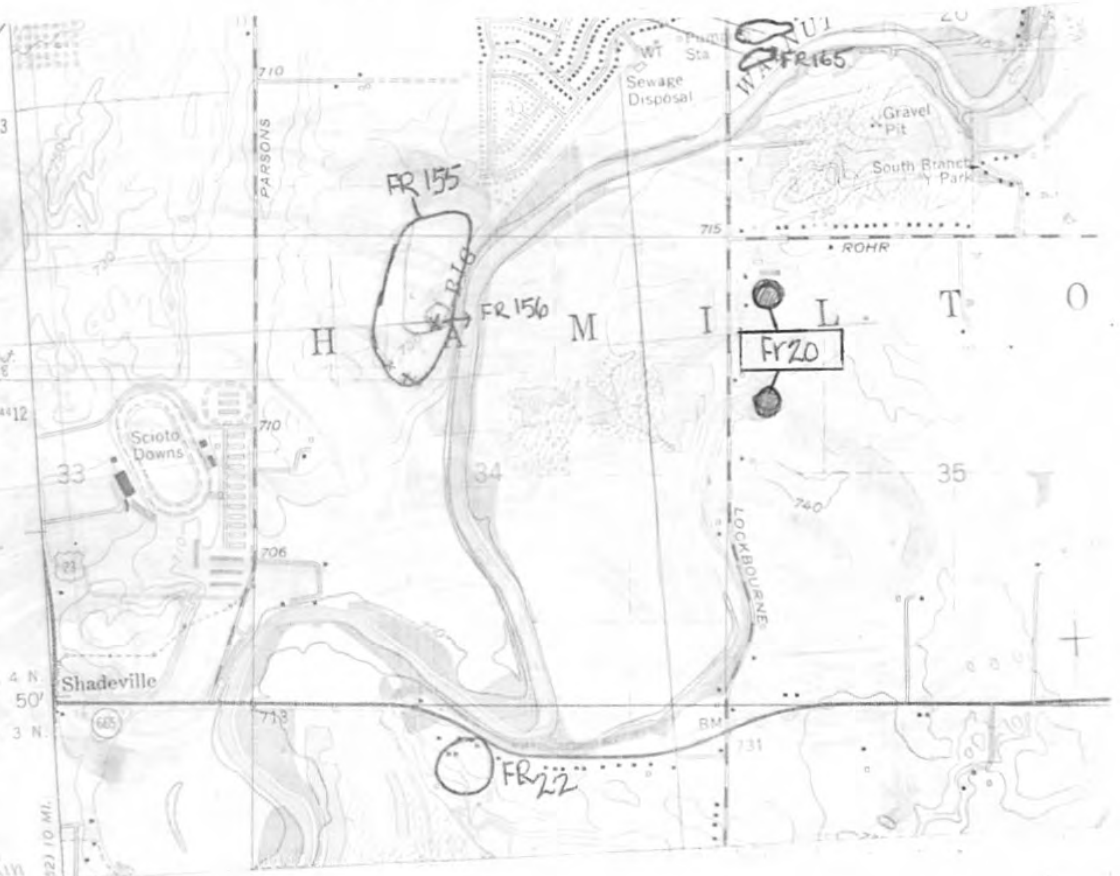
33FR20
Page 2




2 HARTMAN FARM MOUND

WEIDNER SITE
WEIDNER Mound

collected by 3 boys saw
le Archaic material

5 mound
1 2 hearths hearth

3 Mk mounds

3 MOUNDS
STRIPPED IN MID 60'S
IN PETERSON GRAVEL
OPERATIONS

Cloud mound IV
6 Aug 55 seen by
Elin on Lewis Eakin

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**Continuation Sheet:** Specify Section & Item (use additional Continuation Sheets if necessary)

LOCKBOURNE 7.5'

No. Fr20 Quad East Columbus 16' Culture

Name Clark Mounds I-II

Location Thomas M. Clark farm, T. 4 N., R. 22 W., Hamilton twp., E. side Big Walnut Ck., W. side of NW¼ sec. 35.

Excavated by

Reference OAHSQ, I., p. 350; Franklin Co. Atlas, p. 29; Thomas Ancient Works, p. 181.

Type of Site 2 mounds, one 50' diam., 10' high; other 30' diam., 8' high.

~~Location of Material~~ JEFF DARBEE VISITED 9-9-75 OWNER FRANK PETERS

✓

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**Continuation Sheet:** Specify Section & Item (use additional Continuation Sheets if necessary)

D 2 : Unwood : Changed from "Unknown" to Unwood on the bases of a mound.

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**Continuation Sheet:** Specify Section & Item (use additional Continuation Sheets if necessary)

E1. open

E2. unknown

E10. 218m

E11. Till Plain

E12. ~~[illegible]~~ Wisc. Ground Moraine

E13. Upland Hill Slope

E14. ~~[illegible]~~ Hill or Ridge Top

E16. unrec.

E17. unrec.

E18. Maj: Scioto River
Min: Big Walnut Creek

E19 Ephem. Strem.

E20. 330m

09/17/01 NY

NADB 00000

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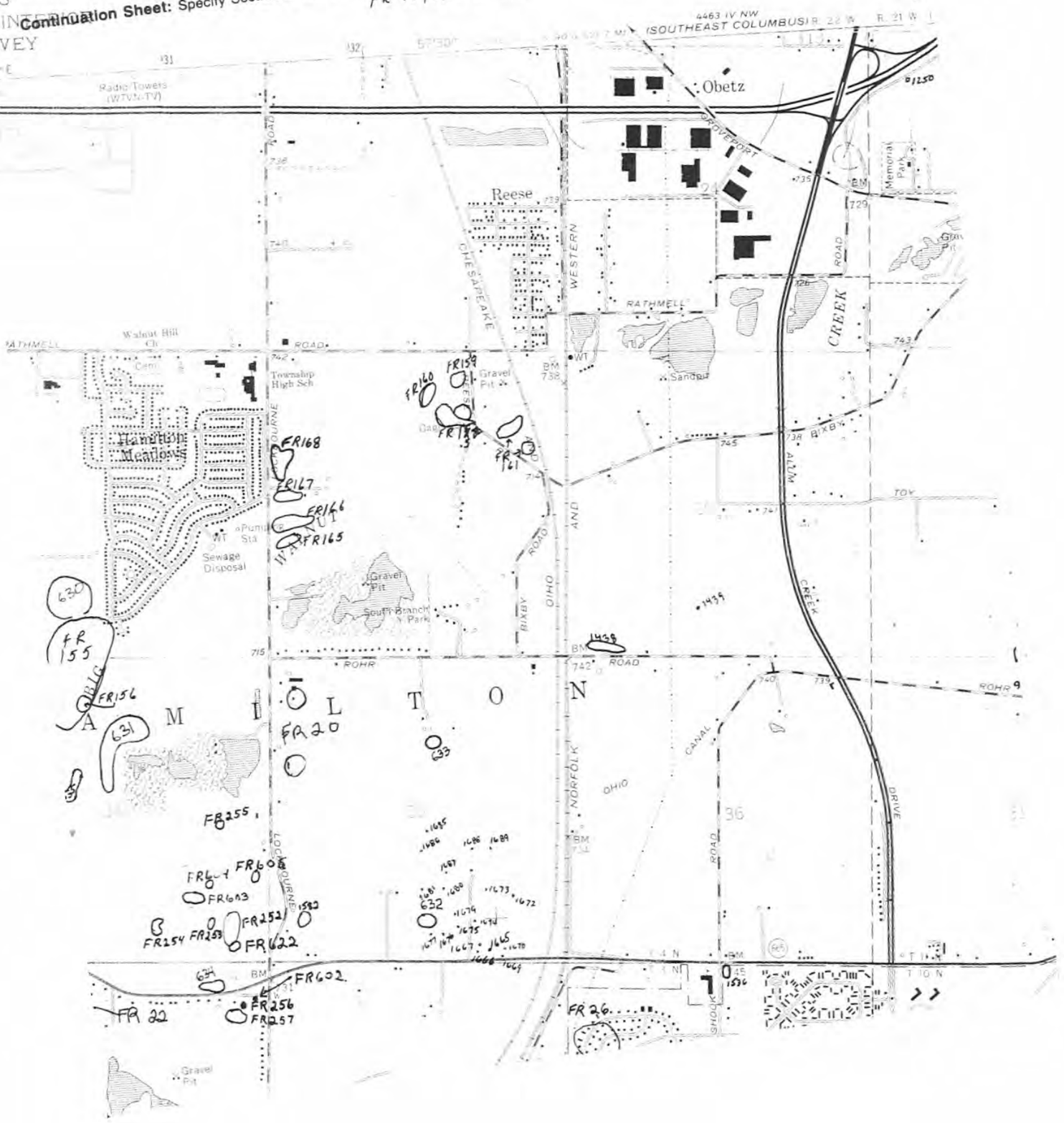
Site No. 33 - Fr - 20

FR 158 / Hahn I Site
FR 159 / Hahn II Site
FR 160 / Hahn III Site
FR 161 / M. F. P. Site

**Continuation Sheet:** Specify Section & Item (use additional Continuation Sheets if necessary)



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*Volume 1¬es=*



there was a mound in Fraklinton made of clay, and brick were made from it and used in the construction of the first court house in Franklinton; and that another mound stood upon the ground now covered by the penitentiary, and that at an early day he observed many small and irregular elevations and enclosures about Franklinton which are now entirely obliterated; parallel lines of embankment occurred in several places.

If any explanation of the following is needed, or if I can furnish any additional information to you, I will cheerfully do so. Yours truly,

PROSPER M. WETMORE.

No. 48 Monroe avenue, Columbus, O.

FRANKLIN COUNTY, OHIO.

HAMILTON TOWNSHIP.-There are three mounds on the land of M. Cloud, situated on the elevation overlooking the bottom lands of the Scioto and Gahanna rivers. The southern one is the largest; diameter at base one hundred feet, height fifteen feet. There is a graded roadway to the summit. The base has been cut into, on the south side, by a road. The other two are smaller. They are in a line north and south, and their bases are about two hundred feet apart. The trees on the south mound have been cleared; the other two are in the woods.

Another small mound upon the same man's land is located about one mile northeast from the three mounds last described. It is on high ground, on the east or left hand bank of the Gahanna river-fifty feet in diameter at base, ten feet high.

There are two mounds upon the farm of Thos. M. Clark, on the east or left side of the Gahanna river; largest, fifty feet in diameter at base, ten feet high; the other, thirty feet in diameter and eight feet high. They are in cleared ground.

There is a small conical mound on the farm of W. T.

PREVIOUS PAGE NEXT PAGE

Franklin County
Where Government Works

**Economic Development & Planning Department**
James Schimmer, Director

Request for

# Township Zoning Recommendation

Franklin County Planning Commission

## Township

- ☐ Blendon
- ☐ Jackson
- ☒ Jefferson
- ☐ Perry
- ☐ Plain
- ☐ Prairie
- ☐ Washington

## Case Number

JEFF-15-01

## Meeting Dates

| *Review Body* | *Date* |
|---|---|
| *Tech Review* | *January 27, 2015* |
| *Planning Commission* | *February 11, 2015* |

## Amendment Type

- ☐ Map amendment
- ☒ Text amendment
- ☐ Land use plan amendment

## Amendment information

| Amendment type | Information required | |
|---|---|---|
| Map amendment: | List all parcel IDs to be amended | Zoning district<br>Current:<br>Proposed: |
| Text amendment | Comprehensive amendment to zoning resolution. | |
| Plan amendment | Document type: ☐ New plan ☐ Existing Plan<br>Plan name: | |

## Township Zoning Inspector Contact Information

| | |
|---|---|
| Name<br>Charles McCroskey | |
| Address<br>6545 Havens Road | |
| Blacklick, OH 43004 | |
| | |
| Phone #<br>614-855-4265 | Fax # |
| | |
| Email<br>cmccroskey@jeffersontownship.org | |

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# JEFFERSON TOWNSHIP ZONING AMENDMENT NUMBER TA-15-01

## January 22, 2015

JEFF-15-01
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~~*11/20/91*~~
~~*from Word 11*~~
~~*mmc*~~

# *ZONING RESOLUTION FOR JEFFERSON TOWNSHIP FRANKLIN COUNTY, OHIO*

***Certified May 20, l974***

**TOWNSHIP TRUSTEES**
Richard P Courter
Claire J Yoder
Michael A Rowan

**TOWNSHIP FISCAL OFFICER**
Kenneth E Jones

**TOWNSHIP ADMINISTRATOR**
Thomas E Spring

**ZONING COMMISSION**
(Ike) Lee W Westfall
Richard A Winnestaffer
Linda Mosbacher
Charley Wise
Brian Sichel

**ZONING BOARD OF APPEALS**
Terry R Broas
David P Keseg
Bradley E Shull
Richard Hendrix
Karen Bokor

**ZONING DEPARTMENT**
Charles C McCroskey, Zoning Administrator
Lorri J Coupland, Zoning/Building Clerk

*Amended:*
*March 30, l978*
*December 21, l983*
*June 6, 1995*
*November 25, 2003*
*_____, 2015*

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# Article I
Preface

This preface is provided to give a measure of guidance in the understanding, application and administration of the Zoning Resolution by setting forth the purpose and nature of zoning, and the organization of the Zoning Resolution.

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## ~~SECTION 100 - PURPOSE OF ZONING~~

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~~The purpose of this Zoning Resolution is as prescribed by Section 519.02, Ohio Revised Code, shall be to regulate buildings and land use to promote the public health, safety and morals (general welfare) throughout the Township.~~

~~To promote such public purpose, these regulations are designed to encourage an appropriate use of lands, to stabilize and preserve the value of property, to prevent congestion and hazard in the streets, to secure safety from fire, flood, water contamination, air pollution and other dangers, to provide adequate light, air and open space, to prevent the overcrowding of land and to avoid undue concentrations of population.~~

~~To further promote such public purpose these regulations are further intended to be used to facilitate an appropriate and desirable comprehensive pattern of water supply, sewer facilities, schools, parks and other essential public facilities and services.~~

## SECTION ~~110~~100 ~~-~~ – TITLE

This resolution shall be known and may be designated and cited as "The Zoning Resolution of Jefferson Township, Franklin County, Ohio" and therefore may be referred to as the "Zoning Resolution" or "Resolution."

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## SECTION ~~120~~110 - NATURE OF ZONING

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This Zoning Resolution i~~a~~s an exercise of the police power derived from Ohio Revised Code (the "ORC")~~Chapter~~ 519~~. of the Ohio Revised Code must bear some reasonable and substantial relationship to the public health, safety, or morals (general welfare).~~

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The characteristic feature of this Zoning Resolution that distinguishes it from most other police power regulations is that its regulations may differ from zoning district to zoning district, rather than being uniform throughout ~~the~~ Jefferson Township. Despite this ability to differ in various zoning districts, the regulations must be uniform for each class and kind of building within a zoning district.

The purposes of this Zoning Resolution are accomplished by the division of ~~the~~Jefferson Township into zoning districts. Within each district, ~~in which there are only~~ certain specified uses of land are allowed and the regulations pertaining to the development and use of the land and buildings are uniform for each class or kind of building ~~or use in such zoning district~~.

To the extent possible, the zoning districts as they are delineated on the z~~Z~~oning d~~D~~istrict map, shall be comprehensive ~~by their inclusion of all land similar in nature or circumstance as is determined by the type and extent of existing land use and the desirability of conserving such use~~in nature. Where ambiguous, t~~T~~he zoning districts and the fixing of their boundaries shall further be determined in accordance with the ~~need of encouraging such use as is made appropriate by a change in the character of land use, or the growth and development of the Township, and to this extent the zoning districts should be based on~~ land use plans as such plans may exist at the time of determination.

# SECTION ~~130~~120 - ORGANIZATION OF THE ZONING DISTRICT REGULATIONS

The z~~Z~~oning d~~D~~istrict r~~R~~egulations are set forth in three (3) groups based on the nature of the zoning districts and the purpose of the regulation. These groups are organized under separate articles of the Zoning Resolution.

## Section ~~130~~120.01 - Standard District Regulations

~~1)~~A) *Definition*

The s~~S~~tandard d~~D~~istrict r~~R~~egulations are~~is~~ composed of the regulations of three (3) r~~R~~esidential z~~Z~~oning d~~D~~istricts based on density and/or dwelling structure type; three (3) c~~C~~ommercial z~~Z~~oning d~~D~~istricts based on the types and nature of commercial uses and two (2) i~~I~~ndustrial z~~Z~~oning d~~D~~istricts based on use activity and methods of site development.

~~2)~~B) *Intent*

The intended use of the s~~S~~tandard d~~D~~istricts is two-fold. The primary use is to delineate areas of existing land use and developmental character most nearly represented by the regulations of ~~one of~~ these z~~Z~~oning d~~D~~istricts. Each district will~~so as to afford such areas~~ provide for the regulations necessary to maintain their essential qualities and to assure that additional development will be in keeping with that which has been established. Secondly, the s~~S~~tandard d~~D~~istricts are intended to be used to make limited adjustments in the z~~Z~~oning d~~D~~istrict boundaries (rezoning) as are necessary ~~and the ownership of the land is such that development cannot be achieved except on the basis of individual lots~~.

## Section ~~130~~120.02 - Planned District Regulations

~~1)~~A) *Definition*

The p~~P~~lanned d~~D~~istrict r~~R~~egulations are composed of three (3) residential districts, one (1) commercial district, and one (1) i~~I~~ndustrial d~~D~~istrict. The intended use of the p~~P~~lanned d~~D~~evelopment d~~D~~istricts is to allow predetermined development in appropriate locations to provide for the highest possible degree of

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freedom of design within the site while maintaining a desirable relationship to adjacent lands and the community.

~~2)~~B) *Intent*

Land to be included in the p~~P~~lanned d~~D~~istricts is intended to be designed to preserve unique natural features of the landscape or man made structures using innovative land use concepts 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 open space as ~~a centerpiece~~the focus of the planned residential plan.

## Section ~~130~~120.03 - Special District Regulations

~~1)~~A) *Definition*

The s~~S~~pecial d~~D~~istricts provide~~s~~ for the use or development of land under certain unique circumstances or developmental requirements. Included in the s~~S~~pecial d~~D~~istricts are the procedures and regulations pertaining to development and use of land in areas subject to periodic flooding; the extraction of sand and gravel or other mineral resources, and the rehabilitation of the land after extracting~~; the drilling and production of oil and gas to allow for the exploration and removal of natural petroleum resources~~, and procedures and regulations to allow for the establishment of uses of such an exceptional nature as to warrant individual consideration.

~~2)~~B) *Intent*

The intent of these s~~S~~pecial d~~D~~istricts is to delineate areas where, due to circumstances of the land or requirements of the development, such activity can be carried on without subjecting the established land uses and zoning districts to undue interference or disturbance.

# SECTION ~~140~~130 ~~–~~- GENERAL DEVELOPMENT STANDARDS

The g~~G~~eneral d~~D~~evelopment s~~S~~tandards are~~is~~ composed of those provisions and regulations that pertain generally and uniformly to the arrangement and development of land and structures within the various zoning districts.

The g~~G~~eneral development s~~S~~tandards include ~~requirements for platting and establishment of lots before development and use;~~ the establishment of building lines along public right~~s~~-of-way and/or approved private streets; definitions and permitted manner of home occupation and accessory uses; land suitability standards; requirements for screening or landscaping under certain conditions; off-street parking and loading requirements; sign and billboard regulations, the prevention of nuisances, energy conserving measures, temporary uses, telecommunication tower regulation, small wind farm regulation and ~~recommended~~ driveway standards.

These regulations have been placed together because of their uniform application in regard to development and use of land and are, by reference, a part of each of the zoning district regulations~~, excepting the recommended driveway standards, which are advisory~~.

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# SECTION ~~150~~140 - THE NATURE OF THE ZONING DISTRICTS

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Each of the z~~Z~~oning d~~D~~istricts includes all land so zoned or classified in Jefferson Township, and differs from all others by reason of the uses that are permitted or by reason of the standards of development that are applicable in the z~~Z~~oning d~~D~~istricts.

JEFF-15-01
Received 1/22/2015

# Article II
General Provisions

## SECTION 200 - AUTHORITY AND PURPOSE FOR ZONING RESOLUTION

### Section 200.01 - Authority

This Zoning Resolution is adopted under authority granted to Ohio townships by the Legislature of the State of Ohio ~~in~~by ORC Chapter 519~~, Ohio Revised Code~~. This Zoning Resolution and all provisions contained herein shall be known as the Jefferson Township Zoning Resolution.

### Section 200.02 - Purpose of Zoning

The purpose of this Zoning Resolution is as ~~described~~prescribed by~~-~~ ~~by Section~~ ORC 519.02, ~~Ohio Revised Code~~and shall be to regulate the use, location, height, bulk, number of stories and size of buildings and land and to promote the public health, safety, convenience, comfort, prosperity morals or general welfare throughout Jefferson Township.

To promote such public purpose, these regulations are designed to encourage an appropriate use of lands, to stabilize and preserve the value of property, to prevent congestion and hazard in the streets, to secure safety from fire, flood, water contamination, air pollution and other dangers, to provide adequate light, air and open space, to prevent the overcrowding of land and to avoid undue concentrations of population.

To further promote such public purpose these regulations are further intended to be used to facilitate an appropriate and desirable comprehensive pattern of water supply, sewer facilities, schools, parks and other essential public facilities and services.

## SECTION 210 ~~–~~ - INTERPRETATION

In their interpretation and application, the provisions of this Zoning Resolution are adopted for the promotion of the public health, safety, convenience, comfort, prosperity or ~~and morals~~general welfare of Jefferson~~ of the T~~t~~ownship. Whenever; the requirements of this Zoning Resolution conflict with the requirements of any other lawfully adopted rules, regulations, or resolutions, the most restrictive, or that imposing higher standards, shall govern.

## SECTION 220 - ~~SEPARABILITY~~SEVERABILITY CLAUSE

Should any section or provision of this Zoning Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Zoning Resolution as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

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# SECTION 230 - SCOPE OF ZONING RESOLUTION

## Section 230.01 - Territorial Limits

The provisions of this Zoning Resolution shall apply to any and all land in the unincorporated territory of Jefferson Township.

# SECTION 240 - APPLICATION OF ZONING RESOLUTION

## Section 240.01 - 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 such structures and uses as are now specifically exempt by law or as may be hereafter amended by law or as is exempted by Paragraph C below~~agriculture and public utilities or railroads as is now specifically exempt by law or as may be hereafter amended by law or as is exempted by paragraphs 1 through 3 below.~~

~~1)~~A) *Agriculture*

As used in this section, agriculture includes farming, ranching, algaculture meaning the farming of algae, 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 (5) acres. The use of any land for agricultural purposes or the construction or use of buildings or structures incidental to the agricultural use ~~for agricultural purposes~~ of the land on which such buildings or structures are located shall not be prohibited on lots greater than five (5) acres and no zoning certificate shall be required for any such building or structure (ORC 512.21).

Notwithstanding the foregoing, in any platted subdivision approved under Section 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen or more lot approved under Section 711.13.1 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one 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, agricultural uses and structures are subject to the terms and conditions of this Resolution in the following manner:

1) Agricultural uses, except for well-maintained gardens for the residences persona consumption, are prohibited on lots of one acre or less.

2) 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 all setbacks, size and height requirements that apply in the underlying zoning district.

3) Dairying and animal and poultry husbandry on lots greater than one (1) acre but less than five (5) acres when at least 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

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is subject to the tax on manufactured homes under Section 4503.06 of the Ohio Revised Code are subject to the provisions of this Zoning Resolution. After thirty-five percent (35%) of the lots are so developed, lawfully existing dairying and animal and poultry husbandry shall be considered nonconforming use of land, and buildings or structures pursuant to Section 519.19 of the Ohio Revised Code and are thereafter prohibited.

Farm markets that derive at least fifty percent (50%) of their gross income from produce raised on farms owned or operated by the farm market operator in a normal crop year are permitted in any zoning district, subject to the following regulations:

1) Temporary and seasonal buildings, tents, trailers and other structures associated with a seasonal and temporary farm market shall be placed outside of the road right-of-way and located at least twenty-five (25) feet from the edge of any road pavement so as to safely allow for adequate ingress and egress and for customer off-street parking. Seasonal and temporary farm markets may use marked grassed areas reasonably cleared and limited in size for parking. In no case shall any portion of any road pavement be used for or considered customer parking to serve a farm market. If a culvert is required in order to obtain access to a seasonal and temporary farm market, them the farm market operator shall obtain a driveway permit from the appropriate governmental agency. Temporary and seasonal farm markets are farm markets that are open to the public and operate for no more than a total of ninety (90) calendar days in a calendar year. Any temporary and seasonal buildings, tents, trailers and other structures associated with a farm market remaining for more than ninety (90) days in a calendar year shall be considered structures associated with a permanent farm market and shall comply with the provisions of Subsection B(2) below.

2) All buildings and structures associated with a permanent farm market shall comply with the applicable setback requirements for the underlying zoning district. Parking for permanent farm markets shall be graveled or paved. Operators of a permanent farm market shall obtain a driveway permit from the appropriate governmental agency. Off-street parking shall be provided at a ratio of one (1) space for each one hundred (100) square feet of farm market. Permanent farm markets are farm markets that are open to the public and operate for more than ninety (90) calendar days in a calendar year.

3) No more than one sign for a permanent or temporary and seasonal farm market denoting the name and address of the operator, denoting produce or products for sale on the premises and denoting membership in organizations may be permitted on a property. Farm market signs shall all the applicable sign requirements for the underlying zoning district.

~~2)~~B) *Public Utilities and Railroads*

Public utilities and 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 telecommunication towers in Article VIII hereof. (ORC 519.211)~~be regulated to the fullest extent permitted by Section 519.211 of the Ohio Revised Code and any amendments thereto. For purposes of defining areas zoned for residential use as referenced in Section 519.211(B) of the Ohio Revised Code, areas zoned for residential use means the total area zoned to a specific residential zoning designation as contained in the zoning resolution plus an additional 250 feet of buffer area extending beyond the boundary of the residentially zoned territory. Residential zoning designations shall include, but not be limited to, Countryside Residential District (CSR), Restricted Suburban Residential District (RSR), Limited Suburban Residential District (LSR), Suburban Periphery Residential District (SPR), Planned Suburban Residential District (PSR), Planned Residential District (PR), and any other residential zoning categories that may be adopted in the future~~.

~~3)~~C) *Governmental Functions*

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Any local, s~~S~~tate or f~~F~~ederal ~~activity~~governmental use ~~carried on for the purpose of administrative, protective, executive, legislative or judicial function~~ shall not be prohibited in any zoning district. Such local, state or federal governmental bodies proposing a use of land or construction of a building incidental to their governmental functions and responsibilities shall make a good faith effort to comply with this Zoning Resolution.

D) *Sale or Use of Alcoholic Beverages*

The sale or use of alcoholic beverages shall not be prohibited in areas where the establishment and operation of any retail business, hotel, lunchroom, or restaurant is permitted. (ORC 519.21)

E) *Outdoor Advertising*

Outdoor advertising shall be classified as a business use and be permitted in all districts zoned for industry, business, trade or lands used for agricultural purposes. (ORC 519.20)

## Section 240.02 - New Subdivision, Structures, or Uses

New development including the subdivision of land, construction and the use of land or structures shall conform to the regulations for the z~~Z~~oning d~~D~~istrict in which such development is located.

A~~1~~) *New Subdivision*

The subdivision or re-subdivision of land shall not create lots less than the minimum size required for the z~~Z~~oning d~~D~~istrict in which such land is located nor shall lots be provided or intended for uses not allowed in the z~~Z~~oning d~~D~~istrict.

~~2)~~B) *New Structures*

New structures and/or developments shall be permitted only on lots meeting the requirements of this Zoning Resolution and shall conform with the development standards of the z~~Z~~oning d~~D~~istrict~~s~~ in which such construction is proposed~~, except as is otherwise provided for in Article IV~~.

~~3)~~C) *New Uses*

Any ~~new~~proposed or new use of land or a structure shall be a permitted use or an approved conditional use for the z~~Z~~oning d~~D~~istrict in which such use is to be located.

## Section 240.03 - Existing Conforming Lots, Structures or Uses

Lots, structures, or the use of lots and/or structures which conform with the regulations of the z~~Z~~oning d~~D~~istrict in which they are located may be continued~~;~~ and may be altered~~, extended,~~ or changed in accordance with the development standards of ~~the Zoning District~~this Zoning Resolution.

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# Article III
## Zoning District Map

## SECTION 300 - ZONING DISTRICT MAP ADOPTED

### Section 300.01 - Division of Land

All land in the unincorporated area of Jefferson Township within the scope of this Zoning Resolution is placed into z~~Z~~oning d~~D~~istricts as ~~is~~ shown on the Official Zoning District Map of Jefferson Township, Franklin County, Ohio, which is hereby adopted and ~~declared to be~~incorporated by this reference and made a part of this Zoning Resolution.

~~1)~~A) *Final Authority*

The Zoning District Map, as amended from time to time, shall be the final authority for the current z~~Z~~oning d~~D~~istrict status of land under the jurisdiction of this Zoning Resolution.

~~2)~~B) *Land Not Otherwise Designated*

All land ~~under~~subject to this Zoning Resolution in accordance with Zoning Resolution Section 230 and not designated or otherwise included within ~~another~~a z~~Z~~oning d~~D~~istrict on the Official Zoning District Map shall be included in the Countryside Residential District (CSR).

### Section 300.02 - Official Zoning District Map

The Official Zoning District Map, with any amendments made thereon, shall be adopted at a public hearing of the Jefferson Township Trustees and be on record with Recorder's Office, Franklin County, Ohio. The Official Zoning District M~~m~~ap, and any amendments thereon, shall include the date of original adoption and the date of the most recent amendment. Copies of the ~~recorded~~ Official Zoning District Map shall be on file and available to the public ~~with the Jefferson Township Zoning Administrator~~.

### Section 300.03 - Availability of Zoning District Map

A current Official Zoning District Map ~~or facsimile thereof~~ shall be maintained by the Jefferson Township Trustees. ~~Such map or facsimile shall be made available as provided by ORC 519.~~Such map is available to the public in accordance with ORC Chapter 519.

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# SECTION 310 - DESIGNATION OF ZONING DISTRICTS

## Section 310.01 - Zoning Districts

The name and symbol for z~~Z~~oning d~~D~~istricts as shown on the Official Zoning District Map are:

| *District Type* | *Name* | *Symbol* |
|---|---|---|
| Standard Zoning Districts | | |
| | Countryside Residential | CSR |
| | Restricted Suburban Residential District | RSR |
| | Suburban Office District | SO |
| | Neighborhood Commercial District | NC |
| | Community Service District | CS |
| | Restricted Industrial District | RI |
| | Limited Industrial District | LI |
| Planned Districts | | |
| | Planned Residential District | PRD |
| | Planned Suburban Residential District | PSRD |
| | Suburban Periphery Residential District | SPRD |
| | Planned Commercial District | PC |
| | Planned Industrial Park District | PIP |
| Special Districts | | |
| | Flood Plain District | FP |
| | Excavation and Quarry District | EQ |
| | ~~Oil and Gas District~~ | ~~OG~~ |
| | Exceptional Use District | EU |

## Section 310.02 - Residential Districts

The Residential districts shall include all of the property zoned and included in the following zoning districts:

A) Countryside Residential (CSR)

B) Restricted Suburban Residential (RSR)

## Section 310.03 - Planned Residential Districts

The Planned Residential Districts shall include all of the property zoned and included in the following zoning districts:

A) Planned Residential District (PRD)

B) Planned Suburban Residential District (PSRD)

C) Suburban Periphery Residential District (SPRD)

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## Section 310.04~~2~~ - Legend

There shall be provided on the Official Zoning District Map a l~~L~~egend, which shall list the name and symbol for each z~~Z~~oning d~~D~~istricts~~ show the districts differentiated~~and differentiating the districts.

## Section 310.05~~3~~ - Limited Suburban Residential Districts

As of the effective date of the Zoning Amendment dated ~~this Resolution (~~December 25, 2003~~)~~, the Limited Suburban Residential District (LSR) will no longer be an available zoning district~~ available~~. All property having the LSR zoning designation prior to the effective date of this Zoning Resolution will continue the LSR zoning designation, but no new requests for rezoning to this district will be accepted.

# SECTION 320 - INTERPRETATION OF ZONING DISTRICT BOUNDARIES

## Section 320.01 - Rules for Determination

When uncertainty exists with respect to the boundaries of z~~Z~~oning d~~D~~istricts as shown on the Official Zoning District Map, the following rules shall apply:

~~1)~~A) *Along a Street or Other Right-of-Way*

Where z~~Z~~oning d~~D~~istrict boundary lines are indicated as approximately following a centerline of a street or highway, alley, railroad easement or other right-of-way, or a river, creek or other watercourse, such centerline shall be the z~~Z~~oning d~~D~~istrict boundary.

~~2)~~B) *Along a ~~Property~~Lot Line*

Where z~~Z~~oning d~~D~~istrict boundary lines are indicated as approximately following a lot line, such lot line shall be the z~~Z~~oning d~~D~~istrict boundary; provided, however, that where a street or highway located in the unincorporated territory of Jefferson Township abuts a lot line, the zoning district boundary shall extend from such lot line to and include that portion of such street or highway from the lot line to the center line of the abutting street or highway.

~~3)~~C) *Parallel to Right-of-Way or ~~Property~~Lot Line*

Where z~~Z~~oning d~~D~~istrict boundary lines are indicated as approximately being parallel to a center line or a ~~property~~lot line, such z~~Z~~oning d~~D~~istrict boundary lines shall be parallel thereto, and~~,~~ in the absence of specified dimension on the map, at such scaled distance as indicated on the Official Zoning District Map.

~~4)~~D) *Actual Conflict with Map*

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

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# Article IV

## Non-Conforming Lots, Structures or Uses

## SECTION 400 - INTENT

Existing ~~(per Trustees 2/28/78)~~ lots, structures and accessory development or the use of lots and/or structures which would be prohibited under the regulations for the z~~Z~~oning d~~D~~istrict 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:

## SECTION 410 - NON~~-~~CONFORMING LOTS OF RECORD

The construction of a conforming structure and/or the conduct of a permitted use shall be allowed on any lot of record, which has an area~~,~~ and/or lot width less than that required for such structure or permitted use in the z~~Z~~oning d~~D~~istrict in which the lot is located, so long as all applicable development standards can be meet. In certain situations, an applicant with a nonconforming lot of record may request a variance from the development standards so that a permitted use or structure may be conducted. A v~~V~~ariance of any development standard other than minimum lot area and/or minimum lot width shall be obtained only through action of the Board of Zoning Appeals in accordance with the provisions of Article X.

## SECTION 420 - NON~~-~~CONFORMING STRUCTURES AND DEVELOPMENT

Nonconforming s~~S~~tructures ~~and/or accessory development~~, which by reason of size, type, location on the lot, or otherwise in conflict with the regulations of the z~~Z~~oning d~~D~~istrict in which they are located, may be altered or extended~~, reconstructed or extended~~ only in ~~such~~ a manner such that the alteration or ~~, reconstruction or~~ extension ~~does~~ shall not exceed more than twenty percent (20%) of the original nonconformity. If the alteration or extension will exceed more than twenty percent (20%) of the original nonconformity,~~structure~~ then~~or~~ the alteration or~~, reconstruction or~~ extension ~~will~~shall comply with the development standards of the z~~Z~~oning d~~D~~istrict in which the structure ~~and/or accessory development is located~~.

Such alteration or~~, reconstruction, or~~ extension shall ~~include such additional development and~~be in compliance with the development standards of the z~~Z~~oning d~~D~~istrict 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.

## SECTION 430 - 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.~~A) Change of a non-conforming use shall be allowed to a permitted use of the z~~Z~~oning d~~D~~istrict in which the non-conforming use is located.

~~2.~~B) On approval of an appeal to the Board of Zoning Appeals, a non-conforming use may be:

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~~A.~~1) Changed to a use found to be more nearly in character with the z~~Z~~oning d~~D~~istrict in which the non-conforming use is located.

2) Expanded within ~~an~~the existing structure where the nonconforming use is located.

~~B. arranged or developed for such purpose~~

~~C. Expanded to occupy one or more new or existing structures to be erected or modified for the purpose of accommodating the extension of such non-conforming use, where such structures to be erected or modified are in accordance with the development standards (other than as such standards relate to use) of the Zoning District in which such use is located.~~

~~3.~~C) No non-conforming use may be re-established where such non-conforming use has been discontinued for a period of at least two (2) years. A~~The~~ non-conforming structure or use of any structure damaged by fire, explosion, flood, riot, or act of God may be continued and used as before any such calamity, provided the building or structure has not been destroyed to an extent of more than one-half of its fair market value, and provided such reconstruction is started within twelve (12) months of such calamity and is continued in a reasonable manner until completed.

# SECTION 440 - REPAIRS AND MAINTENANCE

On a non-conforming structure or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became non-conforming shall not be increased, unless in accordance with Section 430. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any an official charged with protecting the public safety and welfare, and given the authority to make such determinations by the Ohio Revised Code. ~~upon order of such official.~~

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# Article V

Standard District Regulations

## SECTION 500 – STANDARD DISTRICT REGULATIONS AND RULES OF APPLICATION

### Section 500.01 - Regulation of the Use and Development of Land and Structures

Regulations pertaining to the use of land and-/-or structures~~, and~~for each district as shown on the Official Zoning District Map are hereby established and adopted.

### Section 500.02 - Rules of Application

The s~~S~~tandard d~~D~~istrict r~~R~~egulations set forth in this s~~S~~ection shall be interpreted and enforced according to the following rules.

~~1)~~A) *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, that number shall refer to the code number and activity title as listed in the North American Industrial Classification System (NAICS) Manual, 2012 Edition. A group code and title (those with two or three digits) shall include all industry codes and titles listed in the group other than those specifically expected. The full text of the listings in the NAICS shall be a part of the definition of the use listed in the Zoning Resolution and is hereby adopted as a part of this Article V.

~~2)~~B) *Permitted Uses*

Only a use designated as a p~~P~~ermitted u~~U~~se shall be allowed as a matter of right in a z~~Z~~oning d~~D~~istrict and any use not so designated shall be prohibited. ~~except, when in character with the Zoning District, such a~~Additional uses may be added to the p~~P~~ermitted uses of the z~~Z~~oning d~~D~~istrict by an amendment of this Zoning ~~-~~Resolution, or, upon determination by the Board of Zoning Appeals that the use is substantially similar to a designated permitted use within the same zoning district.

~~3)~~C) *Conditional Uses*

A use designated as a c~~C~~onditional u~~U~~se may~~shall~~ be allowed in a z~~Z~~oning d~~D~~istrict when such c~~C~~onditional u~~U~~se, its location, or its extent and method of development will not substantially alter the character of the vicinity or unduly interfere~~s~~ with the use of adjacent lots in the manner prescribed for the z~~Z~~oning d~~D~~istrict. To this end the Board of Zoning Appeals may~~shall~~, in addition to the d~~D~~evelopment s~~S~~tandards for the z~~Z~~oning d~~D~~istrict, set forth such additional requirements as will, in its judgment, render the c~~C~~onditional u~~U~~se compatible with the existing and future use of adjacent lots and the vicinity.

~~4)~~D) *Development Standards*

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The d~~D~~evelopment s~~S~~tandards set forth shall be the minimum allowed for development in a z~~Z~~oning d~~D~~istrict. If the d~~D~~evelopment s~~S~~tandards are in conflict with the requirements of any other lawfully adopted rules, regulations or laws, the more restrictive or higher standard shall govern.

# SECTION 510 -~~–~~ COUNTRYSIDE RESIDENTIAL DISTRICT (CSR)

## Section 510.01 ~~–~~- Purpose

The Countryside Residential District (CSR) is intended for areas where agricultural uses are appropriate and where conservation of the land is important. The CSR~~Countryside Residential District~~ regulations attempt to protect agricultural and open land from the ~~intrusion and~~ premature development of uses~~,~~ which are not compatible with agricultural activities or which are not in conformance with the Jefferson Township Comprehensive Plan. ~~However, as growth and development occurs in the township it is likely that land with the Countryside Residential District will be subject to requests for amendments to other zoning categories. In order to protect the integrity of the vicinities in which changes are proposed and insure equitable application of zoning standards, amendments should be comprehensive in scope, should include all land similarly situated and subject to the same conditions, and should be related to the capability of the land to support the proposed development densities.~~ The principal use of land is for agriculture and farm dwellings, although other uses, such as countryside residences, religious and educational facilities may be permitted subject to meeting special d~~D~~evelopment s~~S~~tandards and /or conditional land suitability requirements.

## Section 510.02 - Permitted Uses

The following uses shall be permitted in the CSR:~~Countryside Residential District~~

~~1) *Agriculture*~~

~~Agriculture includes farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry.~~

~~C) Farm dwelling structures~~

~~D) Farm labor quarters for labor working on the premises.~~

~~2) *Dwelling Structures*~~

~~One family dwelling structures~~

A) *Single Family Dwellings*

~~3)~~B) *Home Occupation*

Home Occupation shall be permitted in association with a permitted dwelling and in accordance with the provisions of Article VIII, Section 815

~~4)~~C) *Accessory Structures/Uses*

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Accessory structures~~buildings~~ and uses in association with ~~agriculture or~~ permitted dwellings, as specified in Article VIII, Section 820~~including non-commercial guest house provided that the lot is five (5) acres or more, and provided that the gross floor area of the non-commercial guest house is less than fifty (50) percent of the gross floor area of the principal use~~

D) *Guest House*~~.~~

Guest houses shall be permitted, provided that the gross floor area of the non-commercial guest house is less than fifty percent (50%) of the gross floor area of the primary single-family dwelling and located to the side or rear of the primary single family dwelling.

~~5)~~E) *Schools*

Public or private schools offering general educational courses and having no rooms regularly used for housing or sleeping of students shall be permitted provided it occupies a lot of not less than five (5) acres.

~~6)~~F) *Religious*

Churches or other places of worship shall be permitted provided ~~it~~the church or other place of worship occupies a lot of not less than three (3) acres, plus~~ and there is~~ an additional one (1) acre ~~or more per~~for every one hundred (100) seats or similar accommodations in the main assembly area.

| Main Assembly seats or similar accommodations | Acres Required |
|---|---|
| 100 or less | Four (4) |
| 200 or less | Five (5) |
| 300 or less | Six (6) |
| 400 or less | Seven (7) |
| 500 or less | Eight (8) |

G) *Adult Family Homes*

As provided for and defined in ORC Chapter 3722.

H) *Child Day Care*

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

~~7) *Storage and Processing of Agricultural Products*~~

~~C) 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.~~

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

E) Processing facilities shall not be within one hundred (100) feet of a side or rear lot lines, except when along a railroad right of way.

8) *Sales of Agricultural Products*

C) Sales of agricultural products in association with an agricultural permitted use shall be permitted provided at least fifty (50) percent of the gross income from the farm market is derived from produce raised on the farm owned or operated by the market operator in a normal crop year.

D) All requirements of these regulations for building and parking setback, off-street parking, ingress and egress, and accessory structures shall be adhered to in conjunction with the sales of agricultural products.

## Section 510.03 - Conditional Uses

The following uses shall be allowed in the CSR DistrictCountryside Residential District subject to approval in accordance with Article X, Sections 1001.06 and 1001.07.

A) *Storage and Processing of Agricultural Products on lots less than five (5) acres*

1) 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 provided that:

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

b) Processing facilities shall not be within one hundred (100) feet of a side or rear lot lines, except when along a railroad right of way.

B) *Mobile Homes*

*Single Family Residences*

A) *A lot of record on the date of adoption of the initial Jefferson Township Zoning Resolution (May 20, 1974) may be subdivided to provide up to four (4) residential lots, provided the remaining portion of the lot is ten (10) acres or more and the following requirements, in addition to those of Article X are met: The applicant shall provide a plan drawn at a scale of 1" = 50' or larger, which is prepared by a registered professional engineer, surveyor or pedologist (soil scientist) and which shows the following:*

i. *Locations and dimensions of existing and proposed property lines and street rights of way.*

ii. *Locations and dimensions of existing structures, sewage disposal facilities, wells, outbuildings, agricultural field title, and other improvements, within 50' of the proposed lots, as applicable.*

iii. *Detailed soil type boundaries, as interpreted from the Franklin County Soil Survey and as supplemented by on-site investigations. A written description of soils and drainage characteristics shall accompany the plan.*

iv. *Existing and proposed topography in one-foot intervals, and a lot drainage plan which indicates that proper surface drainage and an acceptable storm water outlet can be provided and seasonally high water tables in the soils can be lowered to a depth acceptable to accommodate on-site sewage leaching systems. A qualified engineer or soil scientist shall state his professional opinion on the suitability of the lots for the proposed use.*

v. *The proposed sewage leaching system and replacement area, curtain drain system, sump pump, and roof top drainage outlets shall be illustrated on the plan.*

vi. *Other information required by the Zoning Administrator/Inspector or Board.*

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~~B) *The applicant shall provide for review of the plan by the Franklin County Engineer and Franklin County Board of Health, and shall request that the above agencies forward their written comments on the plan to the Board.*~~

~~C) *Proposed lot splits, which involve only existing structures and do not result in the creation of new building areas less than five (5) acres, may be exempted from the plan requirements of this section.*~~

~~D) *Approval of a Conditional Use application and plan does not constitute a subdivision (lot split) approval. Subsequent to approval of the conditional use by Jefferson Township, the plan may need to be submitted to a county or regional planning commission for approval under the provisions of the Franklin County Subdivision Regulations. Where conflict between these regulations and the Franklin County subdivision regulations exist, the more restrictive or higher standard shall govern.*~~

~~2) *Mobile Home*~~

A mobile home (house trailer) for a period not to exceed twelve (12) months and water supply and sewage disposal are properly provided.

~~3)~~C) *Private School and Child Care*

1) Private school or college, with students in residence provided ~~it~~the private school or college occupies a lot of not less than ten (10) acres ~~or more~~plus ~~and there is~~an additional one (1) acre or more per twenty-five (25) day students, and one (1) acre or more per fifteen (15) students in residence.

~~A)~~

~~B) Kindergarten or child care as an accessory use of a dwelling or as a principal use of the lot provided it occupies a lot of not less than one (1) acre and there shall be an outdoor play area of five hundred (500) square feet or more per child. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of four (4) feet, but not more than six (6) feet.~~

~~4)~~D) *Cemetery*

~~A)~~1) Cemetery provided it shall occupy a parcel of not less than forty (40) acres.

~~B)~~2) Internment shall not be within one hundred (100) feet of any property line.

~~C)~~3) A mausoleum, crematory or other structure shall not be within three hundred (300) feet of any property line.

E) ~~5)~~ *Boarding and Care of Animals*

Veterinary offices~~Office of veterinarian and~~ animal hospitals, kennels, or other facilities for care and/or~~of~~ boarding of animals provided ~~it~~those facilities occupy~~ies~~ a lot of not less than five (5) acres, and any structure~~building~~, pen or other enclosure so used for care and/or boarding shall not be within two hundred (200) feet of any property line.

F~~6~~) *Parks*

Parks, playgrounds, and playfields open to the public ~~without fee~~.

G) *Child Day Care of more than six (6) Children*

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

1) The child day care is an accessory to the principal use of the dwelling as a residence.

2) State licenses have been granted, if necessary.

3) Lot size is adequate to meet the sewage disposal and water supply needs.

4) Adequate buffering to adjacent residential uses is provided as needed in accordance with Article VIII.

5) Off-street parking and maneuvering is provided so no car will back into roadway upon entering or leaving.

6) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be paced on the structure, said sign not to exceed three (3) 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.

7) 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.

8) Adequate space indoors and outdoors is provided for recreation. Five hundred (500) square feet per child shall be provided for an outside play area. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with appropriate fencing.

## Section 510.04 - Development Standards

In addition to the provisions of Article VIII - General Development Standards, the following standards for arrangement and development of land and structures~~buildings~~ are required in the CSR~~Countryside Residential District~~.

A~~1~~) *Lot Area and Coverage*

~~1) For agricultural purposes in the determination of accessory and associated uses the lot area shall be five (5) acres or more, but this shall not exclude agriculture use of any smaller lot.~~

~~2)~~1) For each permitted ~~use~~ dwelling ~~unit~~ there shall be a lot area not less than five (5) acres. For each approved conditional use dwelling ~~unit~~ there shall be an additional lot area above the minimum required of not less than one (1) acre. Permitted and conditional uses shall meet the land suitability and performance standards of this Resolution and the environmental, health and sanitation requirements of the appropriate agency.

2) Only one (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty (20%) percent by impervious surfaces including structures.

~~3)~~

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B~~2~~) *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~~. Each lot shall have access to and abut a public right-of-way for a distance of one hundred and fifty (150) feet or more, except as follows:

~~A)~~1) Road frontage and abutment requirements for "pie-shaped" lots on cul-de-sacs or curved streets may be reduced to a minimum of sixty (60) feet, ~~,~~ provided the lot has a width of one hundred and fifty (150) feet or more at the front building line ~~of the dwelling~~.

~~B)~~2) Road frontage and abutment requirements may be reduced to a minimum of sixty (60) feet, provided:

~~i.~~a) A minimum lot width of three hundred (300) feet is established at the front building line ~~of the dwelling~~. The full three hundred (300) foot width shall extend into the front yard of the dwelling for a minimum distance of one hundred (100) feet.

~~ii.~~b) The lot is at least five (5) acres in size~~, excluding all areas of the lot, which are less than three hundred (300) feet in width~~.

C~~3~~) *Side Yards*

~~A)~~1) For all primary structures, including singe family dwelling~~s~~ ~~or associated accessory buildings~~ there shall be a side yard on each side of the dwelling~~building~~ of twenty-five (25) feet or more.

~~B)~~2) For accessory detached structures refer to Article VIII, Section 820~~a Conditional Use there shall be a side yard on each side of a building of not less than twenty-five (25) feet, except when a larger side yard is required for such use by these district regulations~~.

D~~4~~) *Rear Yard*

1) For all primary structures, including single family dwelling, ~~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.

2) For accessory detached structures refer to Article VIII, Section 820.

# SECTION 520 – RESTRICTED SUBURBAN RESIDENTIAL DISTRICT (RSR)

## Section 520.01 - Purpose

The Restricted Suburban Residential District ("RSR") ~~district~~ is intended to define areas in the township, which are suitable for low density residential uses and related facilities desirable in a residential environment. Standards in the RSR district are intended to promote attractiveness, order and efficiency and a healthful, safe environment. ~~Because RSR areas are generally not likely to be served by urban sanitary sewer and water systems, the land and underlying geologic structure on each lot generally must serve as the source of home water supply while accepting and / or treating home sewage.~~

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## Section 520.02 - Permitted Uses

The following uses shall be permitted in the RSR provided the use is located on a lot not less than five (5) acres and meets all of the development requirements of this section:~~Land and buildings in the Restricted Suburban Residential District shall be used only for the following purposes:~~

The following uses shall also be permitted in the RSR provided the use meets all of the development requirements of this Section:

~~1) *Dwelling Structures*~~

~~One-family dwelling structures~~

A) *Single family dwelling structures*

B) ~~2)~~ *Home Occupation*

Home occupation in association with a permitted ~~dwelling~~structure or use, and in accordance with the provisions of Article VIII, Section 815.

C) ~~3)~~ *Accessory Structures/-Uses*

Accessory structures~~buildings~~ and uses in association with permitted structures and uses~~dwellings~~ as specified in Article VIII~~,~~, Section 820.~~including domestic servant quarters (employed on the premises)~~

D) ~~4)~~ ~~*Non-*~~*Commercial Guest House*

~~Non-commercial g~~Guest house provided the gross floor area of the non-commercial guest house is less than fifty (50) percent of the gross floor area of the primary dwelling and located to the side or rear of the primary family dwelling~~principal use~~.

E) *Schools*

Public or private schools offering general educational courses and having no rooms regularly used for housing or sleeping of students shall be permitted provided it occupies a lot of not less than five (5) acres.

F) *Religious*

Churches or other places of worship shall be permitted, provided that the church or other place of worship occupies a lot of not less than three (3) acres, plus an additional one (1) acre for every one hundred (100) seats or similar accommodations in the main assembly area.

| Main Assembly seats or similar accommodations | Acres Required |
|---|---|
| 100 or less | Four (4) |
| 200 or less | Five (5) |
| 300 or less | Six (6) |

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| | |
|---|---|
| 400 or less | Seven (7) |
| 500 or less | Eight (8) |

G) *Adult Family Homes*

As provided for and defined in ORC Chapter 3722.

H) *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.

## Section 520.03 - Conditional Uses

The following uses shall be allowed in the RSR~~Restricted Suburban Residential District~~ and subject to approval in accordance with Article X, Sections 1001.06 and 1001.07.

~~1) *Public School*~~

~~Public school offering general educational courses and having no rooms regularly used for housing or sleeping of students~~

~~2) *Private School*~~

~~Private school offering general educational courses similar to those ordinarily given in public schools and having no rooms regularly used for housing or sleeping of students, provided it occupies a lot of not less than five (5) acres.~~

~~3) *Religious*~~

~~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~~4~~) *Borrow Pit*

A b~~B~~orrow p~~P~~it in accordance with the requirements of Article VII, Section 720~~.~~ - ~~"~~Excavation and Quarry Regulations~~,"~~ provided that such excavation and required rehabilitation shall be completed within one (1) year from the date of approval.

B~~5~~) *Parks*

Parks, playgrounds, and playfields shall be open to the public ~~without fee~~.

C) *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:

1) The child day care is accessory to the principal use of the dwelling as a residence.

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2) State licenses have been granted, if necessary.

3) Lot size is adequate to meet the sewage disposal and water supply needs.

4) Adequate buffering to adjacent residential uses is provided as needed in accordance with Article VIII.

5) Off-street parking and maneuvering is provided so no car will back into roadway upon entering or leaving.

6) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be paced on the structure, said sign not to exceed three (3) 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.

7) 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.

8) Adequate space indoors and outdoors is provided for recreation. Five hundred (500) square feet per child shall be provided for an outside play area. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with appropriate fencing.

## Section 520.04 - Development Standards

In addition to the provisions of Article VIII - General Development Standards, the following standards for arrangement and development of land and structures~~buildings~~ are required in the Restricted Suburban Residential District.

A~~1~~) *Lot Area and Coverage*

~~A)~~1) For each single-family dwelling unit there shall be a lot area not less than one (1) acre.

~~B) For each Permitted use and Conditional Use, the lot area shall beadequate to meet the minimum sanitation requirements of all existing codes, but shall not be less than that prescribed for suchuse.~~

2) One (1) principal use shall be permitted on a lot, and said~~such~~ lot shall not be covered by more than twenty percent (20%) with~~by~~ impervious surfaces, including structures.

~~C)~~3) The total floor area of all structures combined shall not cover more than twenty percent (20%) of the total area of the lot.

B~~2~~) *Lot Width*

For a single~~one~~-family dwelling, there shall be a minimum 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 a public right-of-way for a minimum distance of sixty (60) feet ~~or more~~.

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C~~3~~) *Side Yards*

1) For all structures, including single-family dwellings, there shall be a side yard on each side of the structure of at least twenty-five (25) feet.

2) For "Accessory Detached Structures" refer to Article VIII, Section 820.

~~For dwellings or associated accessory buildings, there shall be a side yard on each side of a building of twenty-five (25) feet or more.~~

D~~4~~) *Rear Yard*

1) For all structures, including single-family dwellings, there shall be a rear yard of twenty percent (20%) of the lot depth, except that in no case shall a rear yard of more than fifty (50) feet be required.

2) For Accessory Detached Structures refer to Article VIII, Section 820.

~~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~~E) *Sanitary Water and Sewer*

1) For each permitted use and conditional use, the lot area shall be adequate to meet the minimum sanitation requirements of all existing codes, but shall not be less than that prescribed for such use.

# SECTION 530 – LIMITED SUBURBAN RESIDENTIAL DISTRICT (LSR)

As of ~~the effective date of this Resolution (~~December 25, 2003~~)~~, the Limited Suburban Residential District (LSR) is no longer an available zoning district to which property can be rezoned.

The following text will apply to properties designated ~~LSR~~LSR on or before ~~the effective date of this Resolution~~December 25, 2003, and is only applicable to ~~for~~ the development or redevelopment of those properties.

## Section 530.01 - Purpose

The ~~Limited Suburban Residential District~~LSR is provided for ~~low~~medium to high density residential areas which are served by community ("package") waste water collection and treatment systems. The ~~LSR~~LSR ~~District~~ is appropriate where the ability of the public to provide and maintain services, including schools, recreation, fire and police protection, is demonstrated. The ~~LSR~~LSR ~~District~~ is intended to provide opportunity for a variety of dwelling units in densities which blend with the character of surrounding areas and are responsive to environmental and health limitations.

## Section 530.02 - Permitted Uses

The following uses shall be permitted in the LSR provided the use is located on a lot not less than five (5) acres and all the development requirements of this Section~~Land and buildings in the Limited Suburban Residential Districts shall be used only for the following purposes~~:

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~~1) *Dwelling Structures*~~

~~One-family dwelling structures~~

A) *Single Family Dwelling Structures*

B) ~~2)~~ *Home Occupation*

Home occupation in association with a permitted dwelling, and in accordance with the provisions of Article VIII, Section 815.

C) ~~3)~~ *Accessory Structures/Uses*

Accessory structures~~buildings~~ and uses in association with permitted dwellings as specified in Article VIII, Section 820.

D) *Adult Family Homes*

As provided for and defined in ORC Chapter 3722.

E) *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.

F) *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:

1) The child day care is an accessory to the principal use of the dwelling as a residence.

2) State licenses have been granted if necessary.

3) Lot size is adequate to meet the sewage disposal and water supply needs.

4) Adequate buffering to adjacent residential uses is provided as needed in accordance with Article VIII.

5) Off-street parking and maneuvering is provided so that no car will back into roadway upon entering or leaving.

6) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be paced on the structure, said sign may not exceed three (3) 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.

7) 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.

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8) Adequate space indoors and outdoors is provided for recreation. Five hundred (500) square feet per child shall be provided for an outside play area. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with appropriate fencing.

G) *Religious*

Churches or other places of worship shall be permitted provided the church or other place of worship occupies a lot of not less than three (3) acres, plus an additional one (1) acre for every one hundred (100) seats or similar accommodations in the main assembly area.

| Main Assembly seats or similar accommodations | Acres Required |
|---|---|
| 100 or less | Four (4) |
| 200 or less | Five (5) |
| 300 or less | Six (6) |
| 400 or less | Seven (7) |
| 500 or less | Eight (8) |

A) *Schools*

Public or private schools offering general educational courses and having no rooms regularly used for housing or sleeping of students shall be permitted, provided it occupies a lot of not less than five (5) acres.

## Section 530.03 - Conditional Uses

The following uses shall be allowed in the Limited Suburban Residential District subject to approval in accordance with Article X, Sections 1001.06 and 1001.07.

A~~1~~) *Dwelling Structures*

Two-family dwelling structures.

B) ~~2)~~ *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:

1) The child day care is an accessory to the principal use of the dwelling as a residence.

2) State licenses have been granted, if necessary.

3) Lot size is adequate to meet the sewage disposal and water supply needs.

4) Adequate buffering to adjacent residential uses is provided as needed in accordance with Article VIII.

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5) Off-street parking and maneuvering is provided so that no car will back into roadway upon entering or leaving.

6) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be paced on the structure, said sign may not exceed three (3) 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.

7) 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.

8) Adequate space indoors and outdoors is provided for recreation. Five hundred (500) square feet per child shall be provided for an outside play area. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with appropriate fencing.

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~~*Child Care*~~

~~Kindergarten or childcare as an accessory use of a dwelling. There shall be an outdoor play area of five hundred (500) square feet or more per child. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of four (4) feet, but not more than six (6) feet.~~

~~3) *Public School*~~

~~Public school offering general educational courses and having no rooms regularly used for housing or sleeping of students.~~

~~4) *Private School*~~

~~Private school offering general educational courses similar to those ordinarily given in public schools and having no rooms regularly used for housing or sleeping of students, provided it occupies a lot of not less than five (5) acres.~~

~~5) *Religious*~~

~~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.~~

~~6) *Borrow Pit*~~

~~A Borrow Pit in accordance with the requirements of Article VII ("Excavation and Quarry Regulations"), provided that such excavation and required rehabilitation shall be completed within one (1) year from the date of approval.~~

C~~7~~) *Parks*

Parks, playgrounds, and playfields shall be open to the public ~~without fee~~.

D) *Schools*

Public or private schools offering general educational courses and having no rooms regularly used for housing or sleeping of students shall be permitted, provided it occupies a lot of not less than five (5) acres.

## Section 530.04 - Development Standards

In addition to the provisions of Article VIII - General Development Standards, the following standards for arrangement and development of land and buildings are required in the Limited Suburban Residential District.

A~~1~~) *Lot Area and Coverage*

1) For each single-family dwelling, there shall be a lot area not less than one half (1/2) acre (21,780 square feet) per dwelling.

2) Only one (1) principal use shall be permitted on a lot and such lot shall not be covered by more than twenty percent (20%) by impervious surfaces including structures.

3) The total floor area of all structures combined shall not cover more than twenty percent (20%) of the total area of the lot.

~~For each dwelling unit, there shall be a lot area not less than one half (1/2) acre (21,780 square feet) per dwelling unit. 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.~~

B~~2~~) *Lot Width*

For a single~~one~~-family dwelling, there shall be a minimum 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 a public right-of-way for a distance of at least sixty (60) feet ~~or more~~. The minimum total lot width for a two-family dwelling shall be one hundred and twenty (120) feet at the front line of the structure.

C~~3~~) *Side Yards*

1) For all structures, including single-family dwellings, there shall be a side yard on each side of the structure of at least twenty (20) feet~~dwellings or associated accessory buildings, there shall be a side yard on each side of a building of twenty (20) feet or more~~.

~~1)~~2) For "Accessory Detached Structures" see Article VIII, Section 820.

D~~4~~) *Rear Yard*

1) For all structures, including single-family dwellings, there shall be a rear yard of twenty percent (20%) of the lot depth, except that a rear yard shall not exceed fifty (50) feet.

2) For "Accessory Detached Structures" see Article VIII, Section 820.

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~~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.~~

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# SECTION 540 – SUBURBAN OFFICE DISTRICT (~~SO~~SO)

## Section 540.01 - Purpose

The Suburban Office ~~(SO)~~ District (SO) is intended to provide an opportunity for development of low-intensity office and related service uses which functionally and aesthetically blend with and compli~~e~~ment the predominantly residential and rural characteristics of ~~the~~Jefferson Township. No unrelated retail trade is permitted in the ~~Suburban Office (SO~~SO~~) District~~. Abutment on or suitable access to a major or minor arterial roadway is generally necessary for ~~(SO~~SO ~~)~~ uses. The ~~SO~~SO ~~District~~ can be used to provide a buffer between residential and commercial or industrial areas. Development s~~S~~tandards ~~to limit the intensity of (SO) uses are therefore~~ are provided to encourage smooth transitions between the SO and other zoning districts~~zones~~.

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## Section 540.02 - Permitted Uses

The following uses shall be permitted in the ~~Suburban Office (SO~~SO~~) District~~ provided all the development requirements of this Section are met:

| | |
|---|---|
| **52** | Finance and Insurance |
| **54** | Professional, Scientific and Technical Services |
| **55** | Management of Companies and Enterprises |
| **92** | Public Administration |
| **611** | Schools and Educational Services |
| **621** | Health and Medical Services |
| **115210** | Support Activities for Animal Production |
| **491110** | Postal Service |
| **515111** | Radio Networks |
| **515112** | Radio Stations |
| **515120** | Television Broadcasting |
| **517110** | Wired Telecommunication Carriers |

| | |
|---|---|
| **517210** | Wireless Telecommunication Carriers (except Satellite) |
| **517911** | Telecommunications Resellers |
| **519120** | Libraries and Archives |
| **541940** | Veterinary Services |
| **561510** | Travel Agencies |
| **711120** | Dance Companies |
| **711130** | Musical Groups and Artists |
| **711140** | Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures |
| **712110** | Museums |
| **812210** | Funeral Homes and Funeral Services |
| **812910** | Pet Care (except veterinary) Services |
| **813410** | Civic and Social Organizations |
| **813910** | Business Associations |
| **813920** | Professional Organizations |

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~~1) Professional Offices for physicians, dentists, other licensed health practitioners, attorneys, accountants, engineers, architects, and other similar professions.~~

~~2) Administration and business office for insurance, real estate, data processing, advertising, business, professional or civil associations, and other similar management and/or service functions.~~

~~3) Financial institutions and offices including banks, savings and loans, brokerage firms, credit institutions, and other similar financial and related services.~~

~~4) Mortuaries, funeral homes and other similar services.~~

## Section 540.03 - Conditional Uses

The following uses shall be allowed in the ~~Suburban Office (SO~~SO~~) District~~ subject to a~~A~~pproval in accordance with Article X, Sections 1001.06 and 1001.07:

| | |
|---|---|
| **721310** | Rooming and Boarding Houses |
| **722514** | Cafeterias (not open to the general public) |
| **812111** | Barber Shops |
| **812112** | Beauty Salons |
| **812113** | Nail Salons |
| **812191** | Diet and Weight Reducing Center |
| **812199** | Other Personal Care Services |
| **812220** | Crematories (except any type of interment location, such as a cemetery, or management) |

The following conditional uses are also permitted, subject to approval in accordance with Article X, Sections 1001.06 and 1001.07:

A~~1~~) Drive-in facility, developed in association with a permitted use. In addition to the standards of Article X, Sections 1001.06 and 1001.07, the following standards shall also be met before a drive-in facility may be approved:

~~A)~~1) The Jefferson Township Zoning Commission and/or Jefferson Township Trustees may require that the applicant submit a traffic analysis and detailed plot plan performed by a registered professional engineer that demonstrates that the proposed drive-in facility will not create traffic congestion or unsafe points of traffic conflict. All parking, ingress, egress and interior circulation shall be clearly marked with striping and/or curb barriers.

2) The proposed drive-in facility and access drive shall conform to all ~~building setback and other~~ developmental standards in accordance with this Section, including side and rear yard setbacks~~and shall be screened by plantings or other appropriate methods when adjacent to residential areas~~.

~~B)~~3) The proposed drive-in facility shall be screened by plantings or other appropriate methods when adjacent to residential areas.

~~2) Personal services generally involving the care of the person, including barber shops, beauty shops, portrait photography, and similar services. No unrelated retail trade is permitted.~~

~~3) Educational and research institutions which in appearance and land use functional characteristics are similar to permitted office uses.~~

B~~4~~) Single-family dwellings~~residential uses~~ in association with a permitted principal use~~, provided that the residential portion of the lot is included with the permitted use in the determination of lot area~~

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~~coverage.~~ The applicant shall clearly indicate, on a plot plan, the areas intended for residential use and the areas intended for commercial use. Sewage and water system approvals from Jefferson Water & Sewer District,~~both the~~ Ohio EPA and Franklin County ~~Board of~~Public Health shall be required.

~~5) Food and lodging serving the occupants of the building, but not open to the general public.~~C) Kindergarten or childcare which provides an outdoor play area of five hundred (500) square feet or more per child. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of four (4) feet, but not more than six (6) feet.

## Section 540.04 - Development Standards

In addition to the provisions of Article VIII - General Development Standards, the following standards for arrangement and development of land and buildings are required in the ~~Suburban Office (~~SO~~) District~~.

A~~1~~) *~~Intensity of Use~~Lot Area and Coverage*

~~A)~~1) A minimum lot size of one (1) acre is required.

2) One (1) or more structures~~main buildings or Permitted Uses~~ may be placed on a lot.~~; however, main and accessory~~

~~B)~~3) Impervious surfaces, including s~~s~~tructures shall not occupy more than ten percent (10%) of a lot, nor in total gross floor area exceed twenty percent (20%) of the lot area.

B~~2~~) *Lot Width*

A minimum lot width of 100 feet is required. All lots shall abut a street for a minimum distance of sixty (60) feet.

~~3) When adjacent to a Residential District, the minimum side and rear yards of that Residential District shall apply to the Suburban Office use. No (SO) structure shall be closer than fifty (50) feet to an existing residential structure, unless otherwise approved by the Board of Zoning Appeals.~~

C) *Side Yards*

For all structures located in the SO, there shall be a side yard of not less than twenty-five (25) feet on each side of any structure located on the lot.

~~4) When adjacent to a Commercial or Industrial District, a minimum side yard of fifty (50) feet shall be required.~~

D) *Rear Yards*

For all structures located in the SO, the rear yard shall be not less than twenty percent (20%) of the lot depth, or fifty (50) feet, whichever is greater.

E) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained.

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

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G) All exterior lighting shall be designed to prevent direct glare on adjoining properties located within a residential zoning district.

H) 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 cast concrete, landscaping timbers or vertical poles all of which are permanently attached to the ground and designed to prohibit direct access to the public road.

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

J) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at any property line on the lot 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 sixty (60).

# SECTION 550 – NEIGHBORHOOD COMMERCIAL DISTRICT (NC)

## Section 550.01 – Purpose

The Neighborhood Commercial District (NC) ~~zone~~ is intended to provide opportunity for development of small retail commercial and related uses. ~~Neighborhood Commercial~~NC permitted uses are generally intended to serve neighborhoods or local areas. Development standards for~~of~~ the NC~~District therefore~~ limit the size and nature of uses to locally-oriented, lower-intensity commercial functions. Because of these controls, the ~~Neighborhood Commercial (~~NC~~) District~~ may be used as an intermediate zone between higher-intensity commercial and/or industrial and residential uses. NC~~Neighborhood Commercial~~ areas should generally be located at or near intersections on ~~the~~Jefferson Township arterial road system.

## Section 550.02 - Permitted Uses (Amended Resolution 02-03-09) 02/24/2009

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A~~1~~) The following uses shall be permitted in the NC provided all the development requirements of this Section are met:~~All permitted uses of the (SO) District, and Conditional Uses of the (SO) District in association with an (SO) permitted use, subject to Article X.~~

| | |
|---|---|
| **451** | Retail Trade Stores |
| **448** | Clothing and Accessory Stores |
| **443142** | Electronic Stores |
| **445110** | Supermarkets and Other Grocery (except convenience) Stores |
| **445210** | Meat Markets |
| **445220** | Fist and Seafood Markets |

| | |
|---|---|
| **445230** | Fruit and Vegetable Markets |
| **445291** | Baked Goods Stores |
| **445299** | All Other Specialty Food Stores |
| **445310** | Beer, Wine and Liquor Stores |
| **446110** | Pharmacies and Drug Stores |
| **446120** | Cosmetics, Beauty Supplies and Perfume Stores |
| **451221** | Book Stores |
| **453110** | Florists |
| **453220** | Gift, Novelty and Souvenir Stores |
| **453920** | Art Dealers |
| **811211** | Consumer Electronics Repair and Maintenance |
| **811212** | Computer and Office Machine Repair and Maintenance |
| **811430** | Footwear and Leather Goods Repair |
| **811490** | Other Personal and Household Goods Repair and Maintenance |

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~~2) Grocery stores, drug stores, fruit and vegetable markets, other food markets, retail bakeries, florists, clothing shops, book shops, state liquor stores, antique furniture and novelty shops (excluding antique automobiles), gift shops, art galleries, jewelry stores, camera stores, hobby shops, fur sales and storage, and other similar retail stores, excepting sales of adults only material.~~

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No retail trade store in the ~~(~~NC~~) District~~ shall exceed five thousand (5,000) square feet in total retail sales area.

~~(~~For areas where larger stores are permitted, refer to the Planned Commercial ~~(PC)~~ District or the Community Service ~~(CS)~~ District~~)~~.

~~3) Small item service and repair shops, including shoes, watches and jewelry, furniture, television and other electrical appliances, bicycles, and similar items.~~

~~Repairs of automobiles, auto parts, boats, motorcycles, lawn mowers, trucks, and other engine or machinery~~

~~repairs shall not be permitted in the (NC) District. (Refer to (CS) and/or the (LI) zone for these activities.)~~

## Section 550.03 - Conditional Uses (Amended Resolution 02-03-09) 02/24/2009

The following uses ~~shall~~may be allowed in the ~~Neighborhood Commercial (~~NC~~) District~~ s~~S~~ubject to approval in accordance with Article X, Sections 1001.06 and 1001.07:

| | |
|---|---|
| **444220** | Nursery, Garden Center and Farm Supply Stores (provided all outside storage or sales areas are totally screened from view from any residential district, planned residential district and the SO district) |
| **512131** | Motion Picture Theatres (except Drive-Ins) |
| **711110** | Dinner Theatres only |
| **722410** | Drinking Places |
| **722511** | Full-Service Restaurants |
| **722513** | Limited-Service Restaurants |
| **722514** | Cafeterias, Grill Buffets and Buffets |
| **722515** | Snack and Nonalcoholic Beverage Bars |
| **812320** | Dry-cleaning and Laundry Services (except coin-operated) |

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~~1) Lawn and garden stores and similar uses, provided all outside storage or sales areas are totally screened from view from any Residential, Suburban Office or Planned District.~~ The ~~(~~NC~~)~~ retail limit of 5,000 square foot ~~retail limit~~ shall apply to all indoor sales areas, but shall not apply to outdoor sales or storage areas. However, such outdoor sales and storage areas shall be calculated as floor space in determining lot area coverage.

A~~2~~) Drive-in facilities~~y~~ may be developed in association with a permitted or conditional use. In addition to the standards of Article X, Sections 1001.06 and 1001.07, the following standards shall be met before a drive-in facility may be approved:

~~A)~~1) The Jefferson Township Zoning Commission and/or Jefferson Township Trustees may require that the applicant submit a traffic analysis and detailed plot plan performed by a registered professional engineer that demonstrates the proposed drive-in facility will not create traffic congestion or unsafe points of traffic conflict. All parking, ingress, egress, and interior circulation shall be clearly marked with striping and/or curb barriers.

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2) The proposed drive-in facility and access drive shall conform to all ~~building setback and other~~ d~~D~~evelopment s~~S~~tandards in accordance with this Section, including side and rear yard setbacks.~~and shall be screened by plantings or other appropriate methods when adjacent to residential areas.~~

B)3) The proposed drive-in facility shall be screened by plantings or other appropriate methods when adjacent to residential zoning districts.

C) No food shall be served from the drive-in facility. (Refer to the Planned Commercial (PC) zone for drive-in food service uses.)

B3) Single-family dwellingsresidential uses in association with a permitted use, provided that the residential portion of the lot is included with the permitted use in the determination of lot area coverage. The applicant shall clearly indicate on a plot plan the areas intended for commercial use and the areas intended for residential use. Sewage and water system approvals from both Jefferson Water & Sewer District, the Ohio EPA and the Franklin County PublicBoard of Health shall be required.

4) Laundromats, dry cleaners and similar personal apparel services, provided that no such use emits odors perceptible outside of the building in which such use is established

5) Restaurants and food preparation services for consumption on the premises only

6) Restaurants and food preparation services for consumption on the premises and/or for drive-thru and/or take-out sales

7) Restaurant and food preparation services for consumption on the premises or for drive-thru/take-out sales activities; with provision for live entertainment.

## Section 550.04 - Development Standards

In addition to the provisions of Article VIII - General Development Standards, the following standards for arrangement and development of land and buildings shall be required in the NCNeighborhood Commercial District.

A1) *Intensity of UseLot Area/Coverage*

1) A minimum lot size of one (1) acre is required. One (1) or more structuresmain buildings or Permitted Uses may be placed on a lot.; however, main and accessory structures

A)2) Impervious surfaces including structures shall not occupy more than twenty percent (20%) of a lot nor in total gross floor area exceed forty percent (40%) of the lot area, including outside sales or storage areas.

B) The Board of Zoning Appeals may alter these intensity and lot size standards for non-conforming lots in or adjacent to existing commercial or industrial uses, provided health and land suitability issues are satisfactorily addressed and proper permits are obtained.

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B~~2~~) *Lot Width*

A minimum lot width of one hundred (100) feet is required. All lots shall abut a street for a minimum distance of sixty (60) feet~~ or more. The Board of Zoning Appeals may alter these standards for non-conforming lots in or adjacent to existing commercial or industrial uses~~.

C~~3~~) *Side Yards*

For structures located in the NC, there shall be a side yard of not less than twenty-five (25) feet on each side of any structure located on a lot~~Side yards shall be not less than twenty-five (25) feet. However, no (NC) structure shall be closer than fifty (50) feet to an existing residential structure, unless otherwise approved by the Board of Zoning Appeals~~.

D~~4~~) *Rear Yard*

~~Required rear yard shall be not less than one-fourth (1/4) the sum of the height and width of the building, but in no case shall be less than twenty five (25) feet. However, no (NC) structure shall be closer than fifty (50) feet to an existing residential structure, unless otherwise approved by the Board of Zoning Appeals.~~

1) For structures located in the NC, the rear yard shall be not less than twenty percent (20%) of the lot depth or fifty (50) feet, whichever is greater.

2~~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 in addition to the minimum rear yard setback required above.

E) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained.

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

G) All exterior lighting shall be designed to prevent direct glare on adjoining residential zoning districts.

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

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

J) Noise attention-getting devices such as loudspeakers and amplified music shall be controlled so that at any property line on the lot upon 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 sixty (60).

# SECTION 560 – COMMUNITY SERVICE DISTRICT (CS)

## Section 560.01 – Purpose

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The Community Service District (CS)~~ District~~ is intended to provide suitable areas for the location of large retail and commercial uses, which serve the needs of ~~the~~Jefferson Township and surrounding communities. Because of the size, scope and/or intensity of uses permitted, the ~~(~~CS~~) District~~ should not be located adjacent to or in close proximity to residential areas. Direct access to arterial roads or abutment to industrial areas is a prerequisite for rezoning to the ~~(~~CS~~) category~~.

~~Through the conditional use procedure, certain uses which have both commercial and industrial characteristics may be conditionally permitted, provided such uses can meet Development Standards which are designed to make them functionally and aesthetically compatible with the surrounding community.~~

## Section 560.02 - Permitted Uses

~~The following uses shall be permitted in the Community Service (CS) District:~~

A~~1~~) The following uses shall be permitted in the CS, provided all the development requirements of this section are met:

~~All uses permitted in the Suburban Office (SO) and Neighborhood Commercial (NC) Districts.~~

| | |
|---|---|
| **444** | Building Materials Dealers |
| **511** | Publishing |
| **441110** | New Car Sales |
| **441120** | Used Car Sales |
| **441210** | Recreational Vehicle Dealers |
| **441228** | Motorcycle, ATV and All Other Motor Vehicles Dealers |
| **447110** | Gasoline Stations with Convenience Stores |
| **512131** | Motion Picture Theatres (except Drive-Ins) |
| **532299** | All Other Consumer Goods Rental (provided all outside storage areas are totally screened from view from and Residential District, Planned Residential District or Suburban Office District) |
| **532310** | General Rental Centers (provided all outside storage areas are totally screened from view from and Residential District, Planned Residential District or Suburban Office District) |
| **721110** | Hotels (except Casinos) and Motels |
| **811111** | General Automotive Repair (incidental to automotive sales or gasoline service stations) |
| | Retail stores which exceed the maximum square footage limits of the NC District of Article V; |

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Section 550.02 (except adult entertainment retail stores)

~~2) Retail stores, excluding adults only material, automobile, boat and other large equipment sales, but including those retail stores which exceed the maximum square footage limits of the Neighborhood Commercial (NC) zone.~~

~~3) Gasoline service stations, excluding automobile repair facilities.~~

~~4) Rental of tools, lawn and garden equipment, household goods, and similar rentals for personal or household use, provided all outside storage areas are totally screened from view from any Residential or Suburban Office areas.~~

~~5) Retail sales of lumber and other building materials~~

~~6) Lawn and garden stores~~

B) All repair facilities listed as a permitted use must meet the following standards, along with the development standards applicable to this Section:

1) All work is performed indoors.

2) There is no outside storage.

3) No inoperable vehicles are parked outside the building.

4) The proposed repair facility is located more than one hundred (100) feet from any Residential District or Planned Residential District, or, the written consent of all residential property owners with one hundred (100) feet is provided.

## Section 560.03 - Conditional Uses

The following uses shall be allowed in the Community Service ~~(CS)~~ District, subject to approval in accordance with Article X, Sections 1001.06 and 1001.07.

| | |
|---|---|
| **236** | General Building Contractors |
| **238140** | Masonry Contractors |
| **238210** | Electrical Contractors and Other Wiring Installation Contractors |
| **238220** | Plumbing, Heating and Air-Conditioning Contractors |
| **238350** | Carpentry Work (except framing) |
| **238990** | All Other Specialty Trade Contractors |
| **441110** | New Car Dealers |
| **441120** | Used Care Dealers |

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|---|---|
| **441228** | Motorcycle, ATV and all other motor vehicle dealers |
| **561730** | Landscaping Services |
| **811192** | Car Washes |

A~~1~~) ~~Contractors and trade services engaged in construction, maintenance or repairs, including landscape services, building contractors, highway contractors, carpentry, masonry, electrical, plumbing, and similar contractors, providing a~~All outside storage areas for any of the above listed permitted uses, provided that such outdoor storage areas shall be~~are~~ totally screened from view from any Residential District, Planned Residential District or Suburban Office District.

~~2) Automobile and other vehicle repair garages, either in association with a permitted use or as a separate use, provided:~~

~~A) All work is performed indoors;~~

~~B) There is no outside storage;~~

~~C) No inoperable vehicles are parked outside the building;~~

~~D) The proposed repair garage is located more than 100 feet from the nearest residence, or the written consent of all residential property owners within 100 feet is provided;~~

~~E) No used or new car sales are conducted on the premises.~~

~~3) Motor vehicle dealers, and miscellaneous aircraft, marine and automotive dealers, including new and/or used vehicles and equipment, provided all Supplementary Development Standards of Section 560.05 are met.~~

~~4) Car washes, in association with an automobile service station or as an independent use.~~

B~~5~~) Game rooms, pool rooms~~, coin-operated entertainment machines,~~ and associated uses, provided that:

~~A)~~1) A complete schedule of hours of operation is submitted with the conditional use permit. The hours of operation shall be adhered to. Changes in hours of operation shall require an amended conditional use permit.

2~~B~~) A plan for supervision of the facility, including hours of supervision, number of supervisors, and type of supervision that is provided.

## Section 560.04 - Development Standards

In addition to the provisions of Article VIII - General Development Standards, the following standards for the arrangement and development of land and buildings shall be required in the ~~Community Service (~~CS~~)~~ ~~District~~:

A~~1~~) ~~*Intensity of Use*~~*Lot Area/Coverage*

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A minimum lot size of one (1) acre shall be required. Larger lot sizes may be necessary to provide the yard space required by this Resolution.

B~~2~~) *Lot Width*

1) A minimum lot width of one hundred (100) feet at the building line shall be required.

2) All lots shall front and abut on a public street for a minimum distance of sixty (60) feet.

~~However, for all uses listed under Article V Section 560.03 #3, there shall be a minimum lot width and abutment on a public road of not less than two hundred (200) feet.~~

C~~3~~) *Side Yards*

For structures located in the CS, there shall be a side yard of not less than fifty (50) feet on each side of any structure located on the lot.~~The required side yards shall be not less than fifty (50) feet. However, in no case shall a (CS) structure be closer than fifty (50) feet from an existing residential structure, unless otherwise approved by the Board of Zoning Appeals.~~

D~~4~~) *Rear Yard*

~~A) The required rear yard shall be not less than one-fourth (1/4) the sum of the height and width of the building, but in no case shall be less than fifty (50) feet.~~

1) For structures located in the CS, the rear yard shall be no less than twenty percent (20%) of the lot depth or fifty (50) fee, whichever is greater.

~~B)~~2) A use to be serviced from the rear shall have a service court, alley~~way~~ or combination thereof not less than forty (40) feet wide in addition to the required minimum rear yard setback listed above.

## Section 560.05 - Supplementary Development Standards

The following Development Standards shall apply to all Community Service uses:

A) ~~1)~~ All yard areas shall be planted with grass or natural vegetation and shall be properly maintained, and screened from the view of adjacent residential and office areas.

B) ~~2)~~ Repair and service of automotive and marine items shall be conducted wholly within an enclosed structure permanently located on the lot.

C) ~~3)~~ All exterior lighting shall be designed to prevent direct glare on adjoining residential zoning.

D) ~~4)~~ 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 cast concrete, 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) ~~5)~~ Attention-getting devices such as banners, posters, pennants, ribbons, streamers, spinners or other similar moving devices shall be prohibited.

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F) ~~6)~~ 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 sixty (60), as measured at any property line.

# SECTION 570 – RESTRICTED INDUSTRIAL DISTRICT (RI)

## Section 570.01 – Purpose

The Restricted Industrial District (RI) ~~District~~ is provided for industrial uses, which require minimal public services and facilities, generate little industrial traffic, and have little or no nuisance impact on adjacent land. Industrial operations in the ~~(~~RI ~~) District~~ must occur within an enclosed structure. The d~~D~~evelopment s~~S~~tandards of the ~~(~~RI ~~) District~~ are intended to encourage architecturally attractive structures which are surrounded by landscaped yards.

The ~~Restricted Industrial (~~RI~~) District~~ may be used as a transitional area between commercial areas and more intense industrial uses. In some cases, the ~~(~~RI~~) zone~~ may abut lower-intensity uses (i.e. ~~rural or residential areas~~Residential Districts or Commercial Uses) provided the applicant can demonstrate that the RI use will be compatible with adjacent land uses.

## Section 570.02 - Permitted Uses

The following uses shall be permitted in the RI ~~District:~~, provided all the development requirements of this section are met:

| | |
|---|---|
| **311340** | Non-chocolate Confectionery Manufacturing |
| **311351** | Chocolate and Confectionery Manufacturing from Cacao Beans |
| **311423** | Dried and Dehydrated Food Manufacturing |
| **311812** | Commercial Bakeries |
| **311813** | Frozen Cakes, Pies, and Other Pastries Manufacturing |
| **311821** | Cookie and Cracker Manufacturing |
| **315280** | Other Cut and Sew Apparel Manufacturing |
| **316210** | Footwear Manufacturing |
| **316992** | Women's Handbag and Purse Manufacturing |
| **325411** | Medicinal and Botanical Manufacturing |
| **325412** | Pharmaceutical Preparation Manufacturing |
| **325992** | Photographic Film, Paper, Plate, and Chemical Manufacturing |

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|---|---|
| **327211** | Flat Glass Manufacturing |
| **327213** | Glass Container Manufacturing |
| **333316** | Photographic and Photocopying Equipment Manufacturing |
| **334111** | Electronic Computer Manufacturing |
| **334310** | Audio and Video Equipment Manufacturing |
| **334417** | Other Electronic Component Manufacturing |
| **334514** | Totalizing Fluid Meter and Counting Device Manufacturing |
| **334515** | Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals |
| **339910** | Jewelry and Silverware Manufacturing |

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~~1) All permitted uses in the Community Service (CS) District. (Resolution No. 93-6-1)~~

~~2) Manufacture of electronic components and accessories, communication equipment, computers and computer accessories.3) Manufacture of measuring and controlling devices, including scientific, medical and optical instruments.~~

~~4) Manufacture of photographic equipment and supplies.~~

~~5) Manufacture of watches, clocks, jewelry, metal and plated ware, and products of purchased glass.~~

~~6) Manufacture of pharmaceuticals.7) Printing, publishing, bookbinding and related printing services.~~

~~8) Manufacture and/or assembling of clothing, footwear, and miscellaneous apparel and accessories, from previously produced or processed textiles, leather, rubber or other basic materials.~~

~~9) Manufacture of processing of food, bakery or confectionery products.~~

**Section 570.03 - Conditional Uses**

The following use may~~shall~~ be allowed in the Restricted Industrial District, subject to approval in accordance with Article X, Sections 1001.06 and 1001.07.

~~1)~~ Research and development laboratories not permitted under any other section of this Resolution.

## Section 570.04 - Development Standards

In addition to the provisions of Article VIII - General Development Standards, the following standards for arrangement and development of land and buildings are required in the ~~Restricted Industrial District~~RI.

A) ~~*Intensity of Use*~~*Lot Area/Coverage*

Lot size shall be adequate to provide the yard space required by these d~~D~~evelopment s~~S~~tandards and the following provisions:

~~A)~~1) A use allowed in this d~~D~~istrict 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.

~~B~~2) 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~~ effectively to conceal service and loading operations from adjoining streets and from any Residential District or ~~a~~ Planned Residential d~~D~~istrict as ~~listed~~defined in Article III.

B~~2~~) *Lot Width*

All lots shall abut a public street for a minimum distance of one hundred (100) feet and have adequate lot width to provide the yard space required by these d~~D~~evelopment s~~S~~tandards.

C~~3~~) *Side Yards*

For ~~main and accessory~~ structures, including open service and loading areas, the minimum required side yards shall ~~not~~ be less than ~~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 on each side of the structure from the interior lot line. A minimum of ~~and~~ two hundred (200) feet shall be required from any Residential District or Planned Residential District as ~~listed~~defined in Article III, or any non-conforming residential lot.

D~~4~~) *Rear Yard*

For ~~main and accessory~~ structures, the required rear yard shall be not less than ~~one-third (1/3) the sum of the height and width of the structure,~~ twenty percent (20%) of the lot depth ~~but in no case shall be less than~~ or fifty (50) feet, whichever is greater, from any interior lot line. A ~~and~~ minimum of two hundred (200) feet shall be required from any Residential District or Planned Residential District as listed in Article III, or any non-conforming residential lot.

E) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained.

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

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G) All exterior lighting shall be designed to prevent direct glare on adjoining residential zoning districts.

H) 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 cast concrete, landscaping timbers or vertical poles all of which are permanently attached to the ground and designed to prohibit direct access to the public road.

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

J) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at any property line of the lot upon 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 sixty (60).

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# SECTION 580 – LIMITED INDUSTRIAL DISTRICT (LI)

## Section 580.01 – Purpose

The Limited Industrial (LI) District is intended to provide suitable locations for a broad range of industrial activities which are not dependent on public sewer and water services for proper operation. Because of their employment and traffic activity, these uses should be encouraged to group in areas identified in the comprehensive plan. The Limited Industrial District~~zonings~~ should not directly abut any Residential Districts~~residentially zoned areas~~.

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## Section 580.02 - Permitted Uses

All uses permitted and conditional uses allowed in the Restricted Industrial District along with the following uses shall be permitted in the LI, provided all the development requirements of this Section are met:

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| | |
|---|---|
| **238** | Contractors |
| **337** | Manufacturing |
| **444** | Building Material Dealers |
| **481** | Air Transportation |
| **482** | Rail Transportation |
| **484** | General Freight Trucking Transportation |
| **493** | Warehousing (except Farm Product and Warehousing Storage) |
| **531** | Mini-warehouses and Self-Storage Units |
| **3112** | Grain Manufacturing |
| **3115** | Dairy Manufacturing |

| | |
|---|---|
| **321992** | Prefabricated Wood Building Manufacturing |
| **335210** | Small Electrical Appliance Manufacturing |
| **337121** | Upholstered Household Furniture Manufacturing |
| **337122** | Non-upholstered Wood Household Furniture Manufacturing |
| **337211** | Wood Office Furniture Manufacturing |
| **337212** | Custom Architectural Woodwork and Millwork Manufacturing |
| **337214** | Office Furniture (except wood) Manufacturing |
| **339920** | Sporting and Athletic Goods Manufacturing |
| **339930** | Doll, Toy and Game Manufacturing |
| **339940** | Office Supplies (except paper) Manufacturing |
| **423320** | Brick, Stone, and Related Construction Material Merchant Wholesalers |
| **423620** | Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers |

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~~The following uses shall be permitted in the Limited Industrial (LI) District:~~

~~1) All uses permitted in the Restricted Industrial (RI) District.~~

~~2) Manufacture of furniture, partitions, and wood prefabricated structural units, modular homes, and similar wood building components.~~

~~3) Manufacture of dairy and grain mill products.~~

~~4) Manufacture of household appliances, and miscellaneous electrical equipment and supplies.~~

~~5) Manufacture of toys, sporting goods, office supplies, and similar small items.~~

~~6) Manufacture of products from previously processed paper, cardboard, glass, leather and similar materials.~~

~~7) Warehousing, and/or wholesaling and/or transportation services.~~

~~8) Personal storage warehouses.~~

~~9) General building, heavy construction and special trade contractors.~~

~~10) Wholesale and/or retail sales and storage of lumber, concrete and metal building materials.~~

## Section 580.03 - Conditional Uses

The following uses may~~shall~~ be allowed in the Limited Industrial ~~(LI)~~ District subject to approval in accordance with Article X, Section 1001.06 and 1001.07:

| | |
|---|---|
| **327** | Concrete Manufacturing |
| **327** | Glass Manufacturing |
| **336** | Transportation Equipment Manufacturing |
| **332216** | Saw Blade and Hand Tool Manufacturing |
| **332710** | Machine Shops |
| **333517** | Machine Tool Manufacturing |
| **333991** | Power-Driven Hand Tool Manufacturing |

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~~1) Manufacturing of hand tools, hardware, and similar products.~~

~~2) Manufacture of concrete, clay and related products.~~

~~3) Manufacture of glass and glass products.~~

~~4) Manufacture of automobile, motorcycle, boat, aircraft, farm and similar machinery and/or parts.~~

~~5) Machine shops.~~

A) Other industrial uses not permitted in any other zone ~~,~~ which demonstrate they can meet the d~~D~~evelopment s~~S~~tandards, nuisance provisions, and other applicable requirements of this Resolution.

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~~6)~~B) All establishments selling forms of adult material provided that all development standards of this section and Article VIII are met.

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## Section 580.04 - Development Standards

In addition to the provisions of Article VIII - General Development Standards, the following standards for arrangement and development of land and buildings are required in the ~~Limited Industrial (~~LI~~) District~~:

A~~1~~) *Intensity of Use*

~~Lot size shall be adequate to provide the yard space required by these Development Standards and the following provisions:~~

A use allowed in this d~~D~~istrict shall entirely enclose its primary operation within a structure. Open storage, 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 conceal production, storage, service, and loading operations from adjoining streets and from any Residential District or a Planned Residential District as ~~listed~~defined in Article III.

B~~2~~) *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 d~~D~~evelopment s~~S~~tandards.

C~~3~~) *Side Yards*

For ~~main and accessory~~ structures, including open storage, service, and loading areas, the required side yards shall be no~~t~~ less than three hundred (300) feet from any Residential District or Planned Residential District, and no~~t~~ less than one hundred (100) feet from the lot line.

D~~4~~) *Rear Yard*

For ~~main and accessory~~ structures, including open storage, service, and loading areas, the required rear yard shall be no~~t be~~ less than three hundred (300) feet from any Residential District or Planned Residential District, and no~~t~~ less than one hundred (100) feet from the lot line.

E) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained.

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

G) All exterior lighting shall be designed to prevent direct glare on adjoin residential zoning districts.

H) 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 cast concrete, landscaping timbers or vertical poles all of which are permanently attached to the ground and designed to prohibit direct access to the public road.

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

J) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at any property line of the lot upon which such loudspeaker or noise attention-getting devices is used, the noise level emitted from such loudspeaker shall not be above a decibel level of sixty (60).

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# Article VI
Planned Districts

## SECTION 600 –- PROCEDURES AND REGULATIONS FOR PLANNED ~~DEVELOPMENT~~ DISTRICTS ADOPTED

### Section 600.01 - —Procedures and Regulations for Planned ~~Development~~ Districts Adopted

Planned ~~Development~~ Zoning Districts may be established by application in accordance with the provisions of ~~Section VII~~this Article and Article IX and the district requested by each application~~requirements of "Procedure" of the Planned Development Zoning District petitioned~~.

### Section 600.02 - —Regulation of the Use and Development of Land and Structures

Regulations pertaining to the use of land and/or structures, and the physical development thereof within each of the z~~Z~~oning d~~D~~istricts as adopted as a Planned ~~Development~~ Zoning District in ~~Section II~~Article III and VI of this Resolution, and ~~as may be drawn~~shown on the Official Zoning District Map attached hereto are hereby established ~~and adopted~~by this Article VI. Any applicant thus requesting a rezoning to any of the Planned Zoning District designations shall follow the procedures and regulations pertaining to the requested district, as outlined infra.

### Section 600.03 - —Rules of Application

The Planned ~~Development~~Zoning District Regulations set forth in this Article VI shall be interpreted and enforced according to the following rules:

A) *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, that number shall refer to the code number and activity title as listed in the North American Industrial Classification System (NAICS) Manual, 2012 Edition. A group code and title (those with two (2) or three (3) digits) shall include all industry codes and titles listed in the group other than those specifically excepted.

B) *Permitted Uses*

Only uses designated as a p~~P~~ermitted u~~U~~se shall be allowed as a matter of right in a Planned ~~Development~~ Zoning District and any use not so designated shall be prohibited, except, ~~when in character with the proposed development such~~an additional use~~s~~ may be approved as a part of the d~~D~~evelopment p~~P~~lan at the discretion of the Zoning Commission, if the use is deemed to be substantially similar to other permitted uses allowed within the Planned Zoning District.

C) *Procedures*

The procedures and conditions set forth for the determination of Planned ~~Development~~Zoning Districts and development therein shall be followed. However, in exceptional cases, ~~that a~~ written statement by the

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applicant may be attached to the application and shall clearly show that such procedures or conditions does not apply ~~in~~to that ~~the~~ specific ~~case~~application. Such statements shall accompany the application and ~~is~~are subject to approval by the Board of Trustees.

D) *Development Standards*

The d~~D~~evelopment s~~S~~tandards set forth shall be the minimum allowed for development in a Planned ~~Development~~ Zoning District.

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## ~~Section 600.04 – Procedure to Modify an Approved Plan~~

## ~~Section 600.041 – Planned Residential; Planned Suburban Residential Districts~~

~~A) A modification which does not substantially alter the design, layout and character of the approved development plan; which does not increase the size of residential areas or reduce the size of open space areas, or which in any other way is not a major deviation of the approved development plan is a **minor** modification. Minor modifications include, but are not limited to:~~

~~1) Increasing or decreasing lot sizes (lot size minimum must be maintained; no additional lots may be created)~~

~~2) Lot line adjustments (no additional lots may be created)~~

~~3) Adjusting the location of easements for public utilities so long as designated open space is not disturbed;~~

4) ~~Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.~~

5) ~~Altering deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.~~

6) ~~Increasing the amount of open space when such increase benefits the general character of the approved development.~~

7) ~~Minor relocation of public street(s) or entries (Relocation is less than 100 feet from original approved location).~~

8) ~~Such other changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.~~

B) ~~A modification, which substantially alters the design, layout and character of the approved development plan; increases the size of residential areas or reduces the size of open space areas or in any other way is a major deviation of the approved development plan, is a **major** modification. Major modifications include, but are not limited to:~~

~~1) Enlarging residential areas or increasing the number of lots~~

~~2) Increasing or decreasing lot sizes by more than 20 percent~~

~~3) Increasing impervious cover~~

~~4) Reducing open space from the amount approved at the time of rezoning; altering open space shown in the approved development plan or approved at the time of rezoning~~

~~5) Relocating easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development~~

~~6) Modifying deed restrictions, architectural concepts or landscaping design so as to be less restrictive than those made a part of the approved development plan or approved as part of the rezoning~~

~~7) Relocation of public streets, entries, and/or other infrastructure so as to significantly alter the approved layout, design, and character of the approved development.~~

8) Such other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved plan, or as approved as part of the rezoning.

**Section 600.042 - Planned Commercial District**

A) A modification which does not substantially deviate from or alter the design, layout and general character of the approved development plan or approved as part of the rezoning shall be characterized as a **minor** modification. Minor modifications include, but are not limited to:

1) Adjusting the location of easements for public utilities

2) Altering deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning

3) Minor relocation of public street(s) or entries (Relocation less than 100 feet from original approved location)

4) Changing the location of approved uses when such change *does not substantially alter* the layout as shown on the approved development plan.

5) Reducing impervious cover; increasing screening, stormwater retention or other green space.

6) Such other changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

B) A modification, which substantially deviates from or alters the design, layout and general character of the approved development plan; or approved as part of the rezoning, shall be characterized as a **major** modification.

1) Altering the mix of uses when such mix has been approved as part of the rezoning.

2) Enlarging footprint of structures more than 15 percent above the size approved as part of the development plan.

3) Increasing the number of structures

4) ~~Modifying deed restrictions, architectural concepts or landscaping design so as to be more restrictive than those made a part of the approved development plan or approved as part of the rezoning.~~

5) ~~Relocating easements when such relocation alters the layout, design and character of the approved development~~

6) ~~Altering deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning~~

7) ~~Relocation of public street(s) or entries (Relocation more than 100 feet from original approved location~~

8) ~~Changing the location of approved uses when such change *substantially alters* the layout as shown on the approved development plan.~~

9) ~~Increasing impervious cover; decreasing screening, storm water retention or green space.~~

10) ~~Such other change that significantly alters the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.~~

**~~600.043 - Planned Industrial Park District~~**

~~A) A modification which does not substantially deviate from or alter the design, layout and general character of the approved development plan or approved as part of the rezoning shall be characterized as a **minor** modification. Minor modifications include, but are not limited to:~~

~~1) Adjusting the location of easements for public utilities~~

~~2) Altering deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.~~

3) Minor relocation of public street(s) or entries (Relocation less than 100 feet from original approved location.

4) Changing the location of proposed structures/uses when such change *does not substantially alter* the layout as shown on the approved development plan.

5) Reducing impervious cover; increasing screening, storm water retention or other green space.

6) Such other minor changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

B) A modification, which substantially deviates from or alters the design, layout and general character of the approved development plan; or approved as part of the rezoning, shall be characterized as a **major** modification.

1) Altering the mix of uses when such mix has been approved as part of the rezoning.

2) Enlarging footprint of structures more than 15 percent above the size approved as part of the development plan.

~~3) Increasing the number of structures~~

~~4) Modifying deed restrictions, architectural concepts or landscaping design so as to be more restrictive than those made a part of the approved development plan or approved as part of the rezoning.~~

~~5) Relocating easements when such relocation alters the layout, design and character of the approved development~~

~~6) Altering deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning~~

~~7) Relocation of public street(s) or entries (Relocation more than 100 feet from original approved location~~

~~8) Changing the location of approved uses when such change *substantially alters* the layout as shown on the approved development plan.~~

~~9) Increasing impervious cover; decreasing screening, stormwater retention or green space.~~

~~10) Such other major changes that significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.~~

# SECTION 610 - ~~—~~PLANNED RESIDENTIAL DISTRICT (PRD)

## Section 610.01 - ~~—~~Purpose

A) *General*

The Planned Residential ~~(PR)~~ District (PRD) is provided ~~as an option to the requirements of the standard residential districts. It is intended~~ to promote imaginative, well-designed developments, which preserve open space, respect the physical qualities and limitations of the land, and provide improved living environments and o~~. O~~pportunities to reduce development costs also may be provided by the PRD~~(PR) District~~.

B) *Benefits of ~~(PR) District~~PRD~~t~~*

To achieve the~~se~~ goals of the ~~(PR) District~~PRD, the development standards established by the PRD provide for ~~provides the potential for public~~ the following advantages ~~zoning approval of the following~~:

1) Flexibility in required yard areas immediately adjacent to structures.

2) Flexibility in structural types.

3) Flexibility in minimum lot frontage requirements.

4) Privately maintained streets, open space and other amenities or improvements.

5) Consideration of other unique design features.

C) *Responsibilities of Applicant*

~~In order to be eligible for consideration under the provisions of the (PR) District, the applicant is required to provide all information listed herein. If an~~The applicant ~~does not provide~~is required to provide all the information required herein to confirm that the application~~or~~ meets the development standards established by this Section of the Zoning Resolution~~,~~. Any applications deemed incomplete will not be processed until the Zoning Inspector determines that the application provides all the necessary required information required in accordance with this Section ~~it shall be interpreted as forfeiture of the applicant's option to consideration under the terms of the Planned Residential (PR) District. The applicant retains the option to seek zoning map amendment subject to all requirements of the applicable standard district~~.

## Section 610.02 - ~~—~~Permitted Uses

Land and buildings in the Planned Residential ~~(PR)~~ District (PRD) shall be limited to one or more of the following uses:

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A) Detached single-family residences.

B) Zero lot line, attached twin single, townhouse, or other innovative forms of residential development, provided all density criteria and applicable requirements are met.

C) Home occupations in association with a permitted dwelling, and in accordance with the standards of Article VIII.

D) Accessory buildings and uses in association with a permitted dwelling, in accordance with the standards of Article VIII.

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

F) Parks, playgrounds and playfields open to the public~~ without fee~~.

G) Public or private golf courses or other similar outdoor recreational facilities and normal accessory buildings and uses, provided all uses and functional character-istics are specifically included in the approved development plan.

H) Churches or other places of worship provided each use occupies a lot of no less than five (5) acres and there is one (1) acre or more per one hundred (100) seats in the main assembly area.

| Main Assembly seats or similar accommodations | Acres Required |
|---|---|
| 100 or less | Four (4) |
| 200 or less | Five (5) |
| 300 or less | Six (6) |
| 400 or less | Seven (7) |
| 500 or less | Eight (8) |

~~H)~~I) Day care or childcare facilities provided such facilities obtain all required licenses and provide a minimum of five hundred (500) square feet of outdoor play area per child. Such play area shall be enclosed by fencing, which shall conform to the architectural requirements of the development plan.

~~I)~~J) Other residentially-oriented uses which, in the opinion of the ~~Township~~ Zoning Commission and the Township Trustees, meet the purpose and intent of the ~~PR District~~PRD and are adequately designed, located and otherwise provided for by the d~~D~~evelopment p~~P~~lan and other required documents.

## Section 610.03 - ~~—~~Tract and Density Criteria

The owner(s) of a tract of land ten (10) acres or more in area may request that the Official Z~~z~~oning D~~d~~istrict M~~m~~ap be amended to include such tract in the ~~Planned Residential (PR) District~~PRD.

The density of development within the ~~PR District~~PRD shall not exceed a total of one (1) dwelling unit per acre.

## Section 610.04 - Development Standards

The following standards for arrangement and development of land and buildings apply to the PRD. When not specifically supplanted by the following standards as approved in the development plan, the provisions of Article VIII – General Development Standards (Article VIII of this Resolution) shall also apply:

A) *Open Space*

1) Resource protected areas are areas containing fragile natural features such as forests, floodplains, steep slopes, wetlands and other open space that can be adversely impacted by development. At least twenty-five percent (25%) of the gross area of the tract included in the development plan shall be designated as open space for resource protection or public use to be organized, arranged and restricted by easement, covenant, deed or dedication or by approved plan. Public use is limited to public schools and parks and other public recreational or educational facilities approved by the Jefferson Township Trustees. Except for public schools and approved roads and utilities, no buildings shall be permitted in the open space set-aside except those normally associated with or accessory to a public park.

2) Open space should be unified and massed so that no open space is narrower than the development's average lot width in any direction, excluding bike paths and pedestrian trails. Open space may include retention ponds, as needed, so long as the ponds are designed and maintained as natural features that blend in to the landscape. Open space should be platted as an open space reserve, including appropriate conservation easements, and should be interconnected with open space areas on abutting parcels. Areas that should not be considered as open space include:

a) Private roads and public road right-of-ways;

b) Parking areas, access ways and driveways;

c) Required setbacks between buildings, parking areas and project boundaries;

d) Required setbacks between buildings and streets;

e) Private yards; and

f) Other small fragmented or isolated open space areas that have a dimension less than seventy-five (75) feet in any direction.

3) Open space credit shall be given for thirty-three and one third percent (33 1/3%) of the total amount of land within a proposed school site or within wetlands or floodplain; however, the Jefferson Township Trustees may grant additional credit if the land proposed for open space is determined to be an exceptional natural resource or meets a recognized need, the satisfaction of which benefits the public health, safety, convenience, comfort, prosperity or general health safety and welfare of the Jefferson Township. Except as otherwise permitted herein, no structures or buildings shall be permitted within jurisdictional wetlands or within floodplains as defined by this Zoning Resolution. The lands to be set aside to meet the open space requirements of this section are subject to the approval of the Zoning Commission and the Jefferson Township Trustees, which bodies shall determine that the open space is of a size, character, shape, topography and location to be useable and accessible. Land set aside as open space shall not be included in the minimum yard space required for a dwelling.

B) *Lot and Yard Areas*

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1) The minimum lot area shall be one (1) acre, except that for cluster developments, the minimum lot area for each dwelling unit may be reduced to any size, which is justified in an approved development plan, provided that the overall density of the tract covered by the development plan does not exceed one (1) dwelling unit per acre. Yard areas may also be adjusted accordingly. However, yards abutting the boundaries of the entire tract included in the development plan shall not be less than the minimum requirements for the abutting zoning district. Additionally, the front yard setback for all lots abutting an existing/proposed public street shall conform to the requirements provisions of Article VIII – of the General Development Standards (Article VIII of this Resolution).

C) *Private Roads*

1) Private roads as a common easement may be utilized, provided the following criteria are met:

a) Preliminary street plans and typical sections are submitted and approved with the development plan.

b) Township fire and safety officials provide a written statement indicating to the Township Trustees that the private roads will provide suitable access for emergency vehicles.

c) Private maintenance responsibilities are clearly indicated in legal documents.

D) *Parking*

Off-street parking shall be provided in accordance with Article VIII of this Resolution.

E) *Lot Arrangement*

1) No dwelling unit may back up to a street.

2) If the development cannot be planned so as to set back a sufficient distance so as not to impose or affect the streetscape of the existing street upon which it is located, then lots adjacent to existing public right-of-way are encouraged to create open space adjacent to such right-of-way, fronting such dwelling units on reduced pavement width section streets or private drives arranged as follows:

Beginning with the centerline of the existing street, then proceeding to the edge of the public right-of-way, then the linear open space adjacent to the right-of-way which may contain utilities and storm sewer in a traditional open ditch section, then to the new public street or private drive with a curb and gutter on the dwelling unit side only, to the dwelling unit lot(s). Public streets arranged as above specified shall not be required to exceed twenty-two (22) feet of pavement width, and private drives shall not be required to exceed eighteen (18) feet in pavement width. Setbacks for homes abutting the public street or private street as permitted in this Section shall be a minimum of twenty-five (25) feet from right-of-way. Any open space created as set forth above between the existing right-of-way and the opposite side of the new public road or private drive shall be permitted to offset the open space requirement by an acre per acre credit.

## Section 610.~~04~~05 - ~~Procedure~~Application Requirements and Procedure

A) *Site~~ketch~~ Plan*

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In exchange for flexibility, the ~~Planned Residential (PR) District~~PRD requires that the applicant provide some details, which are traditionally found in the sub-division stage of development approval. It is therefore suggested that the applicant informally discuss ~~his~~the plans with c~~C~~ounty subdivision authorities (e.g. Franklin County Economic Development and Planning Department, ~~or Regional Planning Commission,~~ Franklin County Engineer, Franklin County Board of Health, etc.) and the Jefferson Township Zoning Commission prior to submitting a formal application. This site~~ketch~~ plan phase is mandatory if private streets are proposed.

B) *Submission of Application*

The owner or owners of a tract of land may request that the Official Zoning District Map be amended to include such tract in the PRD in accordance with the provision of Article VI.

~~B)~~C) *Development Plan Submission*

~~Eight (8)~~Ten (10) copies of a d~~D~~evelopment p~~P~~lan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Official Zoning District Map. Such d~~D~~evelopment p~~P~~lan shall conform to the following:

1) The preliminary plan requirements of the Franklin County Subdivision Regulations, as amended and adopted by the Franklin County Commissioners January 16, 2001, and as may be amended in the future. Such requirements include, but are not limited to, topographical contours at one (1) foot or two (2) foot intervals, soils information at a 1" = 100' scale, information on wooded areas, floodplains, and engineering feasibility studies for proposed sewage disposal, water supply, and storm water drainage systems.

2) The proposed location and size of areas of residential use, indicating dwelling unit densities, dwelling unit types, the total number of dwelling units for each density area, and the total number of dwelling units proposed in the d~~D~~evelopment p~~P~~lan.

3) The proposed size, location, and use of any non-residential portion of the tract, including usable open areas and spaces with the suggested ownership of such open areas and open spaces.

4) Architectural design concepts to be utilized, landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.

5) The proposed traffic circulation patterns, including public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, existing streets, or showing other evidence of reasonableness.

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 or reuse of existing features such as topography, structures, streets, and easements.

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

8) Evidence that the applicant has sufficient control over the land to effectuate the proposed d~~D~~evelopment p~~P~~lan. Evidence of control includes property rights, and the engineering feasibility data, which may be necessary.

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9) 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.

10) Other information, as may be required by the Jefferson Township Zoning Commission and/or the Jefferson Township Trustees, in order to determine compliance with this Zoning Resolution.

~~C)~~D) *Basis of Approval*

The basis for approving a ~~Planned Residential (PR) District~~PRD 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 ~~a~~the comprehensive plan or portion thereof as it may apply.~~;~~

3) That the proposed development advances the general welfare of ~~the~~Jefferson Township and the immediate vicinity~~;~~.

4) That the benefits, improved arrangement, and the design of the proposed development justify the deviation from standard residential development requirements included in this Zoning Resolution.

5) Any and all other considerations deemed appropriate by the Zoning Commission to protect and promote the interest of public convenience, comfort, prosperity, or general welfare of the Township.

~~4)~~

~~D)~~E) *Effect of Approval*

The d~~D~~evelopment p~~P~~lan as approved by the Jefferson Township Trustees shall constitute an amendment to the ~~Planned Residential (PR) District~~PRD Regulations as they apply to the land included in the approved amendment. Approval shall be for a period of three (3) years for tracts less than fifty (50) acres and five (5) years for tracts more than fifty (50) acres. This time period is to allow the preparation of the required s~~S~~ubdivision p~~P~~lat, submitted in accordance with the s~~S~~ubdivision r~~R~~egulations for Franklin County, Ohio. Unless the required s~~S~~ubdivision p~~P~~lat is submitted and recorded within the required time limit, approval of the final development plan shall expire, except if an application for time extension is approved in accordance with the following section.

F) *Plat Required*

In the PRD, 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.

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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 improvement thereon, including those areas which are to be commonly owned and maintained.

~~E)~~G) *Extension of Time ~~or Modification~~*

1) An extension of the time limit of the approved d~~D~~evelopment plan may be approved by the Zoning Commission ~~and Township Trustees~~. Such approval ~~shall be given~~may be granted upon a finding of the necessity for such extension and that such extension is not in conflict with the general health and safety of the public or of the d~~D~~evelopment s~~S~~tandards for the zoning d~~D~~istrict. An application for extension of time shall be filed with the Zoning Commission no later than one hundred eighty (180) days prior to the date that approval of the final development plan will expire.

~~2) The Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved Development Plan. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall, vote to approve, approve with modifications or deny the modification. Approval of modification(s) whether major or minor in character, shall be given upon a finding that:~~

~~a) A necessity exists requiring the modification;~~

~~b) There is evidence of a reasonable effort to construct the development according to the original Development Plan;~~

~~c) That the modification is not in conflict with the general health and safety of the public or with the Development Standards for the District.~~

H) *Divergences*

An applicant for PRD approval may request a divergence from any development standard or other requirement set forth in this Section. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the development plan submittals, with a request that the proposed divergence be approved as part of and as shown on the development plan.

## Section 610.06 - Procedure to Modify an Approved Plan

A) The Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be

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followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall vote to approve, approve with modifications or deny the modification. Approval of modification(s) whether major or minor in character, shall be given upon a finding that:

1) A necessity exits requiring the modification;

2) There is evidence of a reasonable effort to construct the development according to the original development plan; and

3) That the modification is not in conflict with the general health and safety of the public or with the development standards for the zoning district.

B) *Minor Modification*: A modification which does not substantially alter the design, layout and character of the approved development plan; which does not increase the size of residential areas or reduce the size of open space areas, or which in any other way is not a major deviation of the approved development plan is a minor modification. Minor modifications include, but are not limited to:

1) Increasing or decreasing lot sizes by no more than twenty percent (20%), where the lot size minimum must be maintained and no additional lots may be created.

2) Lot line adjustments (no additional lots may be created).

3) Adjusting the location of easements for public utilities so long as designated open space is not disturbed and the layout, design and character of the approved development is not altered;

4) Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.

5) Altering and/or modifying deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.

6) Increasing the amount of open space when such increase benefits the general character of the approved development.

7) Minor relocation of public street(s) or entries (Relocation is less than one hundred (100) feet from original approved location).

8) Such other changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

C) *Major Modification*: A modification, which substantially alters the design, layout and character of the approved development plan; increases the size of residential areas or reduces the size of open space areas or in any other way is a major deviation of the approved development plan, is a major modification. Major modifications include, but are not limited to:

1) Enlarging residential areas or increasing the number of lots.

2) Increasing or decreasing lot sizes by more than twenty percent (20%).

3) Increasing impervious cover.

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4) Reducing open space from the amount approved at the time of rezoning; altering open space shown in the approved development plan or approved at the time of rezoning.

5) Relocating easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development.

6) Relocation of public streets, entries, and/or other infrastructure so as to significantly alter the approved layout, design, and character of the approved development, or where the relocation is one hundred (100) feet or more from the original approved location.

7) Such other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved plan, or as approved as part of the rezoning.

## ~~Section 610.05 – Development Standards~~

~~The following standards for arrangement and development of land and buildings apply to the Planned Residential (PR) District. When not specifically supplanted by the following standards as approved in the Development Plan, the General Development Standards (Article VIII of this Resolution) also apply:~~

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~~1) *Open Space*~~

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~~Resource protected areas are areas containing fragile natural features such as forests, floodplains, steep slopes, wetlands and other open space that can be adversely impacted by development. At least twenty (20) percent of the gross area of the tract included in the Development Plan shall be designated as open space for resource protection or public use to be organized, arranged and restricted by easement, covenant, deed or dedication or by approved plan. Public use is limited to public schools and parks and other public recreational or educational facilities approved by the Township Trustees. Except for public schools and approved roads and utilities, no buildings shall be permitted in the open space set aside except those normally associated with or accessory to a public park.~~

~~Open space credit shall be given for 33 1/3 percent of the total amount of land within a proposed school site or within wetlands or floodplain; however, the Township Trustees may grant additional credit if the land proposed for open space is determined to be an exceptional natural resource or meets a recognized need, the satisfaction of which benefits the general health, safety and welfare of the Township. Except as otherwise permitted herein, no structures or buildings shall be permitted within jurisdictional wetlands or within flood plains as defined by this Zoning Resolution. The lands to be set aside to meet the open space requirements of this section are subject to the approval of the Zoning Commission and the Township Trustees, which bodies shall determine that the open space is of a size, character shape, topography and location to be useable and accessible. Land set aside as open space shall not be included in the minimum yard space required for a dwelling.~~

~~2) *Lot and Yard Areas*~~

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~~The minimum lot area shall be one acre, except that for cluster developments, the minimum lot area for each dwelling unit may be reduced to any size, which is justified in an approved Development Plan, provided that the overall density of the tract covered by the Development Plan does not exceed one (1) dwelling unit per acre. Yard areas may also be adjusted accordingly. However, yards abutting the boundaries of the entire tract included in the Development Plan shall not be less than the minimum requirements for the abutting district. Additionally, the front yard setback for all lots abutting an existing public street shall conform to the requirements of the General Development Standards (Article VIII of this Resolution).~~

3) *Private Roads*

Private roads as a common easement may be utilized, provided the following criteria are met:

A) Preliminary street plans and typical sections are submitted and approved with the Development Plan.

B) Township fire and safety officials provide a written statement indicating to the Township Trustees that the private roads will provide suitable access for emergency vehicles.

C) Private maintenance responsibilities are clearly indicated in legal documents.

4) *Parking*

Off-street parking shall be provided in accordance with Article VIII of this Resolution, except that group garages or parking lots may be utilized within two hundred (200) feet of the dwellings served.

# SECTION 620 - – PLANNED SUBURBAN RESIDENTIAL DISTRICT (PSRD)

## Section 620.01 - – Purpose

1)A) *General*

The Planned Suburban Residential (PSR) District (PSR) is provided as an additional option to the requirements of the standard residential zoning districts. It is intended to promote imaginative, well-designed developments, which preserve open space, respect the physical qualities and limitations of the land, and provide improved living environments. Opportunities to reduce development costs also may be provided by the PSR District.

2)B) *Benefits of PSR Districtthe PSR*

To achieve these goals, the (PSR) DistrictPSR provides the potential for public zoning approval of the following:

A)1) Flexibility in required yard areas immediately adjacent to structures.

2) B) Flexibility in residential types.

3) C)Flexibility in minimum lot frontage requirements.

4) D)Privately maintained streets, open space and other amenities or improvements.

5) E)Consideration of other unique design features.

3)C) *Responsibilities of Applicant*

In order to be eligible for consideration under the provisions of the (PSR) District, tThe applicant is required to provide all information requirelisted herein to confirm that the application meets the development standards established by this Section of the Zoning Resolution. Any application deemed incomplete will not be processed until the Zoning Inspector determines that the application provides all the

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necessary information required in accordance with this Section.~~If an applicant does not provide required information or meet standards established by this Resolution, it shall be interpreted as forfeiture of the applicant's option to consideration under the terms of the Planned Suburban Residential (PSR) District.~~

## Section 620.02 - ~~—~~Permitted Uses

Land and buildings in the ~~Planned Suburban Residential (PSR) District~~PSR shall be limited to one or more of the following uses:

~~1)~~A) Detached single-family residences~~.~~.

~~2)~~B) Single-family ~~zero lot lines~~, attached twin singles, townhouses, or other innovative forms of suburban residential development, provided all density criteria and applicable requirements are met~~.~~.

~~3)~~C) Home occupations in association with a permitted dwelling~~,~~ and in accordance with the standards of Article VIII~~.~~.

~~4)~~D) Accessory buildings and uses in association with a permitted dwelling, in accordance with the standards of Article VIII~~.~~.

~~5)~~E) Public or private schools that offer~~offering~~ general educational courses and have~~ing~~ no rooms used for the housing or sleeping of students~~.~~.

~~6)~~F) Parks, playgrounds and playfields open to the public. ~~without fee.~~

~~7)~~G) Public or private golf courses or other similar outdoor recreational facilities and normal accessory buildings and uses, provided all uses and functional characteristics are specifically included in the approved development plan.~~.~~

H) Churches or other places of worship provided each use occupies a lot of no less than ~~five (5)~~three (3) acres and there is one (1) acre or more per one hundred (100) seats in the main assembly area.~~.~~

| Main Assembly seats or similar accommodations | Acres Required |
|---|---|
| 100 or less | Four (4) |
| 200 or less | Five (5) |
| 300 or less | Six (6) |
| 400 or less | Seven (7) |
| 500 or less | Eight (8) |

~~8)~~I) Day care or childcare facilities provided such facilities obtain all required licenses and provide a minimum of five hundred (500) square feet of outdoor play area per child. Such play area shall be enclosed by fencing, which shall conform to the architectural requirements of the d~~D~~evelopment p~~P~~lan.~~.~~

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9)J) Other residentially-oriented uses which, in the opinion of the Jefferson Township Zoning Commission and the Jefferson Township Trustees, meet the purpose and intent of the (PSR) DistrictPSR and are adequately designed, located and otherwise provided for by the dDevelopment pPlan and other required documents.

## Section 620.03 - —Tract and Density Criteria

The owner(s) of a tract of land ten (10) acres or more in area may request that the Official Zoning District Mapzoning district map be amended to include such tract in the Planned Suburban Residential (PSR) DistrictPSR.

The density of the development within the (PSR) DistrictPSR shall not exceed a total of two point five (2.5) dwelling units per gross acre.

## Section 620.04 - Development Standards

The following standards for arrangement and development of land and buildings apply to the Planned Suburban Residential District (PSR) and only apply to single-family detached residential housing. When not specifically supplanted by the following standards as approved in the development plan, provisions of Article VIII – the General Development Standards shall also apply:

A) *Open Space*

1) Resource protected areas containing fragile natural features such as forests, floodplains, steep slopes, wetlands and other open space that can be adversely impacted by development. At least forty percent (40%) of the gross area of the tract included in the development plan shall be designated as open space for resource protection or public use to be organized, arranged and restricted by easement, covenant, deed or dedication or by approved plan. Public use is limited to public schools and parks and other public recreational or educational facilities approved by the Jefferson Township Trustees. Except for public schools and approved roads and utilities, no buildings shall be permitted in the open space set-aside except those normally associated with or accessory to a public park.

2) Open space should be unified and massed so that no open space is narrower than the development's average lot width in any direction, excluding bike paths and pedestrian trails. Open space may include retention ponds, as needed, so long as the ponds are designed and maintained as natural features that blend in to the landscape. Open space should be platted as an open space reserve, including appropriate conservation easements, and should be interconnected with open space areas on abutting parcels. Areas that should not be considered as open space include:

a) Private road and public road right-of-ways.

b) Parking areas, access ways and driveways.

c) Required setbacks between buildings, parking areas and project boundaries.

d) Required setbacks between buildings and streets.

e) Private yards.

f) Other small fragmented or isolated open space areas that have a dimension of less than seventy-five (75) feet in any direction.

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3) Open space credit shall be given for thirty-three and one third percent (33 1/3%) of the total amount of land within a proposed school site or within wetlands or floodplain, however, the Jefferson Township Trustees may grant additional credit if the land proposed for open space is determined to be an exceptional natural resource or meet a recognized need, the satisfaction of which benefits the public health, safety, convenience, prosperity, or general welfare of Jefferson Township. Except as otherwise permitted herein, no structures or buildings shall be permitted within jurisdictional wetlands or within floodplains as defined by this Zoning Resolution. The lands to be set aside to meet the open space requirements of this section are subject to the approval of the Zoning Commission and the Township Trustees, which shall determine that the open space is of a size, character shape, topography and location to be useable and accessible. Land set aside as open space shall not be included in the minimum yard space required for a dwelling.

B) *Lot and Yard Areas*

The minimum lot area shall be seven thousand (7,000) square feet, except that for cluster developments, the minimum lot area for each dwelling unit may be reduced to any size, which is justified in an approved development plan, provided that the overall density of the tract covered by the development plan does not exceed two point five (2.5) dwelling units per gross acre. Minimum lot width shall be sixty (60) feet; minimum setback shall be twenty-five (25) feet from the street right-of-way line; minimum side yard shall be five (5) feet; and minimum rear yard shall be twenty percent (20%) of lot depth. Side minimum standards shall also be subject to adjustment if justified, in an approved development plan.

C) *Private Roads*

Private roads as a common easement may be utilized, provided the following criteria are met:

1) Preliminary street plans and typical sections are submitted and approved with the development plan.

2) Jefferson Township fire and safety officials provide a written statement indicating to the Jefferson Township Trustees that the private roads will provide suitable access for emergency vehicles.

3) Private maintenance responsibilities are clearly indicated in legal documents.

D) *Parking*

Off-street parking shall be provided in accordance with Article VIII of this Resolution.

E) *Buffer Area*

The Zoning Commission shall have the discretion to require buffer areas where the particular location of the proposed development causes the necessity of buffering. The Zoning Commission, when deemed necessary and appropriate, shall define the size, location, type and density of buffering.

F) *Lot Arrangement*

1) No dwelling unit may back up to a street.

2) If the development cannot be planned so as to set back a sufficient distance so as not to impose or affect the streetscape of the existing street upon which it is located, then lots adjacent to existing public rights-of-way are encouraged to create open space adjacent to such right-of-way, fronting such dwelling units on reduced pavement width section streets or private drives arranged as follows:

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Beginning with the centerline of the existing street, then proceeding to the edge of the public right-of-way, then the linear open space adjacent to the right-of-way which may contain utilities and storm sewer in a traditional open ditch section, then to the new public street or private drive with a curb and gutter on the dwelling unit side only, to the dwelling unit lot(s). Public streets arranged as above specified shall not be required to exceed twenty-two (22) feet of pavement width, and private drives shall not be required to exceed eighteen (18) feet in pavement width. Setbacks for homes abutting the public street or private street as permitted in this Section shall be a minimum of twenty-five (25) feet from right-of-way. Any open space created as set forth above between the existing right-of-way and the opposite side of the new public road or private drive shall be permitted to offset the open space requirement by an acre per acre credit.

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## Section 620.05 - Natural Resource Protection

Floodplains, woodlands, wetlands, and drainage ways shall be protected as required by this Section.

A) *Wetlands*

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1) Determination: Wetland areas shall be determined by reference to the following sources in the order indicated below. If the first source is considered inaccurate or inappropriate, the succeeding techniques may be used:

a) Wetland inventory maps prepared by Franklin County.

b) Field survey of plan material by a botanist.

c) Soil borings provided by a registered soil engineer or soils scientist.

2) Protection Levels: One hundred percent (100%) of all wetland areas shall be protected except as follows:

a) Where disturbance of filling is essential to provide access to the buildable portions of the property and not other alternative is feasible.

b) Where required to provide access to a water-related use.

c) Where a crossing of the wetland is essential to the establishment of a permitted use provided that a Conditional Use Permit is obtained; and also provided that:

i) The street cannot, as a practical matter, be located outside a wetland; and

ii) The street is designed and constructed to minimize the adverse impact upon the natural functions of the wetland, and meets the following standards:

A) The street shall be designed and constructed for the minimum cross-section practical to serve the intended use.

B) Street construction activities are to be carried out in the immediate area of the road bed only.

C) Any filling, flooding, draining, dredging, ditching, tiling, or excavating that is to be done must be necessary for the construction or maintenance of the street.

3) Disruption and/or Modification: All development proposal which disturb any wetland areas shall, in addition to the provisions of this Zoning Resolution, provide proof of approval by the U.S. Army Corp of Engineers.

B) *Drainageways*

1) Determination: Drainageways are determined as follows:

a) The land, except where areas are designated as floodplain, on either side of and within fifty (50) feet of the centerline of any intermittent or perennial stream shown on the U.S. Geological Survey's 7 ½ minute quadrangle sheets covering Franklin County.

b) The land, except where areas are designated as floodplain, on either side of and within twenty-five (25) feet of the centerline of any swale identified by topography and hydrologic analysis as serving as the principal stormwater outfall rather than tributary for, at a minimum, the subbasin of a sub watershed area.

c) The land included within the following soil classes as mapped in the soil maps provided by the U.S. Department of Agriculture as published in Soil Survey of Franklin County, Ohio dated February 1980 (or as amended) determined to be floodplain soils.

2) Protection Levels: Drainage ways shall be protected areas as permanent open space.

C) *Floodplains*

1) Determination: The National Flood Plain Insurance Rate Maps shall determine the one hundred (100) year recurrence interval floodplain and floodways.

2) Protection Levels:

a) For all developments, the level of protection provided for floodplains shall distinguish between the floodway and the one hundred (100) year recurrence interval floodplain boundary (as designated on the Flood Boundary and Floodway Maps or as determined by a required on-site survey). Floodways and one hundred (100) year recurrence interval floodplains shall be protected as permanent open space.

b) No uses or improvements, other than those permitted herein shall be permitted in any area consisting of floodway or one hundred (100) year recurrence interval floodplain as defined by this Zoning Resolution.

c) All development shall have the approval of the National Flood Plain Insurance Program Coordinator.

D) *Woodlands*

1) Definition:

a) ***Woodland, Mature***: An area of mature deciduous trees covering one (1) acre or more and consisting of thirty percent (30%) or more largely deciduous canopy trees have a ten (10) inch or greater caliper or any grove of deciduous trees consisting of eight (8) or more trees having an eighteen (18) inch or greater caliper.

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b) ***Woodland, Young***: An area of deciduous or evergreen trees covering one (1) acre or more and consisting of seventy percent (70%) or more of canopy trees have a three (3) inch caliper or greater.

2) Determination:

The determination of woodland boundaries shall be based on a field tree survey compiled by a registered land surveyor, engineer, landscape architect, or forester.

3) Methodology:

Woodland areas shall be measured and graphically indicated on either a topographic or property boundary survey and submitted with the development plan. Such woodland area drawing shall graphically indicate those forest areas of the property pursuant to the "Woodland" definition hereinafter provided.

4) Protection Levels:

No less than fifty percent (50%) of the trees within the wooded area in "mature woodlands" shall be preserved. No less than twenty percent (20%) of the trees within the wooded area in "young woodlands" shall be preserved.

## Section 620.~~04~~06 - ~~–~~Application Requirements and Procedure

A) *Site Plan*

In exchange for flexibility, the ~~Planned Suburban Residential (PSR) District~~PSR requires that the applicant provide some details, which are traditionally found in the subdivision stage of a development approval. It is therefore suggested that the applicant informally discuss ~~his~~the plans with Franklin County subdivision authorities (e.g. Franklin County Economic Development and Planning Department~~or Regional Planning Commission~~, Franklin County Engineer, Franklin County Board of Health, etc.) and the Jefferson Township Zoning Commission prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.

B) *Submission of Application*

The owner or owners of a tract of land may request that the Official Zoning District Map be amended to include such tract in PSR in accordance with the provisions of Article VI.

~~B)~~C) *Development Plan Submission*

~~Eight (8)~~Ten (10) copies of a d~~D~~evelopment p~~P~~lan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Official Z~~Z~~oning D~~D~~istrict M~~M~~ap. Such d~~D~~evelopment p~~P~~lan shall conform to the following:

~~A)~~1) The preliminary plan requirements of the Franklin County Subdivision Regulations, as amended and adopted by the Franklin County Commissioners on January 16, 2001 and as may be amended in the future. Such requirements include, but are not limited to, topographical contours at two (2) foot intervals, soils information at a 1" = 100' scale, information on wooded areas, flood-plains, wetlands and engineering feasibility studies for proposed sewage disposal, water supply, and storm water drainage systems~~.~~.

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B)2) The proposed location and size of areas of residential use, indicating dwelling unit densities, dwelling unit types, the total number of dwelling units for each density area, and the total number of dwelling units proposed in the dDevelopment pPlan.

C)3) The proposed size, location, and use of non-residential portions of the tract, including usable open areas, parks, playgrounds, school sites, and other areas and spaces with the suggested ownership of such areas and spaces.

D)4) Architectural design concepts to be utilized, landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.

E)5) The proposed traffic circulation patterns, including all dedicated public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, existing streets, or showing other evidence of reasonableness.

F)6) The proposed time 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.

G)7) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.

H)8) Evidence that the applicant has sufficient control over the land to effectuate the proposed dDevelopment pPlan. Evidence of control includes property rights, and the engineering feasibility data, as may be necessary.

I) Evidence of control includes property rights, and the engineering feasibility data, which may be necessary.

J)9) Deed restrictions, protective covenants, and other legal statements or devises to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned and maintained.

K)10) Other information, as may be required by the Jefferson Township Zoning Commission and/or the Jefferson Township Trustees, in order to determine compliance with this Zoning Resolution.

L)11) Evidence that sewer and water is available for the project from the Jefferson Water and Sewer District.

C)D) *Basis of Approval*

The basis for approving a Planned Suburban Residential (PSR) DistrictApproval of an application requesting a rezoning to PSR shall beprovide, but not be limited to, the following, but not limited to the following:

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

B)2) That the proposed development plan is in conformity with thea comprehensive plan or portion thereof as it may apply.;

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~~C)~~3) That the proposed development plan advances the general welfare of ~~the~~Jefferson Township and the immediate vicinity.~~:~~

4) That the benefits, improved arrangement, and the design of the proposed development plan justify the deviation from standard residential ~~development~~zoning district requirements included in this Zoning Resolution.~~.~~

~~D)~~5) Any and all other considerations deemed appropriate by the Zoning Commission to protect and promote the interests of public convenience, comfort, prosperity, or general welfare of the Township.

~~D)~~E) *Effect of Approval*

The d~~D~~evelopment p~~P~~lan as approved by Jefferson Township Trustees shall constitute an amendment to the ~~Planned Suburban Residential (PSR) District Regulations~~PSR as they apply to the land included in the approved amendment.

The approval shall be for a period of three (3) years for tracts between ten (10) and fifty (50) acres and five (5) years for property in excess of fifty (50) acres to allow the preparation of the required s~~S~~ubdivision p~~P~~lat in accordance with the s~~S~~ubdivision r~~R~~egulations of Franklin County, Ohio. Unless the required s~~S~~ubdivision p~~P~~lat is submitted and recorded within the required time limits, approval of the final development plan shall expire, except if an application for time extension is approved in accordance with the following section.

F) *Plat Required*

In the PSR, no use may be established or changed and no structure may be constructed or altered until the required Subdivision Plat has been record in accordance with the Subdivision Regulation for Franklin County, Ohio. The Subdivision Plat shall be in accordance with the approved development plan and illustrate or include:

1) Site arrangement, including 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.

~~A)~~G) *Extension of Time~~ or Modification~~*

An extension of the time limit of the approved d~~D~~evelopment plan may be approved by the Zoning Commission~~ and Township Trustees~~. Such approval ~~shall be given~~may be granted upon a finding of the necessity for such extension and that such extension is not in conflict with the general health and safety of the public or of the d~~D~~evelopment s~~S~~tandards for the zoning d~~D~~istrict. An application for extension of time shall be filed with the Zoning Commission no later than one hundred eighty (180) days prior to the date that approval of the final development plan will expire.

~~B)~~H) *Divergences*

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~~C)~~ An applicant for PSR approval may request a divergence from any development standard or other requirement set forth in this Section. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the development plan submittals, with a request that the proposed divergence be approved as part of and as shown on the development plan.

## Section 620.07 - Procedure to Modify

A) The Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall, vote to approve, approve with modifications or deny the modification.

B) Approval of modification(s) whether major or minor in character, shall be given upon a finding that:

1) A necessity exists requiring the modification;

2) There is evidence of a reasonable effort to construct the development according to the original development plan; and

3) That the modification is not in conflict with the general health and safety of the public or with the development standards for the zoning district.

C) *Minor Modification*: A modification which does not substantially alter the design, layout and character of the approved development plan; which does not increase the size of residential areas or reduce the size of open space areas, or which in any other way is not a major deviation of the approved development plan is a minor modification. Minor modification include, but are not limited to:

1) Increasing or decreasing lot sizes by no more than twenty percent (20%), where the minimum lot size must be maintained and no additional lots may be created.

2) Lot line adjustments (no additional lots may be created).

3) Adjusting the location of easements for public utilities so long as designated open space is not disturbed, or the layout, design and character of the approved development is not altered.

4) Altering or modifying deed restrictions, architectural concepts or landscaping design so as to be less restrictive than those made a part of the approved development plan or approved as part of the rezoning.

5) Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.

6) Increasing the amount of open space when such an increase benefits the general character of the approved development.

7) Minor relocation of public street(s) or entries (Relocation is less than one hundred (100) feet from original approved location).

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8) Such other changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

D) *Major Modification*: A modification, which substantially alters the design, layout and character of the approved development plan; increases the size of residential areas; or reduces the size of open space areas; or in any other way is a major deviation of the approved development plan, is a major modification. Major modifications include, but are not limited to:

1) Enlarging residential areas or increasing the number of lots.

2) Increasing or decreasing lot sizes by more than twenty percent (20%).

3) Increasing impervious cover.

4) Reducing open space from the amount approved at the time of rezoning; altering open space shown in the approved development plan or approved at the time of rezoning.

5) Relocating easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development.

6) Relocation of public streets, entries, and/or other infrastructure so as to significantly alter the approved layout, design, and character of the approved development, or where the relocation is one hundred (100) feet or more from the original approved location.

~~D)~~7) Such other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved plan, or as approved as part of the rezoning.

~~E) The Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved Development Plan. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall, vote to approve, approve with modifications or deny the modification.~~

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~~Approval of modification(s) whether major or minor in character, shall be given upon a finding that:~~

~~i. A necessity exists requiring the modification;~~

~~ii. There is evidence of a reasonable effort to construct the development according to the original Development Plan; and~~

~~iii. That the modification is not in conflict with the general health and safety of the public or with the Development Standards for the District.~~

## ~~Section 620.05 – Development Standards~~

~~The following standards for arrangement and development of land and buildings apply to the Planned Suburban Residential (PSR) District and only apply to single-family detached residential housing. When not specifically supplanted by the following standards as approved in the Development Plan, the General Development Standards (Article VIII of the Jefferson Township Zoning Resolution):~~

~~1) *Open Space*~~

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~~Resource protected areas are areas containing fragile natural features such as forests, floodplains, steep slopes, wetlands and other open space that can be adversely~~

~~impacted by development. At least twenty (20) percent of the gross area of the tract included in the Development Plan shall be designated as open space for resource protection or public use to be organized, arranged and restricted by easement, covenant, deed or dedication or by approved plan. Public use is limited to public schools and parks and other public recreational or educational facilities approved by the Township Trustees. Except for public schools and approved roads and utilities, no buildings shall be permitted in the open space set-aside except those normally associated with or accessory to a public park.~~

~~Open space credit shall be given for 33 1/3 percent of the total amount of land within a proposed school site or within wetlands or floodplain; however, the Township Trustees may grant additional credit if the land proposed for open space is determined to be an exceptional natural resource or meets a recognized need, the satisfaction of which benefits the general health, safety and welfare of the Township. Except as otherwise permitted herein, no structures or buildings shall be permitted within jurisdictional wetlands or within flood plains as defined by this Zoning Resolution. The lands to be set aside to meet the open space requirements of this section are subject to the approval of the Zoning Commission and the Township Trustees, which bodies shall determine that the open space is of a size, character shape, topography and location to be useable and accessible. Land set aside as open space shall not be included in the minimum yard space required for a dwelling.~~

~~2) *Lot and Yard Areas*~~

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~~The minimum lot area shall be 7,000 square feet, except that for cluster developments, the minimum lot area for each dwelling unit may be reduced to any size, which is~~

justified in an approved Development Plan, provided that the overall density of the tract covered by the Development Plan does not exceed 2.5 dwelling units per gross acre. Minimum lot width shall be 60 feet; minimum setback shall be 25 feet from the street right-of-way line; minimum side yard shall be 5 feet; and minimum rear yard shall be 20% of lot depth. Side minimum standards shall also be subject to adjustment, if justified, in an approved Development Plan.

3) *Private Roads*

Private roads as a common easement may be utilized, provided the following criteria are met:

A) Preliminary Street plans and typical sections are submitted and approved with the Development Plan.

B) Township fire and safety officials provide a written statement indicating to the Township Trustees that the private roads will provide suitable access for emergency vehicles.

C) Private maintenance responsibilities are clearly indicated in legal documents.

4) *Parking*

Off-street parking shall be provided in accordance with Article VIII of this Resolution, except that group garages or parking lots may be utilized within two hundred (200) feet of the dwellings served.

5) *Buffer Area*

The Zoning Commission shall have the discretion to require the developer of (PSR) District to plan and

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develop buffer areas where the particular location causes the necessity of buffering. The Zoning Commission when deemed necessary shall define size, location, type and density of buffering.

**Section 620.06 – Natural Resource Protection**

Floodplains, steep slopes, mature and young forests, wetlands, and drainage ways shall be protected as required in this Part. The following are findings of fact:

1) *Wetlands*

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A) Determination.

Wetland areas shall be determined by reference to the following sources in the order indicated below. If the First source is considered inaccurate or inappropriate, the succeeding techniques may be used:

i) Wetland inventory maps prepared by Franklin County.

ii) Field survey of plant material by a botanist.

iii) Soil borings provided by a registered soil engineer or soils scientist.

B) Protection Levels.

~~One hundred (100) percent of all wetland areas shall be protected except as follows:~~

~~i) Where disturbance of filling is essential to provide access to the buildable portions of the property, if no other alternative is feasible.~~

~~ii) Where required to provide access to a water-related use.~~

~~iii) Where a crossing of the wetland is essential to the establishment of a permitted use provided that a Conditional Use Permit is obtained; and also provided that:~~

~~a) The street cannot, as a practical matter, be located outside a wetland; and~~

~~b) The street is designed and constructed to minimize the adverse impact upon the natural functions of the wetland and meets the following standards:~~

~~1) The street shall be designed and constructed for the minimum cross-section practical to serve the intended use;~~

~~2) Street construction activities are to be carried out in the immediate area of the road bed only; and~~

~~3) Any filling, flooding, draining, dredging, ditching, tiling, or excavating that is to be done must be necessary for the construction or maintenance of the street.~~

C) Disruption and/or Modification.

All development proposals, which will disrupt the wetlands, shall, in addition to the provisions of this Ordinance, provide proof of approval by the U.S. Army Corp of Engineers.

2) *Drainageways*

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A) Determination.

Drainageways are determined as follows:

i) The land, except where areas are designated as floodplain, on either side of and within fifty (50) feet of the centerline of any intermittent or perennial stream shown on the U.S. Geological Survey's 7 ½ minute quadrangle sheets covering Franklin County.

ii) The land, except where areas are designated as floodplain, on either side of and within twenty five (25) feet of the centerline of any swale identified by topography and hydrologic analysis as serving as the principal stormwater outfall rather than tributary for, at a minimum, the subbasin of a sub watershed area.

iii) The land included within the following soil classes as mapped in the soil maps provided by the U.S. Department of Agriculture as published in "Soil Survey of Franklin County, Ohio" dated February 1980 (or as amended) determined to be floodplain soils.

B) Protection Levels.

Drainageways shall be provided with one hundred percent (100%) protection levels from all land uses. All such protected areas shall be permanent open space.

3) *Floodplains*

A) Determination.

The National Flood Plain Insurance Rate Maps shall determine the one hundred (100) year recurrence interval floodplain and floodways.

B) Protection Levels.

i) For all developments, the level of protection provided flood lands shall distinguish between the floodway and the one hundred (100) year recurrence interval floodplain boundary (as designated on the Flood Boundary and Floodway Maps or as

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~~determined by a required on-site survey). Floodways and one hundred (100) year recurrence interval floodplains shall be provided with one hundred (100) percent protection.~~

~~ii) All protected areas shall be retained in permanent open space. No uses or improvements, other than those permitted herein shall be permitted in any area consisting of floodway or one hundred (100) year recurrence interval floodplain as defined by this Zoning Resolution.~~

~~iii) All development shall have the approval of the National Flood Plain Insurance Program Coordinator.~~

~~4) *Steep Slopes*~~

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~~A) Determination.~~

~~Steep slopes shall be determined through the use of a topographic survey prepared by and certified by a registered land surveyor at a contour interval of not less than two (2) feet.~~

~~B) Methodology.~~

~~Steep slopes shall be measured and graphically indicated on a topographic drawing and submitted with the development plan. Such steep slope drawing shall graphically indicate those steep slope areas of the property pursuant to the "steep slope" definition hereinafter provided.~~

~~C) Definition.~~

~~Any slope in any of the following categories shall be considered a steep slope: 8 to 16 percent, 17 to 25 percent, and greater than 25 percent. No land area shall be considered a steep slope unless the steep slope area has at least a ten (10) foot vertical drop and a minimum area of five thousand (5,000) square feet. If other slope classes within such a defined area which are too small to qualify by themselves as a steep slope under the two hundred (200) foot provision, then these slope areas shall be combined with slope categories which are less than eight percent (8%).~~

~~D) Protection Levels.~~

~~The standard to use determining the open space necessary for preserving steep slopes is an open space ratio of 0.50 for slopes ranging from 12 to 18 percent; 0.70 for slopes ranging from 18 to 25 percent; and 0.85 for slopes greater than 25 percent.~~

~~5) *Woodlands*~~

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~~A) Determination.~~

~~The determination of woodland boundaries shall be based on a field tree survey compiled by a registered land surveyor, engineer, landscape architect, or forester.~~

~~B) Methodology.~~

~~Woodland areas shall be measured and graphically indicated on either a topographic or property boundary survey and submitted with the development plan. Such woodland area drawing shall graphically indicate those forest areas of the property pursuant to the "Woodland" definition hereinafter provided.~~

~~C) Definition.~~

~~Woodland, Mature: An area of mature deciduous trees covering one (1) acre or more and consisting of thirty percent (30%) or more largely deciduous canopy trees having a ten (10) inch or greater caliper or any grove of deciduous trees consisting of eight (8) or more trees having an eighteen (18) inch or greater caliper.~~

~~Woodland, Young: An area of deciduous or evergreen trees covering one (1) acre or more and consisting of seventy percent (70%) or more of canopy trees having a three (3) inch caliper or greater.~~

~~D) Protection Levels.~~

~~No less than 50% of the trees within the wooded area in "mature woodlands" shall be preserved. No less than 20% of the trees within the wooded are in "young woodlands" shall be preserved.~~

# SECTION 630 - SUBURBAN PERIPHERY RESIDENTIAL DISTRICT (SPR~~D~~)

## Section 630.01 - Purpose

The Suburban Periphery Residential District (~~SPRD~~SPR) is provided for large-scale residential areas that are served by a centralized sanitary sewer and water system. The ~~(SPR) District~~SPR is appropriate for peripheral areas of ~~the~~Jefferson Township to create a buffer to and transition from parcels in other political jurisdictions that are used or zoned at a residential density similar to that allowed by the ~~(SPR) District~~SPR. The use of this zoning district~~category~~ is limited to parcels or parts of parcels within ~~the~~Jefferson Township which are twenty-five (25) acres or greater, which have been designated as "extra-high density" on the Jefferson Township Comprehensive Plan, adopted on September 4, 1996, and its subsequent amendments, and which are adjacent to parcels in other jurisdictions that are used or zoned at a residential density the same or greater than that allowed by this zoning district.

## Section 630.02 - Permitted Uses

~~1)~~A) *Dwelling ~~Structures~~*

1) ~~A)~~ Single-family dwellings. ~~structures~~

~~B)~~2) Two-family dwellings ~~structures~~, condominiums and town homes.

~~C)~~3) Multi-family dwellings. ~~structures~~

~~2)~~B) *Accessory Uses*

Accessory buildings and uses in association with dwellings as specified in Article VIII.

C) *Parks, Playgrounds and Playfields Open to the Public*

D) *Home Occupation*

Home occupation in association with a permitted dwelling and in accordance with the provisions of Article VIII.

~~3)~~E) ~~*Conditional Uses*~~*Public or Private Schools*

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

F) *Religious*

~~A)~~ A church ~~Public School.~~

~~Public school operated by a Public School District offering general educational course and having no rooms regularly used for housing or sleeping of students provided it occupies a lot conforming with the following:~~

~~i) Elementary (primary grades) - 10 acres plus one (1) acre for every 100 students.~~

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~~ii) Middle or junior high – 15 acres plus one (1) acre for every 100 students.~~

~~iii) High school – 35 acres plus one (1) acre for every 100 students.~~

~~B) Private School.~~

~~Private school offering general educational courses similar to those ordinarily given in public schools and having no rooms regularly used for housing or sleeping of students, provided it occupies a lot of not less than 25 acres.~~

~~C) Religious.~~

~~Church~~ or other place of worship provided it occupies a lot of not less than three (~~5~~3) acres and there is one (1) acre or more per one hundred (100) seats or similar accommodations in the main assembly area. ~~Seating shall be determined by measuring the gross area of the place of assembly divided by 15.~~

| Main Assembly seats or similar accommodations | Acres Required |
|---|---|
| 100 or less | Four (4) |
| 200 or less | Five (5) |
| 300 or less | Six (6) |
| 400 or less | Seven (7) |
| 500 or less | Eight (8) |

~~D) Parks.~~

~~Parks, playgrounds and playfields open to the public without fee.~~

~~E) Home Occupation.~~

~~Home occupation in association with a permitted dwelling and in accordance with the provisions of Article VIII~~

## Section 630.03~~—~~ - Development Standards

The following standards for arrangement and development of land and buildings are required in the Suburban Periphery Residential District. When not specifically supplanted by the following standards as approved in the development plan, provisions of Article VIII – the General Development Standards ~~not specific to this district are found in Article VIII, "General Development Standards"~~shall also apply:

A) ~~1)~~ *Lot Area*

~~A)~~1) Detached single-family dwelling structures:

A variable lot width mix of forty-eight (48) foot, fifty-four (54) foot and sixty (60)- foot ~~wide lots~~ shall be used in each single-family area to provide a greater range of floor plans and variety in structures as viewed from the street. Lot a~~A~~rea standards in Table VI-1 shall be followed.

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## TABLE VI-1

### Detached Single-Family Variable Lot Size Standards

| *Minimum* | *Small Lot* | *Average Lot* | *Large Lot* |
|---|---|---|---|
| Lot Area | 4,800 sqft | 5,400 sqft | 6,000 sqft |
| Lot Width | 48 ft. | 54 ft. | 60 ft. |
| Min. % of Total Units | 20% | 50% | 30~~15~~% |
| Street Setback (with alley) | 15 ft. | 15 ft. | 15 ft. |
| Street Setback (Collector*) | 35~~40~~ ft. | 35~~40~~ ft. | 35~~40~~ ft. |
| Side Yard | 5 ft. | 5 ft. | 5 ft. |
| Rear Yard | 20~~5~~ ft. | 20~~5~~ ft. | 20~~5~~ ft. |
| Rear Yard (with alley) | 20 ft. | 20 ft. | 20 ft. |

*Setbacks of the development from existing streets that are designed to be of such a distance so as to not impose the newly developed areas on the existing streetscape or substantially change the existing streetscape are encouraged. Open space credit shall be granted on an acre per acre basis to those applicants whose plans substantially meet these criteria.

2) ~~B)~~ Two-family dwellings, condominiums, town homes, and other attached single-family- dwelling structures shall follow standards in Table VI-2:

## TABLE VI-2

### Lot Standards

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| *Minimum* | *Two-Family* | *Attached Single-Family* |
|---|---|---|
| Lot Area | 4,500 sqft. per d.u.** | 3,300 sqft. per d.u. |
| Lot Width at Setback | 45 ft. per d.u. | 32 ft. per d.u. |
| Lot Width at Street | 40 ft. per d.u. | 28 ft. per d.u. |
| Resulting Lot Depth | 100 ft. | 100 ft. |
| Street Setback* | 25 ft. | 25 ft. |
| Side Yard Setback | 5 ft. ~~or 10% of width~~ ~~***whichever is greater***~~ | 20 ft. separation between buildings (may be common open space) |
| Rear Yard Setback | 20 ft. ~~or 20% of depth~~ ~~***whichever is greater***~~ | 20 ft. ~~or 20% of depth~~ ~~***whichever is greater***~~ |

*Setbacks of the development from existing streets that are designed to be of such a distance so as to not impose the newly developed areas on the existing streetscape or substantially change the existing streetscape are encouraged. Open space credit shall be granted on an acre per acre basis to those applicants whose plans substantially meet these criteria.

**d.u. means "dwelling unit"

3) ~~C)~~ Detached single-family dwelling structures developed as part of condominium shall be permitted, and shall be laid out as if they were lots. They shall follow standards for attached single-family dwelling units in Table 2, with the following exceptions:

~~i)~~a) Side yard minimum setback shall be five (5) feet. ~~excluding side yard projections of not more than two (2) feet for a distance of not more than six (6) feet for fireplaces, bay windows, or other similar architectural projections provided, however, the total separation from one building wall to the other building, including any such architectural projection, shall not be less than eight (8) feet.~~

~~ii)~~b) Rear yard minimum setback shall be twenty (20) feet ~~for the primary structure~~.

~~iii)~~c) Lot width minimum shall be thirty-six (36) feet at street and at building setback.

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~~iv)~~d) Front yard setbacks for lots with alleys in the rear shall be a minimum of fifteen (15) feet from back of curb for a private street or edge of right-of-way~~R.O.W.~~ for a public street.

~~v)~~e) A detached garage in the rear yard serviced by a private alley may be located at the rear ~~or side yard~~ lot line. Minimum separation between detached garages shall be ten (10) feet.

4) ~~D)~~ Multi-family dwelling structures:

For each dwelling unit, there shall be a lot area of not less than 3,300 square feet.

B) ~~2)~~ *Tract and Development Density Criteria*

~~A)~~1) To be designated as ~~Suburban Periphery Residential District~~SPR, tracts of land:

~~i)~~a) Must be at least twenty-five (25) acres or greater in size.~~;~~

~~ii)~~b) Must have been previously designated as "extra-high residential density" on ~~the~~Jefferson Township's Comprehensive Land Use Map.~~;~~

~~iii)~~c) Must be adjacent to tracts in other jurisdictions, which are zoned to or have been developed at a density of four point five (4.5) dwelling units per acre or greater.

~~B)~~2) Any development tract located in the ~~Suburban Periphery Residential District~~SPR shall not exceed four point five (4.5) dwelling units (d.u.) per acre.

C) ~~3)~~ *Lot Width and Frontage on a Public Right-of-Way*

~~A)~~1) For detached single-family dwelling structures on separate platted lots, refer to TableVI-~~-~~1. Each lot shall have access to and abut on a public right-of-way.

~~B)~~2) For two-family, town homes, and other attached single-family dwelling structures, see standards listed in Table VI-2.

~~C)~~3) For detached single-family dwelling structures developed as part of a condominium, refer to Table VI-2~~;~~.

~~D)~~4) For multi-family dwelling structures, there shall be a lot width of one hundred twenty (120) feet or more measured both at the public right-of-way and at the ~~building~~ setback line.

~~4)~~D) *Front Yard Setback*

~~A)~~1) The front yard setback for all structures located on a collector or larger street shall be thirty-five (35)~~forty (40)~~ feet measured from the edge of the public right-of-way.

~~B)~~2) The front yard setback for all residential structures located on streets ~~rated below~~smaller than a collector street shall be twenty~~ five~~ (20~~5~~) feet measured from the edge of the public right-of-way.

~~5)~~E) *Side Yards*

~~A)~~1) For detached single-family dwelling structures, see standards listed in Table VI-~~-~~1.

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B)2) For two-family, townhomes and other attached single-family dwellings, see standards listed in Table VI-2.

6)F) *Rear Yard*

A)1) For detached single-family residential structures, see standards listed in Table VI-1.

B)2) For two-family, townhomes and other attached single-family dwellings, see standards listed in Table VI-2.

C)3) For multi-family dwelling structures, a perimeter yard of twenty-five (25) feet shall be required. A perimeter yard is defined as that area around the exterior of a multi-family dwelling structure where a front, side or rear yard is not easily determined.

7)G) *Service Alleys*

The use of service alleys in areas to be developed for detached single-family residential uses is strongly encouraged in order to allow for reduced street widths and to create a more pleasing view from the street. The minimum right-of-way width for public service alleys shall be twenty (20) feet, with a minimum sixteen (16) foot pavement width. The minimum right-of-way width for private service alleys shall be twelve (12) feet of pavement in a twenty (20) foot easement or right-of-way. Private streets shall be a minimum of twenty (20) feet in width. Private alleys and streets shall be constructed with a structural number 2.2 as certified to theJefferson Ttownship by a civil engineer licensed to practice in the Sstate of Ohio. Stabilized or improved sub grade may be included as part of the pavement composition.

8)H) *Open Space*

A minimum of twenty-five percent (259%) of the gross area of the tract included in the dDevelopment pPlan shall be designated as oOpen sSpace or pPublic uUse organized, arranged and restricted by easement, covenant, deed or dedication, or by approved plan.

1) Public use may include, but is not limited to, public schools and parks and other public recreational or educational facilities. Except for public schools, no structures shall be permitted in the open space set-aside except those normally associated with or accessory to a public park, such as shelter houses, swimming pools, tennis courts, playground equipment, etc.

2) Open space areas are encouraged to be located in areas which preserve and protect natural resources and features such as ravines, tree-lined fence rows and wood lots, or areas which provide floodplain protection. The open space shall be of a size, shape, topography and location to be usable or accessible. Open space shall not be included in the minimum yard space required for any dwelling, or used to provide required off-street parking, excepting there from, tree-lined fence rows on singleone-family dwelling lots which are protected by a platted easement of not less than twenty-five (25) feet.

3) Open space should be unified and massed so that no open space is narrower than the development's average lot width in any direction, excluding pike paths and pedestrian trails. Open space may include retention ponds, as needed, so long as the ponds are designed and maintained as natural features that blend in to the landscape. Open space should be platted as an open space reserve, including appropriate conservation easements, and should be interconnected with open space areas on abutting parcels. Areas that should not be considered as open space include:

a) Private road and public road right-of-ways.

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b) Parking areas, access ways and driveways.

c) Required setbacks between buildings, parking areas and project boundaries.

d) Required setbacks between buildings and streets.

e) Private yards.

f) Other small fragmented or isolated open space areas that have a dimension less than seventy-five (75) feet in any direction.

9)I) *Lot Arrangement*

A)1) No dwelling unit may back up to a publicly dedicated street.

B)2) If the development cannot be planned so as to set back a sufficient distance so as not to impose or affect the streetscape of the existing street upon which it is located, thenen lots adjacent to existing public rights-of-way are encouraged to create open space adjacent to such right-of-way, fronting such dwelling units on reduced pavement width section streets or private drives arranged as follows:

Beginning with the centerline of the existing street, then proceeding to the edge of the public right-of-way, then the linear open space adjacent to the right-of-way which may contain utilities and storm sewer in a traditional open ditch section, then to the new public street or private drive with a curb and gutter on the dwelling unit side only, to the dwelling unit lot(s). Public streets arranged as above specified shall not be required to exceed twenty-two (22) feet of pavement width, and private drives shall not be required to exceed eighteen (18) feet in pavement width. Setbacks for homes abutting the public street or private street as permitted in this Section shall be a minimum of twenty-five (25)thirty (30) feet from right-of-way. Any open space created as set forth above between the existing right-of-way and the opposite side of the new public road or private drive shall be permitted to offset the open space requirement by an acre per acre credit.

## Section 630.04 - Application Requirements and Procedures

In addition to any other procedure set out in this Zoning Resolution, all applications for the SPRamendments to the zoning map to rezone lands to this District shall follow the procedures hereinafter set forth:

A) 1) *Application Site Plan*

The owner to any other procedure set out in this Resolution, all applications for amendments to the zoning map to rezone lands to this District shall follow the procedures hereinafter set forth.In exchange for flexibility, the SPR requires that the applicant provide some details, which are traditionally found in the subdivision stage of a development approval. It is therefore suggested that the applicant informally discuss the plans with Franklin County subdivision authorities (e.g. Franklin County Economic Development and Planning Department, Franklin County Engineer, Franklin County Board of Health, etc.) and the Jefferson Township Zoning Commission prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.

B) *Submission of Application*

The owner or owners of a tract of land may request that the Official Zoning District Map be amended to include such tract in SPR in accordance with the provisions of Article VI.

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C) ~~2)~~ *Development Plan Submission*

Ten (10)~~Eight (8)~~ copies of the d~~D~~evelopment p~~P~~lan, plus one digital copy which can be imported into the Jefferson Township GIS system shall be submitted with the application, which plan shall include in either text and/or map form.

~~A)~~1) The proposed size and location of the parcel(s) included in the application for rezoning to the Suburban Periphery Residential District, and the relationship of the proposed development to existing and proposed uses of surrounding areas.

~~B)~~2) A description of the proposed general development character of the tract. Such description shall include a concept plan showing the proposed size and location of individual areas to be used for each category of dwelling structure, the proposed number of dwelling units planned for each area, and the proposed density of each area.

~~C)~~3) The proposed provisions for water, sanitary sewer, and surface discharge.

~~D)~~4) The proposed traffic access points showing locations and their relationship to existing streets.

~~E)~~5) The proposed size, location and use of the non-residential portion of the tract, including schools, parks or other public facilities, if any.

~~F)~~6) The proposed time schedule for development of the site including streets, buildings, utilities and other facilities.

~~G)~~7) Evidence that the applicant has sufficient control over the land to effectuate the proposed d~~D~~evelopment p~~P~~lan.

~~H)~~8) Signed statement of commitment to provide proposed deed restrictions, protective covenants, and other legal statements or devises 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 for review and approval by the Jefferson Township Trustees prior to submittal of final plat.

~~I)~~9) A map indicating topographical contours at two (2) foot intervals, soils information at a 1" ~~+~~= 100'~~"~~ scale, information on wooded areas, floodplains, and wetlands.

~~J)~~10) Other information, as may be required by the Jefferson Township Zoning Commission and/or the Jefferson Township Trustees, in order to determine compliance with this Resolution.

D) ~~3)~~ *Plat Required*

In the ~~Suburban Periphery Residential District~~SPR, no use shall be established or changed and no structure shall be constructed or altered until the required S~~s~~ubdivision P~~p~~lat has been ~~prepared and~~ recorded in accordance with Subdivision Regulations for Franklin County, Ohio~~, and this Resolution~~. The S~~s~~ubdivision P~~p~~lat shall be in accord with the approved D~~D~~evelopment P~~P~~lan 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,

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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.

E) ~~4)~~ *Action by Zoning Commission*

The Zoning Commission shall hold a public hearing on the d~~D~~evelopment p~~P~~lan as provided by this Resolution. Such public hearing shall consider all aspects of the d~~D~~evelopment p~~P~~lan. Within thirty (30) days after the public hearing on such plan, the Zoning Commission shall prepare and transmit to the Jefferson Township Trustees and to the applicant specific findings of fact regarding the d~~D~~evelopment p~~P~~lan, along with ~~its~~ recommendations to the Jefferson Township Trustees with respect to the action to be taken on the d~~D~~evelopment p~~P~~lan. The Zoning Commission may recommend disapproval, approval, or approval with amendments, conditions or restrictions.

F) ~~5)~~ *Zoning Commission Findings Required*

~~A)~~1) The location and physical character of the site shall be suitable for development in the manner proposed and the site is shown on the Jefferson Township ~~master~~comprehensive plan as "extra-high density.".~~.~~

~~B)~~2) The site is contiguous to parcels used or zoned at similar residential densities in other political jurisdictions.

~~C)~~3) The e~~E~~xisting and proposed utility services are adequate to serve the proposed area.

~~D)~~4) The~~That the~~ benefits, improvements, and the design of the proposed development justify the deviation from the standard residential district~~development~~ requirements included in this Zoning Resolution.

~~6)~~G) *Action by the Township Trustees*

The Jefferson Township Trustees shall hold a public hearing on the recommendations of the Zoning Commission regarding the d~~D~~evelopment p~~P~~lan as provided by this Resolution. After such hearing, the Trustees may deny, adopt, or adopt with modifications the recommendations of the Zoning Commission. If the application is granted, the area of land involved shall be designated as a Suburban Periphery Residential District by Resolution, and such Resolution shall incorporate the d~~D~~evelopment p~~P~~lan, including any condition or restriction or safeguard that may be imposed by the Jefferson Township Trustees. Violations of such conditions, restrictions or safeguards when made a part of the terms under which the d~~D~~evelopment p~~P~~lan is approved, shall be deemed a violation of this Resolution and subject to the provisions of Article XIII of this Resolution.

~~7)~~H) *Review Opportunity of Final Development Plan/Preliminary Plat*

~~A)~~1) Upon approval of the zoning by the Jefferson Township Trustees, but prior to development of a final plat, the applicant will provide a review opportunity to the Township Zoning Commission of a final Development Plan/Preliminary Plat. The applicant will provide ten (10) copies of such document(s) which make(s) up the final Development Plan/Preliminary Plat for review at a public meeting of the Zoning Commission. A public hearing shall not be required. The review will

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permit the Zoning Commission to determine that the final Development Plan/Preliminary Plat meets the goals, purposes and requirements of the Suburban Periphery Residential District.

~~B)~~2) After such review, the Zoning Commission will forward its comments and findings to the Jefferson Township Trustees and to other agencies responsible for the platting of land within Franklin County.

~~8)~~I) *Conflict with Other Sections*

Because of the special characteristics of the Suburban Periphery Residential District, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provisions of Article VI and those of other Articles of this Resolution, the provisions of Article VI shall prevail. Subjects not covered by Article VI shall be governed by the respective provisions found elsewhere in this Resolution.

~~9)~~J) *Relationship to the Subdivision Regulations*

The uniqueness of each proposal for a Suburban Periphery Residential District development may require that there may be modifications from the specifications established in the Subdivision Regulations of Franklin County, Ohio. Modifications may be incorporated into the plan by the developer after review and approval by the Franklin County or Regional Planning Commission for consideration by the Zoning Commission and the Jefferson Township Board of Trustees.

~~10)~~K) *Divergences*

An applicant for SRPD approval may request a divergence from any development standard or other requirement set forth in this Section. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the Development Plan submittals, with a request that the proposed divergence be approved as part of and as shown on the Development Plan.~~The Township, as a part of development plan approval may grant divergence from any standard or requirement in this Section that is noted as "approved per plan". An applicant requesting a divergence shall specifically list each requested divergence on the development plan submittals.~~

## Section 630.05 - Procedure to Modify an Approved Plan

The Jefferson Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, then the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall vote to approve, approve with modifications, or deny the modification.

A) *Minor Modification:* A modification which does not substantially alter the design, layout and character of the approved development plan; which does not increase the size of residential areas or reduce the size of open space areas; or which in any other way is not a major deviation of the approved development plan is a minor modification. Minor modifications include, but are not limited to:

1) Increasing or decreasing lot sizes by no more than twenty percent (20%), where the lot size minimum must be maintained and no addition lots may be created.

2) Lot line adjustments (no additional lots may be created).

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3) Adjusting the location of easements for public utilities, so long as designated open space is not disturbed and the layout, design and character of the approved development plan is not altered.

4) Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.

5) Altering or modifying deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.

6) Increasing the amount of open space when such increase benefits the general character of the approved development.

7) Minor relocation of public street(s) or entries (Relocation is less than one hundred (100) feet from original approved location).

8) Such other changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

B) *Major Modification:* Modification, which substantially alters the design, layout and character of the approved development plan; increase the size of residential areas or reduces the size of open space areas or in any other way is a major deviation of the approved development plan is a major modification. Major modifications include, but are not limited to:

1) Enlarging residential areas or increasing the number of lots.

2) Increasing or decreasing lot sizes by more than twenty percent (20%).

3) Increasing impervious cover.

4) Reducing open space from the amount approved at the time of rezoning; altering open space shown in the approved development plan or approved at the time of rezoning.

5) Relocation easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development.

6) Relocation of public streets, entries, and/or other infrastructure so as to significantly alter the approved layout, design, and character of the approved development, or where the relocation is one hundred (100) feet or more from the original approved location.

7) Such other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved plan, or as approved as part of the rezoning.

~~Resolution No. 02-3-3: Text Amendment; effective 04/26/2002~~

# SECTION 640 - PLANNED COMMERCIAL DISTRICT (PC)

## Section 640.01 - Purpose

The Planned Commercial ~~(PC)~~ District (PC) seeks to address and coordinate the special needs created by highway and arterial road-oriented commercial development. It also provides a zoning district and appropriate controls for commercial and recreation-for-fee uses, which are not specifically permitted in any other commercial zoning

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district. The ~~Planned Commercial (PC) District~~PC recognizes the peculiar operational characteristics and traffic congestion connected with automobile-oriented and other intense commercial uses. It requires preparation of a detailed plan and provides performance criteria to coordinate and control these characteristics.

## Section 640.02 - Permitted Uses

Land and buildings within the PC shall be used only for those specifically selected uses identified by an applicant for zoning plan amendment and found within the Suburban Office, Neighborhood Commercial, and Community Service zoning district. 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 specifically approved by the Board of Township Trustees as part of the Development Plan required for the subject tract. Said permitted uses shall run with the land as long as the PC zoning as approved remains in effect.

~~The following uses shall be permitted in the Planned Commercial (PC) District subject to meeting all plan submission procedures, requirements and development standards herein:1) Motels, hotels and other lodging establishments.~~

~~2) Carry out restaurants.~~

~~3) Combinations of retail and/or office and/or warehousing activities.~~

~~4) Shopping centers and similar multi-tenant retail facilities.~~

~~5) Other commercial or commercially-oriented uses which meet the plan requirements and development standards of this District and Resolution, excepting adults only entertainment facilities and sales of adult material.~~

## ~~Section 640.03 Tract Size Criteria~~Section 640.03 - Tract Size Criteria

The owner of a tract of land one (1) acre or more in area may request that the Official Zoning District Map be amended to include such tract in the ~~Planned Commercial (PC) District~~PC.

## Section 640.04 - Development Standards

The following standards for arrangements and development of land and buildings apply to the PC. When not specifically supplanted by the following standards as approved in the development plan, provision of Article VIII – the General Development Standards shall also apply:

A) *Lot Width*

Minimum lot width is required to be greater than two hundred (200) feet. However, adequate lot width shall be provided to achieve the yard space required by the development standards.

B) *Side Yards*

The required yard shall be no less than one hundred (100) feet.

C) *Rear Yard*

The required yard shall be no less than one hundred (100) feet.

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D) *Access*

Whenever multiple structures to be located in a PC 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 with the PC shall derive their access from the interior streets within the PC, unless specific exemptions are made as part of the approved development plan.

E) *Parking*

Off-street parking, loading and service areas shall be provided in accordance with Article VIII. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and structural arrangement set forth in the development plan.

F) *Screening*

1) Screening shall consist of earth mounding, plantings, fencing, or a combination of the same. A general screening and landscaping plan shall be prepared and submitted as a part of the development plan. Fencing utilized in providing screening shall be incorporated into the overall architectural design concept. Whenever a proposed PC abuts or can be seen from a residential area, screening shall be provided along the entire area of abutment in a manner that is acceptable to the Zoning Commission and effectively screens the residential areas from the proposed commercial activities.

2) All open off-street parking areas consisting of five (5) or more parking spaces or one thousand (1,000) square feet or more shall be screened from view of residential uses. Curb barriers 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.

3) 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.

4) 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. 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 total visual screen. 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 address in the development plan.

G) *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 building is completed. Any portion of a lot upon which a building or parking area is 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, gound 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.

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H) *Stormwater Drainage*

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.

I) *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 PC, together with letters of approval from the pertinent local, state and, if applicable, private agencies. The letters shall be submitted with the development plan.

J) *Architectural Design*

1) The development plan shall indicate general exterior design and potential materials. All buildings shall be constructed with materials compatible with the surrounding environment and with the design character of adjacent buildings.

2) All private deed restrictions pertaining to design character and location of buildings shall be included in the development plan.

3) No parcel or lot shall have constructed thereon any building(s) which shall have a ground level floor area of greater than thirty percent (30%) of the lot or parcel upon which said building(s) is or are constructed.

4) Building height shall not exceed fifty (50) feet unless otherwise indicated and approved as a part of the development plan as appropriate to the specific site and neighborhood character.

5) No outside storage shall be permitted within the PC. 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 convenience, comfort, prosperity or general welfare. Trash dumpsters shall have lids and shall be screened from view on all sides.

6) All utilities shall be placed underground.

7) All belowground storage facilities not under the ground floor of structures must be illustrated on the development plan.

K) *Graphics*

1) The development plan shall specify the signage concept indicating the general locations and sizes of all exterior signs and the relationship of signs to overall architectural design of the development. No sign located within the PC shall advertise off-premise activity. The detailed site plan shall illustrate sign materials and composition.

2) Each business may have one (1) sign attached to the structure below roof level, other than identification signs for service areas. No sign attached to the structure in which the business is located shall be located above roof level. No sign shall project more than two (2) feet from the exterior surface to which it is attached.

3) Prior to the installation of any signage, an application for zoning compliance and an application for commercial plan review must be submitted and approved.

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4) Wall mounted signs for individual businesses shall be limited to one (1) square foot of sign area for each linear foot of building face which the sign is mounted upon and may be greater than fifty (50) square feet. Signs not on a single plane surface or on an irregularly shaped building shall be considered on an individual basis.

5) One (1) development area identification sign shall be permitted within the PC as 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.

Any development area identification sign proposed shall be constructed with durable material and shall conform to the overall design concept proposed and be compatible with the surrounding uses and environment.

Total maximum area permitted for one (1) development area identification sign shall not exceed the following:

a) One (1) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way for the first fifty (50) feet.

b) 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.

c) One-fourth (1/4) square foot of additional sign area per lineal foot of a lot abutment on a public right-of-way exceeding one hundred (100) feet.

d) 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.

6) Freestanding signs shall be no more than ten (10) feet in height, unless otherwise approved as a part of the development plan.

7) Temporary real estate for sale or for lease signs shall not exceed thirty-two (32) square feet in total area, and shall meet all sign setbacks.

8) A sign may be illuminated provided that no flashing, traveling, animated or intermittent illumination shall be used. Such illumination shall be confined to the area of the sign except when such illumination is backlighting for an otherwise non-illuminated sign.

9) All private deed restrictions pertaining to signs shall be included as part of the development plan.

L) *Lighting*

1) The development plan must indicate the types of lamps and lighting fixtures, and the height of lighting fixtures to be used and the relationship of lighting fixtures to overall architectural design of the development, subject to Jefferson Township Zoning Commission approval.

2) 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.

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3) Streetlights shall be installed by the developer or by petition to the Jefferson Township Trustees on all interior streets dedicated as public rights-of-way unless otherwise exempted by the Township Trustees.

4) All private deed restrictions pertaining to lighting shall be included in the development plan.

## Section 640.05~~4~~ - Application Procedure and Requirements

A) ~~1)~~ *Site~~ketch~~ Plan*

The ~~Planned Commercial (PC) District~~PC requires that the applicant provide some details, which are traditionally found in the subdivision stage of development approval. It is therefore suggested that the applicant informally discuss his plans with Franklin County subdivision authorities (e.g. Franklin County Economic Development and Planning Department~~or Regional Planning Commission~~, Franklin County Engineer, Franklin County Board of Health, etc.) and Jefferson Township Zoning Commission prior to submitting a formal application.

B) *Submission of Application*

The owner or owners of a tract of land may request that the Official Zoning District Map be amended to include such tract in PC in accordance with the provisions of Article VI.

C) ~~2)~~ *Development Plan Submission*

Ten (10)~~Eight (8)~~ copies of a d~~D~~evelopment p~~P~~lan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Official Zoning District Map. Such d~~D~~evelopment p~~P~~lan shall conform to the following:

~~A)~~1) The preliminary plan requirements of the Franklin County Subdivision Regulations, as amended and adopted by the Franklin County Commissioners on January 16, 2001and as may be amended in the future. Such requirements include, but are not limited to, topographical contours at one (1) foot or two (2) foot intervals, soils information at a 1" = 100' scale, information on wooded areas, floodplains, and engineering feasibility studies for proposed sewage disposal, water supply, and stormwater drainage systems.

~~B)~~2) The proposed location and size of areas of commercial use, indicating building locations, building type, total square feet for each area, and the total number of parking spaces proposed in the d~~D~~evelopment p~~P~~lan.

~~C)~~3) The proposed size, location, and use of non-commercial portions of the tract, including usable open areas, parks, playgrounds, and other areas and spaces with the suggested ownership of such areas and spaces.

~~D)~~4) Architectural design concepts to be utilized, screening, and landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.

~~E)~~5) The proposed traffic circulation patterns, including public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, existing streets, or showing other evidence of reasonableness.

~~F)~~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

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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.

~~G)~~7) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.

~~H)~~8) Evidence that the applicant has sufficient control over the land to effectuate the proposed d~~D~~evelopment p~~P~~lan. Evidence of control includes property rights and the engineering feasibility data which may be necessary.

~~I)~~9) 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, and those areas intended for lease.

~~J)~~10) Other information, as may be required by the Township Zoning Commission and/or the Jefferson Township Trustees, in order to determine compliance with this Resolution.

~~3)~~D) *Basis of Approval*

The basis for approving a ~~Planned Commercial (PC) District~~PC application shall be:

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

~~B)~~2) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;

~~C)~~3) That the proposed development advances the general welfare of ~~the~~Jefferson Township and the immediate vicinity; ~~and~~

4) That the benefits, improved arrangement, and the design of the proposed development justify the deviation from standard residential ~~development~~district requirements included in the Zoning Resolution~~.~~; and

~~D)~~5) Any other consideration as determined by the Board of Trustees to be important to the Township in accordance with the Community Core Values and the Comprehensive Plan.

~~4)~~E) *Effect of Approval*

The d~~D~~evelopment p~~P~~lan as approved by the Jefferson Township Trustees shall constitute the ~~Planned Commercial (PC) District~~PC Regulations as they apply to the land included in the approved amendment.

The development plan approval shall be for a period of five (5) years to allow the preparation of the required s~~S~~ubdivision p~~P~~lat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required s~~S~~ubdivision p~~P~~lat is submitted and recorded within the five (5) year time limit, approval of the final development plan shall expire, except if an application for time extension is approved in accordance with the following section.

F) *Plat Required*

In the PC, 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

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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.

5)G) *Extension of Time or Modification*

A) An extension of the time limit of the approved dDevelopment plan may be approved by the Zoning Commission and Township Trustees. Such approval mayshall be grantedgiven upon a finding of the necessity for such extension and that such extension is not in conflict with the general health and safety of the public or of the dDevelopment sStandards for the zoning dDistrict. An application for extension of time shall be filed with the Zoning Commission no later than one hundred eighty (180) days prior to the date that approval of the final development plan will expire.

B) Due to the nature of this Zoning Category, it is contemplated that modification of the approved Development Plan is likely. The Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved Development Plan. The applicant desiring to modify the approved Development Plan shall furnish all particulars, including site plan, etc., that may be required by the Zoning Inspector, for review by the Zoning Commission. Such materials must be filed in the same quantities as required at the time of the original zoning hearing at least 10 days prior to review by the Zoning Commission. A public hearing shall not be required. After reviewing the modifications, the Zoning Commission shall vote to approve, approve with modifications or deny the requested modifications. Approval of modification(s) whether major or minor in character, shall be given upon a finding that:

i. A necessity exists requiring the modification;

ii. There is evidence of a reasonable effort to construct the development according to the original Development Plan; and

iii. That the modification is not in conflict with the general health and safety of the public or with the Development Standards for the District.

H) *Divergences*

1) An applicant for PC approval may request a divergence from any development standard or other requirement set forth in this Section 640. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the development

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plan submittals, with a request that the proposed divergence be approved as part of and as shown on the development plan.

## Section 640.05 – Development Standards

The following standards for arrangement and development of land and buildings apply to the Planned Commercial (PC) District. When not specifically supplanted by the following standards as approved in the Development Plan, the General Development Standards (Article VIII of this Resolution) also apply:

1) *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.

2) *Side Yards*

The required yard shall be no less than one hundred (100) feet.

3) *Rear Yard*

The required yard shall be no less than one hundred (100) feet.

4) *Access*

Whenever multiple structures to be located in a (PC) District 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 (PC) District shall derive their access from the interior streets within the (PC) District, unless specific exemptions are made as part of the approved Development Plan.

5) *Parking*

Off-street parking, loading and service areas shall be provided in accordance with Article VIII. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and structural arrangement set forth in the Development Plan.

6) *Screening*

A) Screening shall consist of earth mounding, plantings, fencing, or a combination of the same. A general screening and landscaping plan shall be prepared and submitted as a part of the Development Plan. Fencing utilized in providing screening shall be incorporated into the overall architectural design concept. Whenever a proposed (PC) District abuts or can be seen from a residential area, screening shall be provided along the entire area of abutment in a manner that is acceptable to the Zoning Commission and effectively screens the residential areas from the proposed commercial activities.

B) Parking. All open off-street parking areas consisting of five (5) or more parking spaces or one thousand (1,000) square feet or more shall be screened from view of residential uses. Curb barriers shall be provided. Grass, plantings or other acceptable surface material shall be provided for all areas bordering the parking area. When large parking

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~~areas are planned, landscaped islands or medians shall be utilized to lessen negative visual impact and direct traffic flow.~~

~~C) 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.~~

~~D) 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. 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 total visual screen. 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.~~

~~7) *Landscaping*~~

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~~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 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.~~

~~8) *Stormwater Drainage*~~

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~~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*~~

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~~Information regarding sewage disposal and water supply techniques to be utilized will be provided in the application for the proposed (PC), 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*~~

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A) The Development Plan shall indicate general exterior design and potential materials. All buildings shall be constructed with materials compatible with the surrounding environment and with the design character of adjacent buildings.

B) All private deed restrictions pertaining to design character and location of buildings shall be included in the Development Plan.

C) No parcel or lot shall have constructed thereon any building(s) which shall have a ground level floor area of greater than twenty-five percent (25%) of the lot or parcel upon which said building(s) is or are constructed.

D) 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.

E) No outside storage shall be permitted within a (PC) District. 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. Trash dumpsters shall have lids and shall be screened from view on all sides.

F) All utilities shall be placed underground.

G) All belowground storage facilities not under the ground floor of structures must be illustrated on the Development Plan.

11) *Graphics*

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A) The Development Plan shall specify the signage concept indicating the general locations and sizes of all exterior signs and the relationship of signs to overall architectural design of the development. No sign located within the (PC) District shall advertise off-premise activity. The Detailed Site Plan shall illustrate sign materials and composition.

B) Each business may have one (1) sign attached to the structure below roof level, other than identification signs for service areas. No sign attached to the structure in which the business is located shall be located above roof level. No sign shall project more than eighteen (18) inches from the exterior surface to which it is attached.

C) Signs for individual businesses may be no greater than two and a half percent (2 ½%) of the total exterior surface of the wall to which they are attached. Signs not on a single plane surface or on an irregularly shaped building shall be considered on an individual basis.

D) One (1) development area identification sign shall be permitted within the (PC) District as part of the Development Plan submission. More than one development area

~~identification sign may be approved based upon information submitted as a part of the Development Plan submission verifying the need for same.~~

~~Any development area identification 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.~~

~~Total maximum area permitted for one development area identification sign shall not exceed the following:~~

- ~~One (1) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way for the first fifty (50) feet.~~
- ~~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.~~
- ~~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.~~
- ~~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.~~

~~E) Freestanding signs shall be no more than twenty (20) feet in height, unless otherwise approved as a part of the Development Plan.~~

~~F) Temporary real estate for sale or for lease signs shall not exceed forty (40) square feet in total area, and shall meet all sign setbacks.~~

~~G) A sign may be illuminated provided that no flashing, traveling, animated or intermittent illumination shall be used. Such illumination shall be confined to the area of the sign except when such illumination is backlighting for an otherwise non-illuminated sign.~~

~~H) All private deed restrictions pertaining to signs shall be included as part of the Development Plan.~~

~~12) *Lighting*~~

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~~A) The Development Plan must indicate the types of lamps and lighting fixtures, and the height of lighting fixtures to be used and the relationship of lighting fixtures to overall~~

~~architectural design of the development, subject to Jefferson Township Zoning Commission approval.~~

~~B) 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.~~

~~C) Streetlights 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 Township Trustees.~~

~~D) All private deed restrictions pertaining to lighting shall be included in the Development Plan.~~

## Section 640.06 - Procedure to Modify an Approved Plan

A) Due to the nature of this zoning district Category, it is contemplated that modification of the approved development plan is likely. The Jefferson Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. The applicant desiring to modify the approved development plan shall furnish all particulars, including site plan, etc., that may be required by the Zoning Inspector, for review by the Zoning Commission. Such materials must be filed in the same quantities as require for a zoning hearing at least ten (10) days prior to review by the Zoning Commission. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall, vote to approve, approve with modification or deny the modification based upon the following findings:

1) A necessity exists requiring the modification;

2) There is evidence of a reasonable effort to construct the development according to the original development plan; and

3) That the modification is not in conflict with the general health and safety of the public or with the development standards for the zoning district.

B) *Minor Modification*: A modification which does not substantially deviate from or alter the design, layout and general character of the approved development plan shall be characterized as a minor modification. Minor modifications include, but are not limited to:

1) Adjusting the location of easements for public utilities.

2) Altering and/or modifying deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.

3) Minor relocation of public street(s) or entries (Relocation less than one hundred (100) feet from original approved location.

4) Changing the location of approved uses when such change does not substantially alter the layout as shown on the approved development plan.

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5) Reducing impervious cover increasing screening, stormwater retention or other green space.

6) Such other changes that do not substantially alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

C) *Major Modification*: A modification which substantially deviates from or alters the design, layout and general character of the approved development plan or approved as part of the rezoning, shall be characterized as a major modification.

1) Altering the mix of uses when such mix has been approved as part of the development plan.

2) Enlarging footprint of structures more than fifteen percent (15%) above the size approved as part of the development plan.

3) Increasing the number of structures.

4) Modifying deed restrictions, architectural concepts or landscaping design so as to be more restrictive than those made a part of the approved development plan or approved as part of the rezoning.

5) Relocating easements when such relocation alters the layout, design and character of the approved development.

6) Relocation of public street(s) or entries (Relocation more than one hundred (100) feet from original approved location).

7) Changing the location of approved uses when such change substantially alters the layout as shown on the approved development plan.

8) Increasing impervious cover decreasing screening, stormwater retention or green space.

9) Other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

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# 10) SECTION 650 – - PLANNED INDUSTRICAL PARK DISTRICT (PIP)Planned INDUSTRial PARK DISTRICT (PIP)

## Section 650.01 - –Permitted Uses

The following uses shall be permitted in the Planned Industrial Park (PIP) District (PIP).

A) 1) *Industrial Development*

The purpose of this district is to allow mManufacturing, processing, warehousing and industrial service activities located and maintained within the limits of the dDevelopment sStandards of these Planned Industrial Park District rRegulations and in accordance with the approved dDevelopment pPlan. The PIP may also include

cCommercial establishments normally associated with and intended to serve the industrial establishments or their employees and approved as a part of the dDevelopment pPlan.

## Section 650.02 - Permitted Uses

Land and buildings within the PIP shall be used only for those specifically selected uses identified by an applicant for zoning plan amendment and found within the Suburban Office, Neighborhood 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 specifically approved by the Board of Township Trustees as part of the Development Plan required for the subject tract. Said permitted uses shall run with the land as long as the PIP zoning as approved remains in effect.

## Section 650.03 - Tract Size Criteria

The owner or owners of a tract of land twenty-five (25) acres or more in area may request that the Official Zoning District Map be amended to include such tracts in the PIP in accordance with the provisions of Article IX and the following requirements:

The twenty-five (25) acre requirement may be reduced if the use of the total area is set forth in the application, including:

A) Type of firm or firms to be located in the district;

B) A site plan for the development of each lot, including the placement of structures, storage area, parking areas, yard space, and other activities; and

C) Any other consideration deemed appropriate by Zoning Commission.

## Section 650.04 - Development Standards

In addition to the provisions of Article VIII – General Development Standards, the following standards for arrangement and development of land and buildings are required in the PIP.

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A) *Intensity of Use*

1) A use allowed in this zoning district shall entirely enclose its primary operation within a structure. Open storage and service areas and loading docks shall be screened from view by walls or fences at least six (6) feet, but not more than twelve (12) feet in height.

2) Permitted uses of this zoning district may be developed in accordance with the development standards of Article V, Section 570, Restricted Industrial District Regulation (RI).

B) *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.

C) *Side Yards*

Side yards shall not be less than two hundred (200) feet.

D) *Rear Yard*

Rear yards shall not be less than two hundred (200) feet.

E) *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; and

3) An easement for landscaping and screening 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 provide plantings, which will screen the industrial uses from view of residential and rural areas. All intervening spaces between the right-of-way line and project building line and intervening spaces between buildings, drives, parking areas.~~These commercial establishments are: financial institutions, restaurants, gasoline service stations, automobile repair establishments, recreation or other personal enrichment facilities established primarily for employees of industrial establishments or in conjunction with commercially operated recreation establishments, developed as a part of the approved Development Plan.~~

## Section 650.05~~2~~ – - Application Requirements and Procedure

The following procedure shall be followed in placing land in the ~~Planned Industrial Park District~~PIP.

A) ~~*1) Submission of Application*~~*Site Plan*

~~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 IX and the following requirements:~~

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~~The twenty five (25) acre requirement may be reduced if the use of the total area is set forth in the application, including:~~

~~A) The type of firm or firms.~~

~~A site plan for the development of each lot, including the placement of structures, storage area, parking areas, yard space, and other activities.~~The PIP requires that the applicant provide details, which are traditionally found in the subdivision stage of development approval. It is therefore suggested that the applicant informally discuss his plans with Franklin County subdivision authorities (e.g. Franklin County Economic Development and Planning Department, Franklin County Engineer, Franklin County Board of Health, etc.) and Jefferson Township Zoning Commission prior to submitting a formal application.

B) *Submission of Applicant*

~~B)~~ The owner or owners of a tract of land may request that the Official Zoning District Map be amended to include such tract in PIP in accordance with the provisions of Article VI.

C) ~~2)~~ *Development Plan Submission*

Ten (10)~~Eight (8)~~ copies of a d~~D~~evelopment p~~P~~lan shall be submitted with the application to amend the Official Zoning District Map. Such d~~D~~evelopment p~~P~~lan shall include in text and map form:

~~A)~~1) The proposed location and size of industrial areas, indicated by sketch, map, or text indicating the general development character of the tract, limitations or controls to be placed on industrial uses, processes, operations, locations, or the types of tenants, probable lot size, and other development features, including the landscaping plan, and screening.

~~B)~~2) The proposed location and size of non-industrial uses within the tract indicating types of proposed uses such as commercial, community service or facility, or other associated non-industrial activity.

~~C)~~3) The proposed provisions of water, sanitary sewer, industrial waste disposal, and surface drainage facilities, including engineering feasibility studies.

~~D)~~4) The proposed schedule of site development and associated facilities, including streets, utilities, services, and other facilities.

~~E)~~5) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.

~~F)~~6) 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.

~~4)~~D) *Basis of Approval*

The basis for approving a ~~Planned Industrial Park District~~PIP application shall be:

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

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B)2) That the proposed development is in conformity with a comprehensive plan or a portion thereof as it may apply;

C)3) That the proposed development advances the general welfare of theJefferson Township and the immediate vicinity;

4) That the benefits of improved arrangement and design of the development justifies deviation from the standard requirementszoning districts for industrial development included in this Zoning Resolution.; and

D)5) Any other consideration as determined by the Board of Trustees to be important to the Township in accordance with the Community Core Values and the Comprehensive Plan.

D)E) *Effect of Approval*

The dDevelopment pPlan as approved by the Jefferson Township Trustees, shall constitute an amendment to the Planned Industrial Park District RegulationsZoning Map, causing the land subject to the application to be rezoned as PIP. Those regulations approved as part of the development plan shall as they apply to the land included in the approved amendment:

The approval shall be for a period of five (5) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required sSubdivision pPlat is submitted and recorded within the five (5) year time limit, approval of the final development plan shall expire, except if an application for time extension is approved in accordance with the following section.

E)F) *Plat Required*

In the Planned Industrial Park DistrictPIP, no use shall be established or changed and no structure shall be constructed or altered until the required sSubdivision pPlat has been recorded in accordance with the Subdivision Regulations for Franklin County, Ohio. The sSubdivision pPlat shall be in accord with the approved dDevelopment pPlan and shall show or include:

1) A) 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) B) The nature and extent of earthwork required for site preparation and the installation of public improvements such as streets and utilities.

3) C) 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.

F)G) *Extension of Time or Modification*

A)1) An extension of the time limit of the approved dDevelopment plan may be approved by the Zoning Commission and Township Trustees. Such approval shall be given upon a finding of the necessity for such extension and that such extension is not in conflict with the general health and safety of the public or of the dDevelopment sStandards for the zoning dDistrict. An application

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for extension of time shall be filed with the Zoning Commission no later than one hundred eighty (180) days prior to the date that approval will terminate.

H) *Divergences*

1) An applicant for PIP approval may request a divergence from any development standard or other requirement set forth in this Section 650. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the development plan submittals, with a request that the proposed divergence be approved as part of and as shown on the development plan.

## Section 650.06 - Procedure to Modify an Approved Plan

A) Due to the nature of the PIP, it is contemplated that modification of the approved development plan is likely. The Jefferson Township Zoning Commission shall be notified of any proposed or contemplated modification to the approved development plan. The applicant desiring to modify the approved development plan shall furnish all particulars, including site plan, etc., that may be required by the Zoning Inspector, for review by the Zoning Commission. Such materials must be filed in the same quantities as required for a zoning hearing at least ten (10) days prior to review by the Zoning Commission. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall, vote to approve, approve with modifications or deny the modification based upon the following findings:

1) A necessity exists requiring the modification;

2) There is evidence of a reasonable effort to construct the development according to the original development plan; and

3) That the modification is not in conflict with the general health and safety of the public or with the development standards for the zoning district.

B) *Minor Modification*: A modification which does not substantially deviate from or alter the design, layout and general character of the approved development plan or approved as part of the rezoning shall be characterized as a minor modification. Minor modifications include, but are not limited to:

1) Adjusting the location of easements for public utilities.

2) Altering deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.

3) Minor relocation of public street(s) or entries (Relocation less than one hundred (100) feet from original approved location).

4) Changing the location of proposed structures/uses when such change does not substantially alter the layout as shown on the approved development plan.

5) Reducing impervious cover increasing screening, storm water retention or other green space.

6) Such other minor changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

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C) *Major Modification*: A modification, which substantially deviates from or alters the design, layout and general character of the approved development plan; or approved as part of the rezoning, shall be characterized as a major modification.

1) Altering the mix of approved uses when such mix has been approved as part of the rezoning.

2) Enlarging footprint of structures more than fifteen percent (15%) above the size approved as part of the development plan.

3) Increasing the number of structures.

4) Relocating easements when such relocation alters the layout, design and character of the approved development.

5) Relocation of public street(s) or entries (Relocation more than one hundred (100) feet from original approved location).

6) Changing the location of approved uses when such change substantially alters the layout as shown on the approved development plan.

7) Increasing impervious cover; decreasing screening, stormwater retention or green space.

8) Such other major changes that significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

~~B) **Due to the nature of this Zoning Category, it is contemplated that modification of the approved Development Plan is likely. The Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved Development Plan. The applicant desiring to modify the approved Development Plan shall furnish all particulars, including site plan, etc., that may be required by the Zoning Inspector, for review by the Zoning Commission. Such materials must be filed in the same quantities as required at the time of the original zoning hearing at least 10 days prior to review by the Zoning Commission. A public hearing shall not be required. After reviewing the modifications, the Zoning Commission shall vote to approve, approve with modifications or deny the requested modifications. Approval of modification(s) whether~~

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**major or minor in character, shall be given upon a finding that:**

i) **A necessity exists requiring the modification;**

ii) **There is evidence of a reasonable effort to construct the development according to the original Development Plan; and**

iii) **That the modification is not in conflict with the general health and safety of the public or with the Development Standards for the District.**

**Section 650.03 – Development Standards**

**In addition to the provisions of Article VIII – GENERAL DEVELOPMENT STANDARDS, the following standards for arrangement and development of land and buildings are required in the Planned Industrial Park District.**

**1) *Intensity of Use***

A) **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 from view by walls or fences at least six (6) feet, but not more than twelve (12) feet in height.**

B) **Permitted Uses of this District may be developed in accordance with the Development Standards of Article V Section 570, (RI) Restricted Industrial District Regulations.**

**2) *Lot Width***

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**~~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.~~**

**~~3) *Side Yards*~~**

**~~Side yards shall not be less than two hundred (200) feet.~~**

**~~4) *Rear Yard*~~**

**~~Rear yards shall not be less than two hundred (200) feet.~~**

**~~5) *Improvements Required*~~**

**~~The following improvements shall be required:~~**

**~~A) Street improvements within or adjacent to the tract in accordance with the requirements of the Subdivision Regulations for Franklin County, Ohio.~~**

**~~B) Water and sewer facility improvements in accordance with the requirements of the Subdivision Regulations for Franklin County, Ohio.~~**

**~~C) An easement for landscaping and screening 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 provide plantings, which will screen the industrial uses from view of residential and rural areas. All intervening spaces between the right-of-way line and project building line and intervening spaces between buildings, drives, parking areas.~~**

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# SECTION 660 Blacklick Village Planned Mixed Use Overlay Zoning District (PMUD)

## Section 660.01 Purpose

Pursuant to ORC §Section 519.021 of the Ohio Revised Code, the Blacklick Village Planned Mixed Use Overlay District (PMUD) is created to further the purpose of promoting the public health, safety, convenience, comfort, prosperity or general public welfare health, safety and morals; andto further the Jefferson Township's goals, policies, and strategies to encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in the planning and building of all types of development. The Blacklick Village Planned Mixed Use Overlay Zoning District specifically achieves this purpose by allowing for a mixture of residential, office, and commercial retail uses in an architecturally appealing and pedestrian oriented environment.

## Section 660.02 Overlay Area

The Blacklick Village Planned Mixed Use Overlay Zoning District is created pursuant to ORC §Section 519.021(C) of the Ohio Revised Code and encompasses, includes and overlays all parcels within the Blacklick Village Planned Mixed Use Overlay Zoning District Map and parcel number list, which map and parcel number list are attached hereto as Figure 1. Other zoning regulations and zoning districts that exist at the time this Section is established continue to apply to all properties within this overlay district unless an application by an owner of property located within the overlay district to subject the owner's property to the provisions of the Planned Mixed Use District is approved. Such an application, which shall include a development plan, shall be made in accordance with the regulations, and meet the standards set forth, in this Section 660. Upon receiving such an application, the Jefferson Township Zoning Commission shall determine whether the application and development plan comply with the provisions of this Section 660. If the Jefferson Township Zoning Commission determines that the application and development plan comply with the provisions of this Section 660 and approve the application, the Zoning Commission shall cause the zoning map to be changed so that any other zoning district that applied to the subject property no longer applies to that property; with the property being thenceforth located in the Planned Mixed Use District and subject to the regulations thereunder. The approval of the application and plan; and the removal of the prior zoning district from the zoning map is a ministerial act, and shall not be considered to be an amendment or supplement to the Jefferson Township Zoning Resolution.

## Section 660.03 Criteria

In order to be eligible for consideration under this Section, a proposed development must be located within the Blacklick Village Planned Mixed Use District and shall meet all of the following:

A) Include a mix of office, residential, and/or retail uses and open space that is vertically and/or horizontally integrated throughout the site;

B) Integrate civic spaces and uses into the site to serve as gathering places for residents and visitors;

C) Use increased floor areas and higher intensity use of land to create vitality and enhance real property values;

D) Provide for an enhanced physical image. Designs shall compliment the high quality residential neighborhoods and rural character of Jefferson Township.

E) Provide pedestrian and vehicular links both within the site and to adjacent neighborhoods where possible;

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F) Demonstrate consistency with the design standards listed herein;

G) Demonstrate efficiency in providing public and utility services as well as innovation in the planning and construction of a variety of uses compatible and complementary to each other.

## Section 660.04 Focus

The proposed development shall, in general, have a strong pedestrian orientation, and shall be of overall economic and aesthetic benefit to the community. The design of each development shall include a neighborhood mix of uses including office, retail, residential, and areas for leisure and civic activities.

## Section 660.05 Permitted Uses

The following uses may be permitted within the PMUD, provided that each such use is specifically set forth in the development plan and approved as an appropriate use permitted by the Jefferson Township Zoning Commission.

A) *Residential Uses*

1) Multifamily, including apartments, senior housing, townhouses, condominiums, upper story units, flex units.

2) Single family, including detached condominiums

3) Home occupationB) Residential/Commercial Uses

1) Daycare – adult and child

2) Live-work units

3) Lodging/Hotel/Motel

4) Upper Story Residential

5) Upper Story Office

C) *Commercial Uses* (See North American Industry Classification System – 1997 version)

1) Retail, ***except*** Classification 441, Motor Vehicle and Parts Dealers; 447, Gasoline Stations; 45431, Fuel Dealers; 44410, Home Centers; 452910, Warehouse Clubs and Superstores; 453930,

Manufactured (mobile) Home Dealers; and 454210, Vending Machine Operators

2) Drive-through* (see special requirements)

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3) Financial services, ***except*** 422298, all other Non-depository Credit Intermediation

4) Entertainment, ***except*** 7132, Gambling Industries; and 99999, Adult Entertainment

5) In Between gathering places (coffee bar, pub, exercise clubs, neighborhood retail)

6) Personal Services, ***except*** 811, Repair and Maintenance; and 81233, Linen & Uniform Supply; 812331, Linen Supply; and 812332, Industrial Launderers

7) Specialty educational facilities – music, dance, art/craft; galleries/museums

D) *Office Uses*

1) Professional offices

2) Office services

A) *Other Uses*

1) Public and institutional (houses of worship, government office, deputy registrar, senior citizens center, community center, post office, library, public educational facility

2) Open space – parks, waterways, woodlots, leisure paths & trails, nature preserves

3) Uses serving a light rail transportation depot

Listed uses are to be defined by their customary name or identification, except where they are specifically defined or limited in the Zoning Resolution. When a listed use has a number preceding the name, it is the code number as listed in the North American Industry Classification System, Executive Office of the President, Office of Management and Budget, 1997 edition (hereinafter referred to the "NAICS Code"). The full text of the listing in the NAICS Code shall be part of the definition of the uses listed in this Zoning Resolution and is hereby incorporated herein and adopted hereof.

## Section 660.06 Development Plan

Approval of a development plan is required within the Blacklick Village Planned Mixed-Use Overlay District. The (2) two-step development plan review and approval process includes submission of a sketch development plan and a final development plan. Both plans shall be reviewed by staff and the Zoning Commission. Depending on the scope and complexity of the project proposed, the Zoning Commission may permit the sketch development plan and the final development plan to be combined as one submission.

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## ~~Section 660.07 Additional Criteria~~

~~In addition to the findings required to approve an application and a final development plan for the PMUD, compliance with the following standards and criteria shall be considered in the review of the development plan applications:~~

~~A) That it is consistent with the design submitted in the pre-applications sketch plan as outlined below and meets all of the design features required in this Article;~~

~~B) That it is consistent in all aspects with the purpose, criteria, intent and standards of this Section and with the Jefferson Township Zoning Resolution, and that any divergence is warranted by the design and amenities incorporated in the development plan;~~

~~C) That the proposed development advances the public health, safety, convenience, comfort, prosperity or general welfare and morals of the Jefferson Township and the immediate vicinity, and promotes the general public welfare, encourages the efficient use of land and resources, promotes greater efficiency in providing public services, and encourages innovation in the planning and building of the proposed development;~~

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~~D) That the proposed development will be adequately served by essential public facilities and services such as roads, walks, police and fire protection, drainage structures, refuse disposal, water and sewer lines, and schools;~~

~~E) That it complies with the Jefferson Township comprehensive plan and Community Core Values, as they might apply to the application;~~

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~~F) That the proposed development is in keeping with the existing land use character and physical development potential of the area;~~

~~G) That it is consistent and/or compatible with other development on nearby property.~~

## Section 660.19 Development Standards

A) *Purpose and Intent*

1) The purpose of the development standards is to encourage the best development of improvements to the built environment that are consistent and compatible with the Community Core Values and the outstanding residential environment of Jefferson Township.

2) The development standards provide guidance to the applicant regarding site layout; architecture; building materials, treatment and color; landscaping, screening and buffering; signage, and other site improvements.

3) The development standards implement the land use, development, and urban development policies of the Jefferson Township.

4) The development standards represent the Jefferson Township's expectations relative to changes in the built environment.

5) The development standards are to be used by Jefferson Township staff, Zoning Commission, Board of Zoning Appeals, Jefferson Township Trustees, and other boards and commissions in the review, evaluation, and approval of development and improvements to the Blacklick Village Planned Mixed Use District properties.

B) *General Provisions*

1) The development standards are to be applied to all requests for approval of a site plan, development plan, landscape plan, or permit for zoning compliance permit.

2) The applicant shall specifically address relevant development standards in the material submitted for development plan approval, showing evidence that demonstrates consistency with these standards.

3) The Zoning Commission shall use these standards as a means of evaluating the development proposal and shall have the authority to require changes to ensure consistency with the intent of these standards.

4) The approval of an application for zoning compliance permit and subsequent inspection by the Township shall ensure that the constructed development fulfills the intent of the approval as related to these standards.

C) *Interpretation*

In situations where these standards conflict with a standard or requirement, elsewhere within the Jefferson Township Zoning Resolution, the standard or requirement within this Section shall govern.

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D) *Development Principles*

1) To create outstanding business/residential areas in the Jefferson Township that reflects natural, cultural and historic heritage, the development sensitivity, and other qualities of the Jefferson Township.

2) To promote the use of quality and long lasting building materials, as well as building development, landscaping, and site developments.

3) To facilitate the development of well designed areas within this overlay district into mixed-use centers that reflects the vision, policy and goals of the Jefferson Township.

4) To create a walkable community supported by a safe, pedestrian-friendly, built environment with alternatives to automobile, including mass transit.

5) To safeguard a potential light rail mass transportation facility.

6) To expand the Jefferson Township tax base by facilitating quality enhancement, reinvestment, and redevelopment of the Blacklick Village business and residential areas.

7) To create areas for community gathering and celebration that reinforces the civic nature of the Jefferson Township.

8) To integrate business areas into the fabric of the Jefferson Township through connections with the street and walkway networks as applicable; to create compatibility in development and architecture, and to provide well designed and effective screening and buffering.

*E) Lot area, Setback, Height and Parking General Development Standards*

Applications for a Blacklick Village Planned Mixed-Use Overlay District must include a land area of not less than two (2) acres.

Setback, structure height, area, parking and lot coverage Requirements

| | **Building Setback** | | | | | | |
|---|---|---|---|---|---|---|---|
| | Maximum from Curb Face[1] | Minimum from R.O.W. | Maximum from R.O.W. | Minimum Side Yard | Minimum Rear Yard | Maximum Impervious Surface Coverage | Minimum Contiguous Land Area |
| Planned Mixed-Use District | 15 feet | 0 feet | 10 feet | 0[2] feet | 0[2] feet | 80 % | 2 acres |

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[1] If the maximum building setback from the curb is within the existing right-of-way,

then the setback shall not exceed ten (10) feet or the maximum setback from the right-of-way for each district

unless otherwise required by the County Engineer.

[2] Adjacent to a different zoning category, the setback shall incorporate the adjacent setback up to ten feet.

| | Minimum to Maximum Floor Area Ratio | Minimum Building Frontage | Maximum Block Length | Maximum Stories | | Parking Ratio | |
|---|---|---|---|---|---|---|---|
| | | | | | | Non-Residential spaces per sq. ft. | Residential spaces per dwelling unit |
| **Planned Mixed-Use District** | 0.60 - 0.75 | 60 % | 400 feet | 3 | 40 feet | 3 / 1,000 sqft | 1.5 |

The provision of parking within Blacklick Village Planned Mixed-Use District shall meet the requirements provided in this Section. In most cases, the provision of parking shall occur in surface parking lots and garages that meet the needs of multiple tenants and users. In cases where a single tenant structure or user is meeting all of its parking needs in a separate facility, the maximum parking requirement shall still apply. Mixing uses so as to stagger peak parking period is encouraged. For non-residential uses, the minimum number of parking spaces required is 3 per 1,000 square feet of gross floor area, and the maximum number of parking spaces permitted is 5 per 1,000 square feet of gross floor area.

6) *Site Planning*

**Purpose and Intent**

The placement of structures on a site is critical to meeting the purpose and intent of this Section. Placement shall consider the built context of the area, but where that context is suburban in character (low density, large setbacks, extensive surface parking) a new context shall be developed that is new urban in character. The following standards shall apply:

*1) New Urban Context*

Structures shall be sited in a manner that will create a new urban physical context, including defining public and pedestrian spaces. Sites shall be developed in a coordinated manner to provide order and diversity and avoid a confused development. Sites shall provide for connectivity and pedestrian orientation.

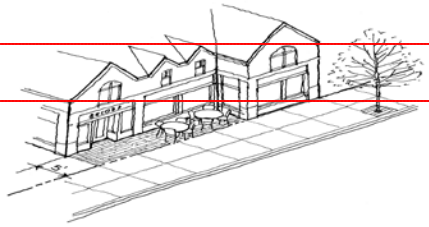
2) *Setbacks and Visual Connections*

New structures shall be built to or near the right-of-way and clustered to create plazas and pedestrian spaces. When clustering is impractical, a visual link between separate structures shall be established using an arcade system, trellis or other open structure.

3) *Building Setbacks*

A portion of a building setback can be increased an additional five to ten feet from the right-of-way if the setback area is surfaced with brick or similar material and contains outdoor amenities (i.e. seating, dining, etc.).

*An example of increasing setback to provide for outdoor dining.*



*4)Pedestrian Orientation*

While a mix of pedestrian and vehicle circulation is crucial to successful new urban planning, structures and on-site circulation systems shall be located to emphasize a pedestrian orientation and minimize pedestrian/vehicle conflicts. Structures shall be linked to the pedestrian system with such features as textured hard-surface sidewalks and paving; special architectural features; landscaping, or trellises.

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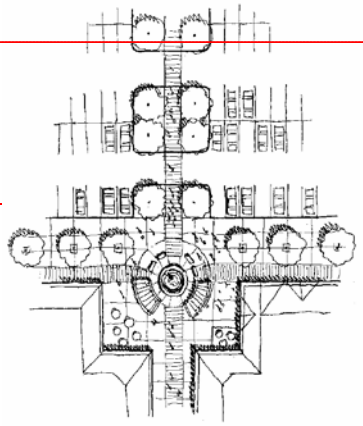
~~*5Outdoor Rooms*~~

~~Spaces between buildings shall be recognized as "outdoor rooms". They shall be defined by recognizable, form giving shapes and details that reflect careful planning and are not simply "left over" spaces. Pedestrian amenities such as shade, benches, fountains, etc. shall be provided.~~

~~*G) Civic Spaces*~~

~~Civic spaces, such as plazas and squares, shall be provided in centralized locations that create inviting places for social interaction. About 50 percent of the space of a plaza shall open along streets. About 75 percent of the space of a square shall open along streets.~~



*Examples of creating strong pedestrian orientations that link buildings, civic spaces and off-street parking.*

~~Successful Civic and Public space development will orient such spaces to optimize exposure to sunlight and prevailing breezes and avoid being predominantly shaded by adjacent structures or exposure to the prevailing direction of harsh winds.~~

~~7) *Freestanding Structures*~~

~~Freestanding, singular commercial structures shall be oriented with their major entry toward the street and sidewalk where access is to be provided, as well as having their major façade parallel to the street.~~

~~8) *Loading*~~

~~Loading facilities shall be located to the rear of structures and shall be appropriately screened. Their placement shall also consider proximity to residential areas to minimize noise impacts.~~

~~K) *Stormwater*~~

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~~Sites shall be developed to effectively utilize the Township and/or County storm water management practices and storm water system to appropriately handle storm runoff.~~

~~I.) *Utilities*~~

~~Electrical and other wiring to support on site utilities, such as electricity, telephone, satellite dishes, cable television, internet service, etc. shall be placed underground.~~

~~*H) Architectural Treatment*~~

~~**1)** *Purpose and Intent*~~

~~Development shall provide quality, interesting and long lasting style and shall incorporate materials that are appropriate to Jefferson Township's built environment.~~

~~***Required Elements:***~~

~~Richness of surface and texture;~~

~~Limestone, clapboard and board & batten as exterior wall materials; dimensional shingled, architectural metal and similar 'rural character' roofs;~~

~~Significant wall articulation (such as insets, canopies, wing walls, reveals, pilasters, trellises);~~

~~Multi-planed, pitched roofs;~~

~~Roof overhangs and arcades;~~

~~Regular or traditional window rhythm;~~

~~Articulated mass and bulk;~~

~~Pedestrian orientation;~~

~~Significant landscape and hardscape elements of wood and/or stone;~~

~~Landscaped and screened parking;~~

~~Comprehensive sign program with strong pedestrian-scale orientation; and,~~

~~Traditional building development with base, middle and cap~~

~~***Prohibited Elements:***~~

~~Large blank, unarticulated wall surfaces or unpainted concrete block walls;~~

~~Highly reflective surfaces; metal, vinyl or plastic siding; large expanses of stucco, exterior insulation and finish systems (i.e. dryvit) and similar materials except when used as trim;~~

~~Industrial or non-architectural metal roofs;~~

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~~Square "boxlike" structures;~~

~~Mix of unrelated elements (i.e. rustic wood shingles and polished chrome);~~

~~Visible outdoor storage, loading, and equipment areas;~~

~~Disjointed parking areas and confusing circulation patterns;~~

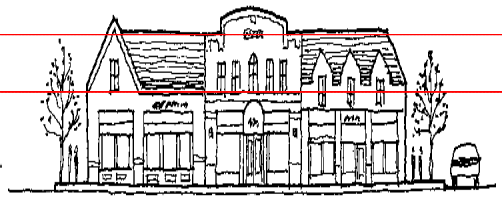
~~Lack of pedestrian circulation and connectivity; and,~~

~~Large, unarticulated asphalt and/or concrete paved surfaces~~

~~B2) *Standards:*~~

~~a) *Avoid Box-Like Structures*~~

~~Large buildings that give the appearance of "box-like" structures shall be avoided. In general, planes of the exterior walls shall be varied in depth and/or direction. For retail buildings, facades shall be relatively flat with a simple roof with wing and wall articulations to the rear. Building height shall be varied so that it appears to be divided into distinct massing elements. The different parts of a building's façade and mass shall be articulated by the use of color, arrangement of façade elements, or a change in materials. Landscaping and architectural detailing can be used at ground level to lessen the impact of a bulky building. Building scale shall be carefully related to the adjacent pedestrian areas. Use of standardized corporate architecture styles associated with chain-type businesses are not appropriate within this district.~~



*Box-like structures shall be articulated as shown at left to create a more interesting architectural statement, as opposed to the example below, which is not acceptable in the Township.*

~~b) *Building Facades*~~

~~Building facades must provide a visually interesting environment and shall avoid uniform development styles. Upper floors shall be distinguished by decreased solid-to-void ratios. The ratio of fenestration to wall of the building façade shall be less than 35 percent (65 percent for retail storefronts). Vertical piers, pilasters or other vertical visual elements shall be creatively used when appropriate to break the plane of long facades.~~

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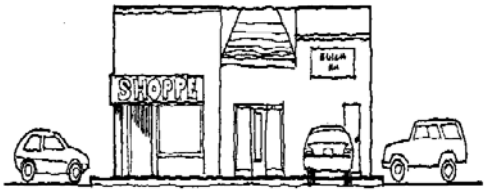


*The example to the left represents the way in which building facades can be creatively consistent with the Township's goals for commercial architecture, as opposed to the example at right that is boxlike and featureless.*

~~3) *Roof Lines*~~

~~The shape of a building's roof shall be simple and compatible with the buildings to which it is visually linked. In general flat roofs shall be prohibited. If a residential style is appropriate, roof pitch shall be a minimum of 5/12. This may be especially true where smaller commercial developments are located in predominantly residential areas.~~

~~4) *Architectural Style and Materials*~~

~~Architectural style and materials shall be compatible throughout an area. Each building façade shall have no more than two similar wall materials, textures or colors (the trim is excluded). Heavier materials and colors shall be located below lighter materials (i.e. stone below siding). Materials shall be long lasting. Stone is a material characteristic of the Township and shall comprise at least 50 percent of exterior walls. Materials such as stucco or exterior insulation and finish systems shall be used on no more than 25 percent of exterior walls. The same proportion of materials shall be used on each side of the building. In general, vinyl or aluminum siding and other less durable materials shall not be used. Matte finishes are appropriate and not gloss finishes.~~

~~5) *Height Bonus*~~

~~The portion of a building located within a radius of 50 feet of the right of way of an intersection of two streets may contain an additional story.~~

~~6) *Drive Thru Facilities*~~

~~Businesses that require the use of drive thru facilities as accessory uses shall attach those facilities to the principal building. These facilities shall be located to the rear or side of the principal building or be heavily screened and shall not be visible to a residential use. Such facilities shall be located on the periphery of the District adjacent to high vehicular areas and not in the internal areas of the District.~~

~~*J) Residential Buildings Along Sidewalks*~~

~~When residential buildings are proposed along sidewalks, the finished floor elevation shall be placed about three foot above the grade of the sidewalk to provide for the privacy~~

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of the occupants. To ensure ADA requirements are met within the development, internal units shall be located at the grade level of sidewalks.

*D) Pedestrian Orientation*

**Purpose and Intent**

Development shall emphasize and support a pedestrian-oriented environment. Buildings shall facilitate walking and ease of access by respecting the street.

A) *Entrances*

Buildings shall be oriented toward the predominant pedestrian movement route by providing a direct link between the building and the pedestrian walking system. The main entrance to a building shall be located on the primary abutting street or plaza space and articulated by architectural treatments (canopies, awnings, light fixtures, planters) to give dimension and prominence to the opening. Additional primary entrances shall be provided on all of the façades of the building that abut a street or sidewalk. Secondary entrances shall be provided to parking areas located to the rear or side of buildings.

5) *Ground Floor Opacity*

Windows in the non-residential ground floor of a building facing a public street shall be maximized to emphasize merchandising.

*C) On-Street Parking*

On-street parking may be permitted by the County Engineer, to provide separation between pedestrians and street traffic to ensure safety. Textured pavement, landscaping, low walls, light standards, or other treatments may articulate such separation.

*D) Off-Street Parking*

Safe pedestrian walks shall be provided that are separated from parking and circulation areas. Parking lots shall not lead into buildings, but lead to a sidewalk or the sidewalk system of the development. The pedestrian transition from the parking area to the street shall include storefronts and display windows.

*E) Street Trees*

Street trees shall be installed along all pedestrian walkways. Decorative tree grates shall be provided to protect the tree roots and increase the width of the pedestrian walkway. (See landscaping requirements).

*F) Outdoor Dining*

General areas appropriate for outdoor dining along public and private streets are encouraged, which will create a stronger pedestrian environment.

1) *Outdoor Seating*

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~~Outdoor seating shall be arranged in a conversational grouping with shade.~~

*Outdoor dining shall serve as an amenity along the District's sidewalk system in commercial and Mixed-Use areas.*

~~2) Storefront Development~~

~~The development of storefronts along a sidewalk shall encourage pedestrian activity. Variations in individual storefronts shall be required to change at least every 50 feet. Pedestrian entrances shall be provided at an average of every 50 feet.~~

~~*K) Connectivity*~~

~~**Purpose and Intent**~~

~~All development shall provide for connectivity between the subject site and adjacent parcels. The internal street and sidewalk system of an area shall interconnect in multiple locations with the community wide street and sidewalk system to knit the area together with the greater community.~~

~~*A) Street Pattern*~~

~~In development areas where a new street may be required, a traditional grid street pattern shall be used that connects with adjacent streets. A curvilinear street pattern is strongly discouraged. Cul de sacs and other dead end streets or access points that discourage connectivity are prohibited.~~

~~*B) Blocks*~~

~~Blocks shall not exceed 400 feet in length and shall provide pedestrian linkages at least every 200 feet. Within all other study areas, blocks shall not exceed 200 feet in length and shall provide pedestrian linkages at least every 100 feet.~~

~~C) *Signalized Intersections*~~

~~Potentially signalized, full movement intersections of collector or local streets with arterials streets shall be provided every 1,320 feet (1/4 mile) along arterial streets, unless rendered infeasible due to existing street pattern or existing development.~~

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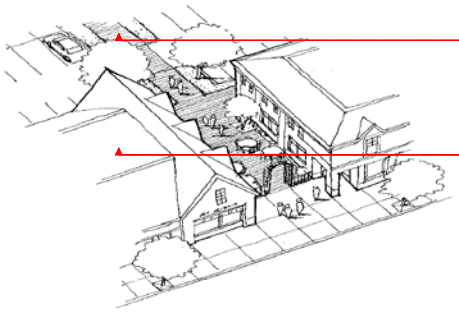
~~*D) Non Signalized Intersections*~~

~~Non-signalized, potentially limited movement, collector or local street intersections with arterial streets shall be spaced at intervals not to exceed 660 feet between full movement collector and local street intersections, unless rendered infeasible due to existing conditions. Access controls may be required to the satisfaction of the County Engineer.~~

~~1) *Sidewalk Connections*~~

~~Sidewalk connections shall be provided between areas, developments within areas adjacent residential neighborhoods, and connecting leisure/multi-purpose paths.~~



*Strong pedestrian connections shall be provided, linking the sidewalk system with internal circulation, plazas, and parking areas. They should create a sense of interest.*

~~F) *Through Block Connections*~~

~~Where appropriate, pedestrian paths shall be provided through mid-block locations and these shall be landscaped and lighted for safety. Such paths shall regularly abut public streets.~~

~~G) *Corner Radii*~~

~~Corner radii shall be tight to shorten the distance necessary for walkers to cross at an intersection~~

~~H) *Crosswalks*~~

~~Crosswalks shall be provided at all intersections with minor and major arterials and at mid-block locations with signalization where necessary. Crosswalks shall be a minimum of 10 feet in width. Pavement treatment shall ensure that crosswalks are fully demarcated, such as by the use of pavers. Crosswalks and adjacent sidewalks shall fully meet ADA requirements. Bulb outs shall be used to reduce the distance of the pedestrian crossing and to slow traffic.~~

~~I) *Gateways and Entry Features*~~

~~**Purpose and Intent**~~

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~~Gateways and entry features are encouraged to announce physical entry to a development area, provided they are complimentary to the overall physical context.~~

~~1) *Treatment*~~

~~Gateways shall be articulated by landscaping, textured pavement, and/or decorative walls and fences that complement the scale and character of the primary building. The sight visibility triangle shall be maintained~~

~~*B) Gated Entries*~~

~~Gated street entryways into developments shall be prohibited~~

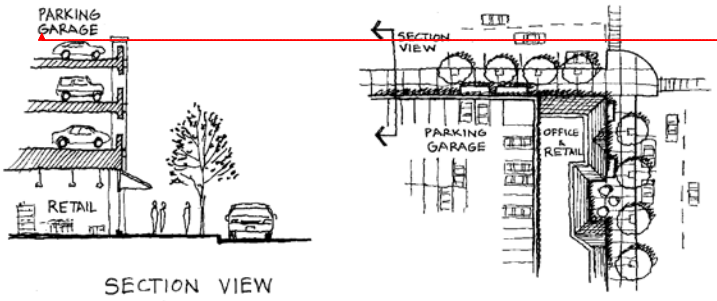
~~**M**) *Parking and Access*~~

~~**Purpose and Intent**~~

~~Parking must be provided to support development, however, its quantity and location shall ensure that parking doesn't dominate a site but compliments the principal uses. Excessive amounts of parking are strongly discouraged. Parking structures are encouraged in redevelopment areas.~~

~~1) *Parking Structures*~~

~~Parking structures shall be placed in the middle of blocks and surrounded by buildings to conceal their appearance. Pedestrian access points, including stairs and elevators, shall be clearly demarcated, but designed to be architecturally compatible with adjacent structures. They shall be landscaped, well lit, and supported with directional signage.~~




*Structured parking is to provide street level retail space where appropriate in redevelopment areas and/or shall be screened by Mixed-Use buildings to provide a suitable transition.*

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2) *Shared Parking*

The Township will encourage shared parking arrangements among compatible land uses (i.e. movie theatre adjacent to office uses).

3) *Access Drives*

For individual, adjacent lots, access drives shall be shared and cross access easements provided. Spacing of access drives shall be approved by the appropriate jurisdiction.

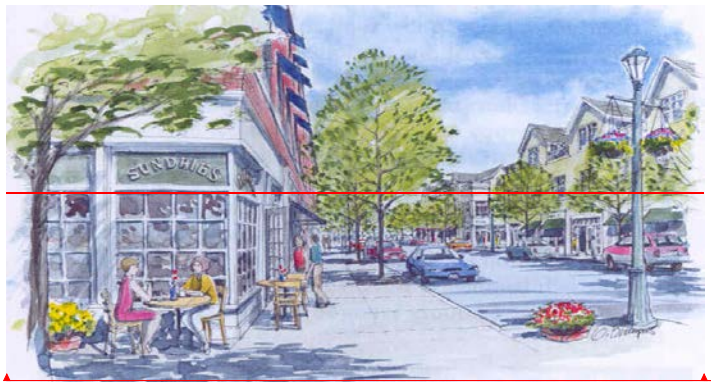
4) *On Street Parking*

On street parking shall be required in development areas and encouraged in other locations, with the approval of the appropriate jurisdiction. On street parking within 200 feet of a use may, if approved by the appropriate jurisdiction, be counted towards meeting the required number of parking spaces.

*N) Streetscape*

**Purpose and Intent**

Within redevelopment areas, an inviting streetscape shall be established on public and private streets, and pedestrian walkways adjacent to parking surface lots and structures.




1) *Lighting*

Lighting levels and fixture heights shall be of a scale and character appropriate to the pedestrian, while providing adequate intensity and dimensions to meet the needs of auto traffic. Vehicular and pedestrian lighting shall be combined to prevent street clutter. A standard style shall be used. See Section 19 for specific lighting standards

2) *Signage*

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~~Signs shall be unified in character with lighting and other ornamentation along the streetscape, and of a scale and height appropriate for pedestrians, cyclists, and motorists. See Section 16 for specific signage standards.~~

~~*C) Tree Plantings*~~

~~Tree plantings unify the streetscape and provide an edge to the roadway. Plantings can provide a comfortable vertical scale, create a cooler microclimate, and can be a visually distinguishing feature. Trees shall be planted densely enough to provide shade for users during the summer months. Species shall be selected to match the scale of the right-of-way and adjacent buildings. See Section 14 for specific landscaping standards.~~

~~1) *Pavement Materials*~~

~~Pavement materials for sidewalks shall be a mixture of concrete, decorative pavers, and other appropriate materials in a unifying pattern within a single development. The pattern shall distinguish the pedestrian zone from the less active street furnishings zone. These patterns shall be designed at a scale appropriate to each right-of-way.~~

~~2) *Street Furnishings*~~

~~High quality street furnishings shall be provided with a unifying style, color and materials per specifications approved by the Township. Furnishings may include benches, trash receptacles, bicycle racks, newspaper boxes, directional signage, banners, kiosks, drinking fountains, and lighting. Placement shall be regular and adequate to serve the needs of the streetscape users.~~

~~*F) Pedestrian Zone*~~

~~The Pedestrian Zone shall be at least five feet wide and provide for unobstructed travel by pedestrians (free of street trees and street furnishings). Cast in place concrete may be an appropriate material for this zone.~~

~~*G) Street Furnishings Zone*~~

~~The Street Furnishings Zone shall be located adjacent to the back of the street curb. The width shall be a function of the building setback, width of right-of-way, and related site characteristics. This zone contains all street furniture, street trees and grates, lighting, signage, parking meters, bicycle parking, trash receptacles, newspaper boxes, kiosks, etc.~~

~~*O) Traffic Calming*~~

~~**Purpose and Intent**~~

~~The safety of streets for pedestrians can be improved with the construction of improvements that improve pedestrian safety. Traffic calming slows traffic, thereby creating a safer driving and walking environment. These measures can also have the dual benefit of increasing traffic flow at safe speeds. Wherever possible, traffic calming devices shall be installed in areas of high pedestrian use.~~

~~1) *Landscaped Medians*~~

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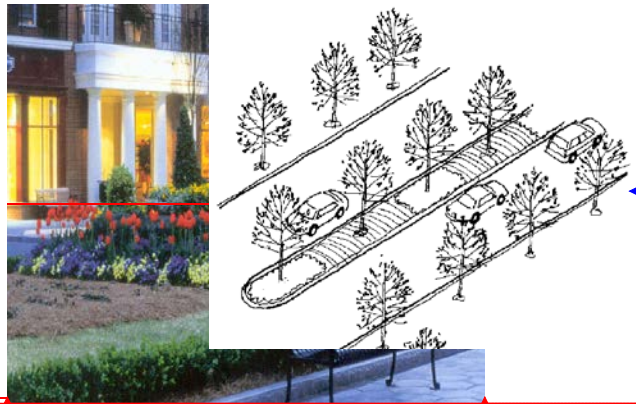
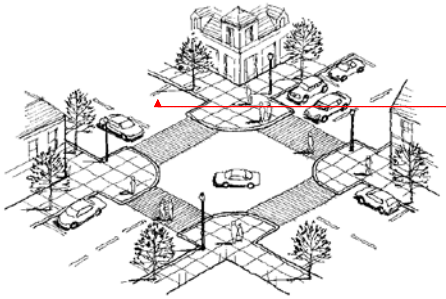
~~Where appropriate, landscaped medians provide a pedestrian respite in the center of busy two-way arterials; pedestrian crossings are more pleasant and more predictable, with less disruption to auto traffic.~~





*Intersections must be designed to provide for the safe movement of pedestrians, and may include bulb-outs at intersections and articulated crosswalks.*

~~*B) Bulb Outs/Curb Extensions*~~

~~Extended curbs (bulb-outs) shall be used at intersections and mid-block crossings to shorten the time required by pedestrians to cross the vehicular travel lanes, which also reduces delays for motorists.~~

~~*C) Neck Downs*~~

~~When the space between curbs is reduced, drivers slow down. Neck downs can also increase the size of existing park strips and allow for more plantings.~~

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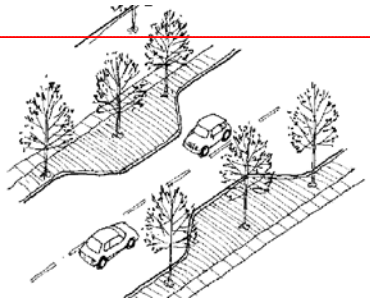
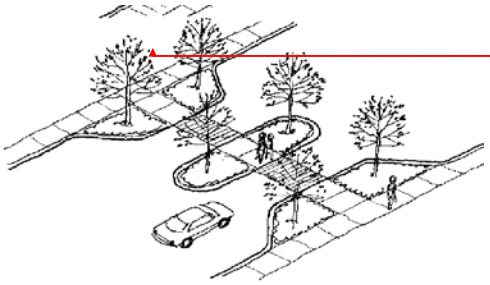


~~*D) Pedestrian Crossing Islands*~~

~~At wide intersections or mid-block crossings, islands create a protected area between travel lanes, allowing the pedestrian to cross one half of the traffic flow at a time.~~



*An example of a mid-block crosswalk with landscaping, bulb-outs and an island. Pedestrians can cross one lane of traffic at a time. Vehicles will travel through this feature at a slower speed.*

~~5) *Mid Block Crosswalks*~~

~~These crosswalks shall be designed with bulb-outs and marked by a different paving material. Signalization may be necessary.~~

~~6) *Painted or Contrasting Pavement*~~

~~The use of painted, stamped or colored concrete or contrasting paving material for cross walks provides a strong visual cue for drivers.~~

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*P) Signage*

**Purpose and Intent**

Signage shall be oriented to the pedestrian and located to slow moving traffic. It shall compliment the character and architecture of the primary building(s). It shall be muted in color, style, materials, and the use of light.

*A) Comprehensive Signage Packages*

Comprehensive signage packages are required to create an integrated communication system. (See Section 16 for specific signage standards).

2) *Signature Signage*

Signature signage elements for redevelopment areas and major development components may be permitted. This element may consist of monument signage or other architectural elements, such as clock towers. Such elements shall not exceed 15 feet in height and five feet in width.

*C) On-Site Signage*

On-site signage shall be oriented to the pedestrian. Perpendicular hanging wall signs designed of high quality crafted materials are preferred.

*D) Banners*

Banner systems attached to light standards in parking lots and along public and private streets are encouraged.

***They shall not exceed 3 feet in width by 4 feet in length.***

*15) Landscaping*

**Purpose and Intent**

Landscaping shall be used to complement structures, buildings and spaces. Softening hard surfaces is important in areas adjacent to residential neighborhoods.

*A) Mixture of Material*

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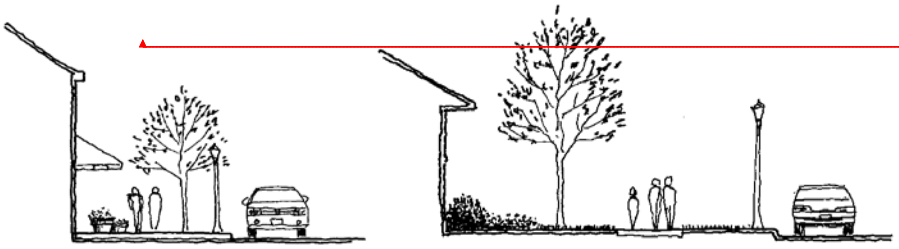
~~The development of planted areas shall provide for a mixture of material based on height, colors, textures, and other factors to create inviting and aesthetically pleasing views. The style of the plantings shall compliment the architectural style of adjacent and nearby buildings.~~

~~*B) Scale*~~

~~Landscaping shall be in scale with adjacent structures and be of appropriate size at maturity to accomplish its intended purpose. Street trees shall not block storefronts and therefore could be located between awnings or at fire/common walls.~~

~~3) *Structure Bases*~~

~~Landscaping around the base of structures is recommended to soften the edge of buildings where appropriate. Landscaping shall be accented at entrances to provide focus for the pedestrian. Where the foundation abuts a sidewalk or outdoor dining area, clusters of complimentary planters shall be used.~~



*In the redevelopment areas, foundation plantings shall be provided in planters, as shown above, while in less dense areas of the Township, landscaped front setbacks are appropriate, as noted above.*

~~*D) Setbacks*~~

~~The building and parking setback along a public street shall be landscaped.~~

~~*E) Off Street Parking Lots*~~

~~Trees shall be located throughout off-street parking lots, in between parking rows, and not simply at the end of parking rows. Such trees shall be located in planters and bounded on at least three sides by parking area paving.~~

~~*F) Native Plant Material*~~

~~Wherever feasible, native plant material shall be used to reduce long term maintenance demands and to ensure survivability.~~

~~*G) Irrigation*~~

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~~In locations that are stressful to plant material, drip irrigation shall be considered to ensure survivability.~~

~~*H) Landscape Plan Required*~~

~~A landscape plan shall be submitted as part of the development plan review process. Such plans shall be reviewed and approved by the Zoning Commission.~~

~~*I) Landscape Bonding*~~

~~Where landscaping is required, no zoning compliance shall be issued until the required landscaping has been completed in accordance with the approved landscape plan as certified by the Zoning Inspector. In instances where conditions do not permit immediate planting of materials and if the Township is furnished with a bond or irrevocable letter of credit, then a Temporary Zoning Compliance may be issued. The required bond or letter of credit must be made payable to the Township in an amount equal to the completed value of lands cape plans and the following:~~

~~i) The cost estimate is to be prepared by a landscape architect, landscape contractor or nurseryman using prevailing material and labor costs.~~

~~ii) The area on site must be set aside and reserved for landscaping, and irrigation shall be in conformance with the approved landscape plan; and~~

~~iii) Landscaping must be installed and approved within 180 days of the date the Temporary Certificate of Occupancy is issued, or the bond and irrevocable letter of credit will be forfeited to the Township prior to the issuance of a final occupancy permit. The Township will utilize the funds it receives from the forfeiture of the bond or letter of credit to landscape the property according to the approved landscape plan. If the Township installs the landscaping, any bond money, in excess of what was expended, will be retained by the Township.~~

~~*J) Existing, New Vegetation*~~

~~Existing vegetation that meets the standards prescribed by the Section should be preserved and may be used to meet some or all of the landscaping requirements, when approved by the Zoning Commission. When not suitable, new plant materials must be provided. Trees and other plant materials may be planted in appropriate clusters or groups and need not be planted in linear or equidistant patterns in the landscape areas.~~

~~1) *Yard Landscaping*~~

~~For each 25 feet of lot width, or portion thereof, there shall be at least one tree planted in required front yards adjacent to a public street. These required frontage trees may be planted on side and/or back yards and may be counted towards street tree planting requirements in this e District, as approved as part of a development plan. The latitude granted in this Section is provided in order to provide greater design flexibility based on landscaping requirements. This rule shall not apply to single family home sites.~~

~~2) *Facades*~~

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~~All facades fronting on a public street or other planting space, where the yard setback is four feet or greater as measured from the sidewalk, shall have continuous foundation plantings except where precluded by access to parking spaces located under the building by building entrances or outdoor dining areas and plazas. Foundation plantings may be accommodated in planters or clustered in a limited number of beds.~~

~~In the case of additions to existing structures, the facades of both the addition and the existing structure shall be landscaped with continuous foundation plantings. Front facades of buildings located on flag lots shall also have continuous foundation plantings.~~

~~3) *Landscape Buffer*~~

~~Any commercial use that adjoins any single family or multi family residential use shall contain a minimum landscape buffer of at least 10 feet in width along all common boundaries, except street frontages, and must contain one of the following:~~

~~i) A continuous masonry wall that is 72 inches in height, eight inches in width, or wood privacy fence. The wall is to be placed two feet from the residentially zoned property line and continue parallel to the property line to the front yard setback line of the residential property. Landscape materials on the side adjacent to the residential use will consist of one Type A tree for every 25 feet and one Type G shrub for every three feet;~~

~~ii) A planted berm, with a maximum slope of 3:1 that is at least 48 inches in height. Landscape materials will consist of at least one Type A tree for every 25 feet and one Type F shrub for every four feet;~~

~~iii) A combination of a planted berm and masonry wall that meets the criteria of the above two paragraphs; and~~

~~iv) A natural landscape buffer area that must remain untouched that is at least 20 feet in width for lots up to 150 feet in depth. The natural landscape area must increase one foot for every 7.5 feet of depth up to a maximum of 60 feet.~~

~~4) *Landscaping, for Surface Parking Lots and Structures*~~

~~Landscape requirements for surface parking lots and structures shall be as follows:~~

~~i) ***Interior Landscaping Requirement:*** Any surface parking lot containing 10 or more spaces shall be provided with interior landscaping covering not less than eight percent of the total area of the parking lot.~~

~~ii) ***Landscape Islands:*** Surface parking lots shall have landscape islands of not less than eight feet in width dividing the parking areas into bays of not more than 15 spaces per bay. At least one Type A tree shall be placed in each required landscape island. Shrubbery, hedges, and other plant materials shall be used to complement the tree, but shall not be used in locations where they would be subject to damage by car overhangs or the opening of car doors. Islands can be constructed "bio swales" to decrease runoff and improve runoff water quality but must be landscaped with vegetation appropriate to this specific design.~~

~~iii) ***Perimeter Landscaping:*** Any surface parking lot of five or more spaces shall be required to provide perimeter landscaping as follows:~~

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~~B) Where the surface parking lot perimeter is adjacent to an abutting residential lot:~~

~~i) A landscaping strip at least ten (10) feet in width shall be located between the parking lot edge of pavement and abutting property lines;~~

~~ii) At least one Type A tree for each twenty-five (25) linear feet, or portion thereof, shall be planted in the landscaping strip; provided, however, up to fifty (50) percent of the required trees may be placed elsewhere on the lot in order to achieve a better landscape effect;~~

~~iii) In addition to the required trees mentioned above, where a parking lot abuts an area which is zoned single-family residential, there shall be a fence, wall, hedge, or other evergreen landscape barrier planted or installed to ensure adequate screening for the entire length of the parking lot.~~

~~The mature height of such Type G hedge within three years shall be no less than five feet; and~~

~~iv) Specifications of material, type, and height of any fences or walls shall be detailed on the landscape plans and be consistent with the primary building design. Perimeter landscaping construction may include "bio-swales" with appropriate vegetation.~~

~~Where the perimeter is adjacent to a public right-of-way:~~

~~i) A landscaping strip a minimum of 10 feet in depth (exclusive of sidewalks or other walkways) shall be located between the parking lot and the right-of-way. In corner side yards in the commercial and Mixed-Use districts, the landscaping strip shall be a minimum of five feet.~~

~~ii) At least one Type A tree for each 25 linear feet, or portion thereof, of the landscaping strip shall be planted within the landscaping strip; provided, however, that up to 50 percent of the required trees may be placed elsewhere on the lot in order to achieve an enhanced landscape effect; and trees of this height would not interfere with overhead utility lines. If utility lines are present, Type B and Type C trees may be used.~~

~~Parking Structures~~

~~The exterior of all parking structures shall be detailed with materials and designed to be compatible with nearby buildings and structures. The intent is to provide an architectural solution that masks the garage and provides an aesthetically appropriate exterior. This may include fronting the garage with retail space or residential units.~~

~~*O) Landscaping at Driveway and Street Intersections*~~

~~A sight triangle will be maintained at all street intersections or intersections of driveways with streets. Trees shall be permitted as long as, except during early growth stages, only the trunk is visible between the ground and six feet above the ground. Shrubbery or other low-growing plants are permitted provided the maximum height at maturity shall not exceed 24 inches. If any growing plant, other than a shrub is used, then it shall be used at a ratio of one shrub per three other growing plants when using one-gallon containers in lieu of three-gallon containers.~~

~~*P) Suggested Tree Species to be Planted*~~

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~~The following types and sizes of trees, or other equivalent types and sizes as shown on an approved landscape plan, are to be planted within the buffer and perimeter landscaping areas as described in this Section~~

***~~Minimum Sizes for Landscape Plants~~***

| | ~~10) Tree Type Examples~~ | ~~Description~~ | |
|---|---|---|---|
| | ~~Sugar Maple, Red Oak, Honey locust~~ | ~~Deciduous tree that matures over 30' Height~~ | |
| | ~~Crab apple, Winterking Hawthorn, Flowering Dogwood, Redbud~~ | ~~Deciduous tree that matures less than 30' height, single stem~~ | |

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| | ~~Service berry, Sweetbay Magnolia~~ | ~~Deciduous tree that matures less than 30' height, multi stem~~ | |
| | ~~White Pine, Norway Spruce, Colorado Spruce, Canadian Hemlock~~ | ~~Evergreen tree that matures over 30' height~~ | |
| | ~~Techny Arborvitae, Keleeri Juniper~~ | ~~Evergreen tree that matures less than 30' height~~ | |
| | ~~Bo~~ | ~~Evergreen or~~ | |

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| | ~~rder Forsythia, Viburnum, Amur Honeysuckle, Burning Bush~~ | ~~deciduous shrub that matures over 6' height~~ | |
| | ~~Alpine Currant, Anthony Water Spirea~~ | ~~Evergreen or deciduous shrub that matures less than 6' height~~ | |
| | ~~Andorra Juniper, Everlow Yew, Mugo Pine~~ | ~~Evergreen or deciduous shrub that matures over 4' spread~~ | |
| | | ~~Evergreen or~~ | |

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| | ~~N A~~ | ~~deciduous shrub that matures less than 4' spread~~ | |

~~*Q) Landscape Plan Required*~~

~~A Landscape Plan prepared by a landscape architect shall be submitted. Proposed landscape treatment shall be indicated on the Landscape Plan and shall not be shown on any separately required Plan. Landscape plans shall be submitted with the Development Plan. Each landscape plan shall be drawn to scale, show the placement of individual plants and include the following information:~~

~~1) Project name and address;~~

~~2) Project owner's name, address and telephone number;~~

~~3) Name, address and telephone number of landscape architect;~~

~~4) Distance from the property to nearest intersecting street;~~

~~5) North arrow, scale (1"=20' preferred, no scale smaller than 1"=40'), date and/or date of revisions;~~

~~6) A notation stating, "This landscape plan has been reviewed and approved by the owner/responsible agent who understands that any changes, substitutions, or deletions may require review and approval by the responsible reviewing authority";~~

~~7) The species (common name and botanical name), location and crown spread to scale of all trees existing on the site prior to construction with a caliper of six inches or greater at common breast height. An indication of which trees are to be retained and which are to be removed, including a plan for how those to be retained will be preserved;~~

~~8) Existing and proposed buildings and accessory structures to include existing and proposed signs;~~

~~9) Zoning District boundaries and zoning designations of the site and adjacent properties;~~

~~10) Parking and loading spaces showing all required wheel stops, curbs, driveways, landscape screening, parking lot landscaping, and sidewalks or other pedestrian paths;~~

~~M) All sight triangles;~~

~~N) Location, width and names of all existing/proposed streets and watercourses;~~

~~O) All easements (provide dimensions and purpose);~~

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P) Location of all existing and proposed utilities, both overhead and underground;

Q) Principal buildings, streets (public and private), right-of-way lines and property lines;

R) Location and type of trash disposal and details of screening;

S) Location, height, type and material of all fences, walls, screen planting and landscaping details of all buildings and grounds. Show each individual plant on the plan;

T) Location of all ground mounted heating, ventilating and cooling equipment;

U) Location of all transformers;

20) Square footage measurements of the total site, building, parking and hard surface areas, and landscape areas. Show percentage of landscape area for the total project. For parking spaces, show percentage of interior landscape area;

21) Dimensions and distances of landscape strips;

22) Landscape notes indicating the following:

All landscaping materials shall meet the minimum specifications and standards described in the "American Standard for Nursery Stock," 1986 or as may be amended, published by the American Association of Nurserymen, 1250 I Street, N.W., Suite 500, Washington, D.C. 20005; and

23) Grading plan, including mounding, and topographical lines at one-foot intervals.

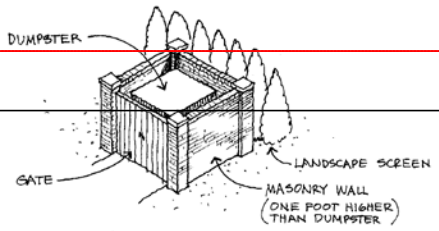
*16) Buffering and Screening*

**Purpose and Intent**

Incompatible uses shall be sufficiently buffered and screened to ensure that adverse land use impacts shall be mitigated. In the development of a screen or buffer, setbacks shall be taken into account to ensure an appropriate development solution. Where walls are used as screening, they shall be designed to blend with the parcel's architecture.

*A) Trash Dumpsters*

When located adjacent to buildings, but no further away than 15 feet, trash dumpsters shall be screened with masonry walls that match the building. When located away from buildings further than 15 feet, trash dumpsters shall be screened with consideration given for masonry walls or other treatment that compliments the principal structure and with an entrance gate, but also screened with evergreen plant material on any side that faces a public right-of-way or residential use or zoning district. Screening shall exceed the height of the dumpster by one foot and shall be no higher than six feet.

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*B) Loading Docks*

Loading docks shall be located adjacent to a building and screened.

*C) Roof , Side and Ground Mounted Mechanicals*

All outdoor equipment and mechanicals shall be screened from view. Screening of roof-mounted mechanicals shall be architecturally integrated with the adjacent structure in terms of materials, color, shape, and size. Ground mounted mechanicals shall be screened with evergreen plant material.

*17) Signage*

**Purpose and Intent**

Signage should be compatible with the style and design of the structures it relates to, and a complete signage package must be submitted. Signs should be effective without overwhelming the structure or general area where they are located.

*A) Prohibited Signs*

Animated

Billboard

Internally lighted box signs

Flashing or rotating (except barber poles)

Gas inflatable

Portable Signs (except sandwich boards not to exceed 2 feet by 4 feet)

Electronically projected images on buildings

Roof signs

Banner, pennant, streamer exceeding 5 feet in length

Sign projecting above a roof line, marquee or canopy

Signs that interfere with sight distances or are a driving hazard

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~~Signs unable to stand wind gusts of 90 miles per hour~~

~~Ground mounted signs higher than 15 feet above established grade and/or larger than forty (40) square feet gross.~~

~~Building mounted signs lower than 80 inches that project more than four (4) inches from the structure.~~

~~Window signs covering more than 25% of the window area~~

~~Off site/off premise signs~~

~~Advertising signs on benches, trash receptacles, phone booths, bus shelters, and similar structures~~

~~Signs which attempt or appear to attempt to direct the movement of traffic, or which interfere with, imitate or resemble an official sign, signal or device.~~

~~Signs erected in trees or painted or drawn upon rocks or other natural features~~

~~Free standing pole signs.~~

~~*B) Signage Plan Submittal Required*~~

~~Prior to approval of the Development Plan, the applicant shall submit plans for signage, which shall include drawings to scale indicating location, intended design, samples of proposed colors, materials, fabrics and typefaces.~~

~~*18) Mixing Uses*~~

~~**Purpose and Intent**~~

~~Uses shall be mixed within developments and/or within individual buildings to provide for a Mixed Use environment. Typical uses include retail and personal services, offices, and residences. The goal is to create exciting, active and vital areas of the community where people can live, work, and shop within a quality, walkable environment.~~

~~*A) Horizontal Integration*~~

~~Uses shall be mixed horizontally through a development. This occurs by providing for buildings that have individual focuses (i.e. retail or housing), but that are adjacent within the same development.~~

~~*B) Vertical Integration*~~

~~Uses shall be mixed vertically in a single building. This can occur by providing for retail uses on the first level, office or residential uses on the second level, and residential uses on third and higher levels.~~

~~*V) Residential Conservation*~~

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~~**Purpose and Intent**~~

~~Residential investment and development is encouraged to maintain and expand the property values in Jefferson Township. The following standards shall be considered in the development of new single family homes:~~

~~*A) Neighborhood Compatibility:*~~

~~New residential construction shall be compatible with the block or neighborhood on which it is located, relative to character, site layout, architectural styles and materials, heights, setbacks, roof pitch, garage location, front door orientation, amount of impervious surface, and other defining features of the block.~~

~~12) *New infill housing should be compatible with surrounding structures*~~

~~*B) Elevations and Floor Plans*~~

~~Houses with identical or similar building elevations and/or floor plans shall not be located on adjacent lots or directly across the street from each other.~~

~~*C) Façade Articulation*~~

~~Building façades shall be articulated through the use of color, arrangement, or change in materials to emphasize the façade elements. The planes of the exterior walls may be varied in height, depth or direction. Development elements and detailing shall be continued completely around the structure. Such development elements shall include window treatments, trim detailing, and exterior wall materials.~~

~~*D) Privacy*~~

~~The location of the house on the lot, windows, orientation, building height, and location of on site open spaces shall preserve the privacy of the new home as well as adjacent development.~~

~~*E) Snout Houses*~~

~~The front elevation of new homes shall not be dominated by attached garages. Where possible the garages of new homes shall be side or rear loaded. If that is not possible, garages must be set back a minimum of 3 feet from the front façade of the structure. Garage(s) may not comprise more than 60 percent of the front façade.~~

~~*20) Non-Residential On Site Exterior Lighting Standards*~~

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**~~Purpose and Intent~~**

~~As part of the approval of a final development plan, an exterior lighting plan demonstrating compliance with the following exterior lighting standards for non-residential areas will be submitted and approved by the Zoning Commission.~~

~~*A) Applicability*~~

~~All non-residential developments are required to provide exterior lighting for all exterior doorways, pedestrian pathways, and parking and loading/service areas.~~

~~*B) Minimum Site Lighting Criteria*~~

~~All exterior lighting shall meet the following minimum standards and be demonstrated on all plan submittals:~~

~~*i) 0.5 Foot candles Minimum Maintained*~~

~~Measured at grade in all parking and loading areas and pedestrian pathways; actual site measurement compliance shall not drop below this stated minimum. For design purposes, the light loss factor (LLF) shall be calculated at:~~

~~a) 0.7 LLF for Incandescent, Metal Halide, and Mercury Vapor lamp sources~~

~~b) 0.8 LLF for Fluorescent and Sodium lamp sources.~~

~~*ii) Lighting Uniformity Shall Not Exceed*~~

~~a) 10:1 Maximum to minimum light levels~~

~~b) 4:1 Average to minimum light levels~~

~~*iii) Pole Mounted Luminaries Overall Height Limitations*~~

~~Height shall be measured from finished grade to top of fixture and shall not exceed 30 feet.~~

~~*C) Light Trespass Criteria*~~

~~Light originating on a site shall not be permitted beyond the site to exceed the following values when measured at grade 10 feet beyond the property line for the following adjacent properties:~~

| | |
|---|---|
| ~~Single Family~~ | ~~0.3 foot candles~~ |
| ~~Multi-Family~~ | ~~0.5 foot candles~~ |
| ~~Office, Commercial & Inst.~~ | ~~1.0 foot candles~~ |
| ~~Mixed Use~~ | ~~1.0 foot candles~~ |

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~~Outdoor Sports Facilities will be reviewed for compliance with regard to the intent of these exterior lighting standards to minimize the impact of light trespass and glare on all surrounding properties and public rights of way.~~

~~*D) Glare Control Criteria*~~

~~i) All exterior lighting used to light parking lots, loading/service areas, and pedestrian pathways shall be "total cutoff type" as defined by the Illuminating Engineering Society of North America's (IESNA) latest standard.~~

~~ii) All other exterior lighting, including but not limited to doorways, architectural, accent, landscape, signage, decorative, security, floodlighting, or area lighting shall be "total cutoff type" or no portion of the lamp, reflector, lens, or refracting system may extend beyond the housing or shield so as to create or allow glare to be visible from off site, except the following:~~

~~a) Lighting required by the Building Code for emergency egress when operating in emergency conditions; or~~

~~b) Light sources, which do not exceed 2300 initial lumens or 4000 main beam candlepower.~~

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# Article VII
Special District Regulations

## SECTION 700 – SPECIAL DISTRICT REGULATIONS AND RULES

### Section 700.01 - Special Districts Established

The Special Districts are established to provide~~ing~~ for special uses of land with unique characteristics or development requirements not adequately provided for in this Zoning Resolution. The Special Districts also provide development standards for lands with unique characteristics that require special regulations~~ or development of land for certain purposes or under certain conditions, as hereafter specified, are hereby established and adopted~~.

### Section 700.02 - Special District Regulations

Regulations ~~pertaining to use or development of land in Special Districts~~ are provided for the following:

~~1)~~A) *Floodplain Development*

Regulations~~Provisions pertaining to~~ for the use and development of lands subject to periodic flooding are provided. Such regulations help~~ to~~ minimize the impact or potential impact of flooding on existing or future land uses, promote and safeguard the public health, safety, convenience, comfort, prosperity or~~ and~~ general welfare, and maintain Jefferson Township's eligibility for continues participation in the National Flood Insurance Program.

~~2)~~B) *Excavation and Quarry*

Regulations~~Provisions pertaining to~~ for the extraction of sand, gravel and other mineral resources are provided to allow the removal of ~~these important~~mineral resources. To promote the public health, safety, convenience, comfort, prosperity or general welfare throughout Jefferson Township, the regulations will ensure and promote~~ in a manner~~ minimal impact~~appropriate~~ to adjacent lands ~~and to rehabilitate~~ while providing for the rehabilitation of the excavated area~~ to promote the public health, safety and general welfare~~.

~~3) *Oil and Gas Drilling and Production*~~

~~Provisions pertaining to the drilling and production of oil and gas are provided to allow the exploration for and removal of natural petroleum resources in a manner appropriate to promote the public health, safety and general welfare.~~

~~4)~~C) *Exceptional Uses*

Regulations~~Provisions pertaining to~~ of certain uses of unique nature as to warrant individual consideration are provided to allow appropriate location and development of such uses in relation to ~~other~~adjacent land

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use and development in a manner appropriate to promote the public health, safety, convenience, comfort, prosperity or ~~and~~ general welfare of Jefferson Township.

## Section 700.03 - Relation to Zoning Districts

Special Districts ~~and~~ Regulations, where applicable, ~~thereof~~ shall be in addition to the z~~Z~~oning d~~D~~istrict~~s~~ regulations as established on the Official Zoning District Map and nothing herein is intended to amend, modify or otherwise change the z~~Z~~oning d~~D~~istrict r~~R~~egulations except as specifically set forth in the Special District Regulations. The inclusion of land in a Special District shall be in addition to the zoning district as established on the Official Zoning Map, and nothing herein is intended to amend, modify or otherwise change the zoning district boundaries as shown on the Official Zoning District Map.

## Section 700.04 - Relation to Zoning District Map

The inclusion of land in a Special District shall be in addition to the z~~Z~~oning d~~D~~istrict as established on the Official Zoning District Map, and nothing herein is intended to amend, modify or otherwise change the z~~Z~~oning d~~D~~istrict boundaries as shown on the Official Zoning District Map.

# SECTION 710 – FLOODPLAIN DISTRICT REGULATIONS

## Section 710.01 - Establishment of ~~Regulatory~~ Floodplain District Regulations

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 710 must ~~also~~ comply~~meet~~ with all other applicable sections of this Zoning Resolution.

~~1)~~A) *Designation of the Regulatory Floodplain District*

The ~~regulatory~~ Floodplain District shall be designated as those flood hazard areas which are identified in the "Flood Insurance Study, County of Franklin, Ohio, unincorporated areas" and accompanying Flood Insurance Rate Maps (FIRM) and Flood Boundary and Floodway Maps (FBFM) published by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program (NFIP) dated ~~July 5, 1983~~June 17, 2008, and all revisions and amendments thereto. These maps and data shall be on file at the Jefferson Township Zoning Department~~Firehouse~~, the Franklin County Engineers' office, and the Mid-Ohio Regional Planning Commission (MORPC).

~~2)~~B) *Floodway and Floodway Fringe*

The ~~regulatory~~ Floodplain District is further divided into two portions consisting of the f~~F~~loodway and f~~F~~loodway f~~F~~ringe. The f~~F~~loodway is that portion of the f~~F~~loodplain consisting of the channel and sufficient adjacent lands to convey the b~~B~~ase f~~F~~lood d~~D~~ischarge without increasing the b~~B~~ase f~~F~~lood e~~E~~levation more than one-half (1/2) foot. The f~~F~~loodway f~~F~~ringe is that portion of the f~~F~~loodplain outside of the f~~F~~loodway. The FEMA water surface profiles of the b~~B~~ase f~~F~~lood shall govern the location of the f~~F~~loodplain boundary. The b~~B~~ase f~~F~~lood e~~E~~levation and the f~~F~~loodway boundaries shall be established as those indicated by NFIP maps and data published by FEMA, including all revisions and amendments thereto. FEMA maps and data shall govern in case of omission ~~on~~ or conflict with the zoning map.

~~3)~~C) *Non-D~~d~~etailed Flood Hazard Areas*

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In designated flood hazard areas for which FEMA has not determined detailed flood elevations and f~~F~~loodway ~~boundaries~~boundaries, the applicant shall be required to furnish such information prepared by qualified personnel to enable the administration of this Zoning Resolution consistent with its intent. Flood maps and data published by State or Federal sources such as the USDA Soil Conservation Service, U~~.~~.-S. A~~a~~rmy Corps of Engineers, U~~.~~.-S. Geological Survey, or Ohio Department of Natural R~~r~~esources (ODNR) 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.~~ A qualified p~~P~~rofessional e~~E~~ngineer in accordance with currently accepted hydrologic and hydraulic engineering techniques and methodology shall prepare such information and data. Such studies, analyses, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Community NFIP Administrator and the State NFIP Coordination Agency.

## Section 710.02 - Permitted Uses in the Floodway

The following uses, not including buildings, shall be permitted within the f~~F~~loodway, ~~provided they~~ comply with all other applicable sections of this Zoning Resolution

~~1)~~A) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open air nurseries, truck farming, forestry, sod farming, and other similar uses; and

~~2)~~B) 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, horseback riding trails, and other similar uses.

~~3)~~C) Residential open space uses such as lawns, gardens, play areas, and other similar uses.

## Section 710.03 - Conditional Uses in the Floodway

The following uses, not including buildings, shall be c~~C~~onditional u~~U~~ses within the f~~F~~loodway and must ~~provided they~~ comply with all other applicable sections of this Zoning Resolution and any conditions ~~attached~~required by the Board of Zoning Appeals in ~~granting~~approving the c~~C~~onditional u~~U~~se permit.

~~1)~~A) Navigational and stream flow aids, docks, piers, wharves, and water measuring and monitoring devices;

~~2)~~B) Construction, placement, or improvement or maintenance of public or private culverts, utilities, bridges, stream crossings of any type or size, erosion control and protection measures;~~.~~

~~3)~~C) Extraction of sand, gravel or other resources that also complies with the requirements of the Excavation and Quarry special district; and

~~4)~~D) ~~-~~Alteration or relocation of the channel or watercourse.

## Section 710.04 - Prohibited Uses in Floodway

The following structures and uses are prohibited in the f~~F~~loodway. ~~unless specifically listed as a Conditional Use.~~

A) Buildings and structures, including mobile homes, for residential, commercial, industrial~~, agricultural~~, or other use;~~.~~

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B) Storage or processing of materials.

C) Trash, garbage, or waste disposal operations, landfills, wastewater treatment and disposal facilities.~~.~~

D) Placement of material, fill, or spoil of any type or the construction or extension of levees, dams, dikes, floodwalls, or other such mounding or embankments.~~.~~

E) Encroachments, which would cause any increase in the Base Flood Elevations.

## Section 710.05- Permitted Uses in the Floodway Fringe

The following uses shall be permitted within the f~~F~~loodway~~,~~ fringe and must ~~provided they~~ comply with all other applicable sections of this Zoning Resolution:

A~~1~~) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open-air nurseries, truck farming, forestry, sod farming, and similar uses;~~.~~

B~~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, horseback riding trails, and other similar uses; and~~.~~

C~~3~~) Residential open space uses such as lawns, gardens, play areas, and other similar uses.

## Section 710.06 - Conditional Uses in the Floodway Fringe

The following uses shall be c~~C~~onditional u~~U~~ses in the f~~F~~loodway f~~F~~ringe, provided ~~they meet~~ all applicable standards and requirements of this Zoning Resolution and any conditions ~~attached~~required by the Board of Zoning Appeals in ~~granting~~approving the c~~C~~onditional u~~U~~se p~~P~~ermit are met:~~.~~

~~1)~~A) All c~~C~~onditional u~~U~~ses in the f~~F~~loodway as listed in Section 710.03;

~~2)~~B) Residential, commercial, industrial, manufacturing, or similar structures or buildings;

~~3)~~C) Storage or processing of materials;

~~4)~~D) Parking and loading areas;

~~5)~~E) Waste processing, disposal facilities, wastewater treatment and disposal systems;

~~6)~~F) Flood control or mitigation structures and measures; and

~~7)~~G) Temporary or permanent placements of material, fill, or spoil of any type or other such mounding or embankment or additions or extensions thereto.

## Section 710.07 - Development Standards

In addition to other applicable d~~D~~evelopment s~~S~~tandards of this Zoning Resolution, the following standards for arrangement, development, and use of land and buildings shall be required in the ~~Regulatory~~ Floodplain District.

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~~1)~~A) *Maintain Flow Characteristics*

No use of the f~~F~~loodplain 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~~a base f~~F~~lood event. No use or encroachment within the f~~F~~loodway shall increase the b~~B~~ase f~~F~~lood e~~E~~levation.

~~2)~~B) *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.

~~3)~~C) *Buildings and Structures*

Temporary or permanent buildings and structures, including mobile homes, new construction and substantial improvement of residential and non-residential buildings shall be designed and constructed that such that:

1~~A~~) The lowest floor, including basement, is at least one (1) foot above the b~~B~~ase f~~F~~lood e~~E~~levation, plus f~~F~~loodway 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 offices listed in Section 710.01(A) ~~#1.~~;

2~~B~~) Fill used to elevate structures, which are located within the f~~F~~loodway f~~F~~ringe, shall extend a minimum of ten (10) feet beyond the walls of the structure at a grade not to exceed ten percent (10%), and be suitably placed and protected to prevent erosion or scour during periods of high water~~.~~;

3~~C~~) A~~They shall have a~~ means of vehicular ingress and egress shall be provided to land outside the ~~Regulatory~~ Floodplain District, which shall be at least fifteen (15) feet wide and at least one (1) foot above the b~~B~~ase f~~F~~lood e~~E~~levation;~~.~~

4~~D~~) The applicant shall obtain and furnish to the Community NFIP Administrator ~~as~~ built elevations, certified by a r~~R~~egistered s~~S~~urveyor, of the basement and first floor, which shall~~to~~ be maintained on file with such office for public inspection~~.~~;

5~~E~~) Flood p~~P~~rotection shall be achieved by elevating the structure. Structures shall not be permitted with floor levels below the b~~B~~ase f~~F~~lood e~~E~~levations~~.~~; and

6~~F~~) Placement of a mobile home, where permissible by this Zoning Resolution, shall meet or exceed the requirements of ~~Federal Law 44 CFR part 60.3~~44CFR §60.3 as may be amended and shall be protected from flotation or lateral movement by over-the-top ties at each corner plus two (2) additional ties per side or frame ties at each corner plus five (5) additional ties per side. Additions to the mobile home shall also be anchored. Individual components of the anchoring system shall be able to carry a 4,800-pound force.

D~~4~~) *Storage or Processing of Materials*

Storage or processing of materials which are buoyant, pollutants, flammable, explosive, or could be injurious to human, animal or plant life in time of flooding shall be stored one and one half (1 ½) feet above the b~~B~~ase f~~F~~lood e~~E~~levation, or suitably flood-proofed and protected. The Ohio EPA shall approve

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proposed protection measures and safeguards. 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 of Zoning Appeals.

E~~5~~) *Parking and Loading Areas*

Approved p~~P~~ublic or private parking or loading areas which would be inundated to a depth of one and one half (1 ½) feet or more or subjected to flow velocities over four (4) feet per second shall~~must~~ be provided with adequate flood warning devices and measures approved by the Board of Zoning Appeals.

F) *Waste Processing and/or Disposal facilities and Wastewater Treatment and Disposal Systems*

~~Such~~Where permissible, such facilities must be approved by the Jefferson Water & Sewer District, Ohio EPA, the Franklin County Sanitary Engineer, or ~~the~~Franklin County ~~District Board of~~Public Health, whichever has jurisdiction, and must be elevated or flood proofed to provide protection from a~~the~~ b~~B~~ase f~~F~~lood event.

G) *Flood or Erosion Control Measures or Watercourse Alteration or Relocation*

Dams, dikes, levees, embankments, floodwalls, 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 regulations~~provisions~~ of ORC~~Sections 1521.06 and 1521.07~~ Chapter 1521 ~~of the Ohio Revised Code~~ and all other applicable s~~S~~tate, f~~F~~ederal, c~~C~~ounty and l~~L~~ocal ordinances and regulations, as may be amended, as well as the following~~.~~:

1~~A~~) Such measures over three (3) feet in height or involving over one thousand (1,000) square feet of surface area shall be submitted by the Community NFIP Administrator to the U. S. Army Corps of Engineers and/~~—~~or ~~—~~the Ohio Department of Natural Resources (ODNR) for review, recommendations, and approval as appropriate~~.~~;

~~1)~~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~~of published NFIP maps~~.~~; and

~~2)~~3) Adjacent communities and ODNR shall be notified when c~~C~~hannels or watercourses are to be altered or relocated.

H) *Public or Private Utilities or Facilities*

Activities or developments such as bridges, culverts, docks, wharves, piers, water supply, sanitary or storm sewers and works, or construction of other public or private utility works and appurtenances thereto~~should~~ 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 Zoning Resolution.

## Section 710.08 - Additional Plan Requirements

For a certificate of z~~Z~~oning c~~C~~ompliance, c~~C~~onditional u~~U~~se p~~P~~ermit, ~~and~~or v~~V~~ariance application~~s~~ involving the ~~Regulatory~~ Floodplain District, the applicant shall furnish sufficient information to ~~permit~~ the Zoning ~~Administrator/~~Inspector and /~~—~~or the Board of Zoning Appeals ~~to determine the~~ that clearly delineates any ~~Regulatory~~ f~~F~~loodplain, ~~and~~ f~~F~~loodway b~~B~~oundaries and/or b~~B~~ase f~~F~~lood e~~E~~levations.~~.~~ The information is required

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~~and~~ to ~~otherwise~~ facilitate the administration and enforcement of this Zoning Resolution and the Floodplain District. Such information shall include:

A~~1~~) Site p~~P~~lan~~s~~ drawn to scale showing the nature, location, dimensions, and details of the property, development, activities, and land use, both existing and proposed~~.~~

B~~2~~) Existing and proposed topographic information~~.~~; and

C~~3~~) Other information as may be ~~reasonably~~ deemed reasonably necessary by the Zoning ~~Administrator/~~Inspector or the Board of Zoning Appeals.

## Section 710.09 - Compliance with Approved Plans

Certificates of z~~Z~~oning c~~C~~ompliance, ~~and~~ c~~C~~onditional u~~U~~se p~~P~~ermits issued on the basis of applications, plans, specifications, and other information approved by the Zoning ~~Administrator/~~Inspector or the Board of Zoning Appeals 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 Zoning ~~Administrator/~~Inspector and~~-~~/~~-~~or the Board of Zoning Appeals.

## Section 710.10 - Compliance with the National Flood Insurance Program

The regulations~~provisions~~ of Section 710 of this Zoning 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 f~~F~~ederal l~~L~~aw. These agencies have determined that these regulations~~provisions~~ meet or exceed the f~~F~~ederal standards of ~~Federal Law 44 CFR part 60~~44 CFR- §60, as may be amended.

A~~1~~) *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 §~~Part~~ 60.6, as may be amended.

B~~2~~) *Community NFIP Administrator*

The Community NFIP Administrator shall review all applications involving c~~C~~onditional u~~U~~ses and v~~V~~ariances in the f~~F~~loodplain and prepare a report and recommendation to be submitted to the Board of Zoning Appeals, prior to action by the Board of Zoning Appeals.

## Section 710.11 - Warning and Disclaimer of Liability

This Zoning 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 regulations~~provisions~~ of this Zoning Resolution will be free from flooding or flood damages. This Zoning Resolution or its administration and~~-~~/~~-~~or enforcement shall not create liability on the part of ~~the~~Jefferson Township, any officer or employee of ~~the~~Jefferson Township or other staff or personnel involved in its administration and~~-~~/~~-~~or enforcement. Additional flood protection beyond that required by this Zoning Resolution is recommended and encouraged.

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# SECTION 720 – EXCAVATION AND QUARRY REGULATIONS

## Section 720.01 - Purpose

To regulate the extraction of sand, gravel and other mineral resources as provided to allow the removal of these important resources in a manner appropriate to adjacent lands and to rehabilitate the excavated area to promote the public health, safety, convenience, comfort, prosperity or general welfare in Jefferson Township~~To provide provisions pertaining to the extraction of sand, gravel and other mineral resources are provided to allow the removal of these important resources in a manner appropriate to adjacent lands and to rehabilitate the excavated area to promote the public health, safety and general welfare~~.

## Section 720.02 - Permitted Uses

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 z~~Z~~oning d~~D~~istrict in which the land is located.

A~~1~~) *Extraction*

~~A)~~1) Dimension Stone.

~~B)~~2) Crushed and Broken Stone, including riprap.

~~C)~~3) Sand and Gravel.

~~D)~~4) Clay, Ceramics, and Refractory Minerals.

B~~2~~) *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:

~~A)~~1) Concrete brick and block.

~~B)~~2) Other concrete products.

~~C)~~3) Ready mixed concrete.

## Section 720.03 - Development Standards

In addition to the regulations~~provisions~~ of Article VIII – General Development Standards the following standards for arrangement and development of l~~L~~and and buildings are required under the Excavation and Quarry Regulations.

A~~1~~) *Intensity of Use*

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There is no minimum lot area required; however, the lot shall be adequate to provide the yard space required by all applicable development standards outlined by this Zoning Resolution, as well as the following d~~D~~evelopment s~~S~~tandards ~~and meet the requirements of Article VIII~~:

~~A)~~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, vibrations, or dust which would injure or annoy persons living or working in the vicinity~~.~~:

~~B)~~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~~.~~;

~~C)~~3) No excavation shall be made from the banks or beds of Rocky Fork Creek or Blacklick 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 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~~.~~;

~~D)~~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 gently rolling topography to minimize erosion by wind or rain and substantially conform with the contour of the surrounding area~~.~~; and

~~E)~~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 approved landscaping or shall be enclosed with a ~~chain link~~secure fence ~~or its equivalent in~~with strength and protective character to a height of six (6) feet 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.

B~~2~~) *Yard Requirements*

~~A)~~1) An excavation shall be located one hundred (100) feet or more and back filled to one hundred 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-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 level~~.~~;

~~B)~~2) Excavation or quarrying shall be no closer than fifty (50) feet to a property boundary line~~,~~; and ~~except with the written consent of said adjacent property owner.~~

~~C)~~3) Plants or equipment for the 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.

## Section 720.04 - Rehabilitation Plan

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Extraction shall be permitted only from an area for which there is a r~~R~~ehabilitation p~~P~~lan approved by the Jefferson Township Trustees.

A~~1~~) *Rehabilitation Plan*

All such r~~R~~ehabilitation p~~P~~lans shall include the following:

~~A)~~1) A grading plan showing the 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;~~.~~

~~B)~~2) Existing and proposed drainage of the area; and

3) ~~-~~Details of ~~regarding~~re-grading and re-vegetation of the site during and at conclusion of the operation.

B~~2~~) *Required Rehabilitation*

The following requirements shall be met in the r~~R~~ehabilitation p~~P~~lan:

~~A)~~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~~.~~;

~~B)~~2) Spoil banks shall be graded to a level suiting the existing terrain~~.~~;

~~C)~~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 Franklin County Engineer.

~~D)~~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~~.~~; and

~~E)~~5) All equipment and structures shall be removed within three (3) months of the completion of the extraction of materials.

## Section 720.05 - Compliance with other Regulation

The regulations provided for in this Section 720 shall not be applicable where they conflict with or are preempted by regulations adopted by the Federal or State government with regard to any operation permitted in the Excavation and Quarry District. For state regulation, refer to ORC Chapter 1513 and Chapter 1514.

# ~~SECTION 730 – OIL AND GAS DISTRICT REGULATIONS~~

## ~~Section 730.01 - Purpose~~

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~~To provide provisions pertaining to the drilling and production of oil and gas are provided to allow the exploration for and removal of natural petroleum resources in a manner appropriate to promote the public health, safety and general welfare.~~

**~~Section 730.02 - Permitted Uses~~**

~~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:~~

~~1) *Extraction*~~

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~~A) Crude Petroleum~~

~~B) Natural Gas~~

~~C) Natural Gas Liquids~~

~~D) Oil and Gas Field Services~~

~~2) *Temporary Equipment and Structures*~~

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~~The temporary erection of structures and equipment necessary for the drilling and production of oil or gas on the site~~

**~~Section 730.03- Development Standards~~**

~~In addition to the provisions of Article VIII – General Development Standards; the following standards for the arrangement and development of land and buildings are required in the Oil and Gas District:~~

~~1) *Spacing of Wells*~~

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~~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:~~

~~A) Upon a tract or drilling unit containing not less than ten (10) acres.~~

~~B) Not less than four hundred sixty (460) feet from any well drilling to, producing from, or capable of producing from the same pool.~~

~~C) Not less than two hundred thirty (230) feet from a boundary of the subject tract or drilling unit.~~

~~2) *Access and Egress*~~

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~~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 or decomposed granite, maintained to prevent dust and mud.~~

~~3) *Derricks*~~

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~~All derricks and masts hereafter erected for drilling or re-drilling shall be at least equivalent to the American Petroleum Institute Standards 4A, 14th Edition and 4D, 3rd Edition, as may be amended.~~

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~~4) *Signs and Fencing*~~

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~~A) 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.~~

~~B) All oil well production equipment having external moving parts hazardous to life or limb shall be attended 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 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 non-hazardous locations and shall be locked at all times when unattended by a watchman or service man.~~

~~5) *Lighting, Delivery and Power*~~

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~~A) ***Lighting.*** All lights shall be directed or shielded so as to confine direct rays to the drill site.~~

~~B) ***Delivery of Equipment***. The delivery or removal of equipment or material from the drill site shall be limited to the hours between 7:00 AM and 7:00 PM, except in case of emergency.~~

~~C) ***Power Sources***. All power sources shall be electric motors or muffled internal combustion engines.~~

~~6) *Storage of Equipment*~~

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~~There shall be no storage of material, equipment, machinery or vehicle, which is not for immediate, use or servicing on an installation at 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.~~

~~7) *Flammable Waste Gases*~~

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~~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.~~

**~~Section 730.04- Rehabilitation Plan~~**

~~Drilling and production shall be permitted only from an area for which there is a Rehabilitation Plan approved by the Township Trustees.~~

~~1) *Rehabilitation Plan*~~

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~~All such Rehabilitation Plans shall include the following:~~

~~A) 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.~~

~~B) Details of re-grading and re-vegetation of the site during and at conclusion of the operation.~~

~~2) *Required Rehabilitation*~~

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~~The following requirements shall be met in the Rehabilitation Plan:~~

A) Upon cessation of drilling and beginning of production, the well shall be serviced only with a portable derrick when required.

B) 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.

C) 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.

D) 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 condition.

E) 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 740730 – EXCEPTIONAL USE DISTRICT REGULATIONS

### Section 740730.01 - Purpose

The regulation of uses of unique nature that warrant individual consideration are provided by the Exceptional Use District to allow appropriate location and development of such uses in relation to other land use and development in a manner appropriate to promote the public health, safety, convenience, comfort, prosperity or general welfare within Jefferson Township. To provide provisions pertaining to certain uses of unique nature as to warrant individual consideration are provided to allow appropriate location and development in relation to other land use and development in a manner appropriate to promote the public health, safety and general welfare.

### Section 740730.02 - Special Uses

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The following listed uses shall be subject to these Exceptional Use District r~~R~~egulations, except as other regulations~~provisions~~ of this Zoning Resolution may permit ~~them~~.

A~~1~~) *Transportation*

~~A)~~1) Airport or Flying Field.

~~B)~~2) Transportation Terminals.

~~C)~~3) Depots or other transportation facilities not exempt from regulation.

B~~2~~) *Recreation and Amusement*

| **NAICS#** | |
|---|---|
| **713110** | Amusement and Theme Parks |
| **713910** | All Other Amusement and Recreation Industries (such as miniature golf) |
| **713940** | Fitness and Recreational Sports Centers |
| **512132** | Drive-In Motion Picture Theatres |
| **711212** | Racetracks |
| **713910** | Golf Courses and Country Clubs |
| **721110** | Resort Hotels without Casinos |

~~A) Amusement Center or Amusement Park~~

~~B) Skating Rink~~

~~C) Miniature Golf~~

~~D)~~1) Swimming Pools.

~~E) Drive-In Theater or similar facility~~

~~F)~~2) Athletic f~~F~~ield or s~~S~~tadium.

~~G) Race Track or similar sports facility not otherwise allowed by the provision of this Resolution~~

~~H) Golf Club or Country Club~~

~~I) Fishing Club, Lake, or Gun Club~~

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~~J) Riding Stable, including boarding of animals~~

~~K) Resort Establishment~~

~~L)~~3) Boating, c~~C~~amping, p~~P~~ark. ~~or Picnic grounds~~

~~M) Similar recreational facility operated on an admission fee or membership basis~~

C~~3~~) *Social and Cultural Institution (not otherwise allowed by the provisions of this Resolution)*

| **NAICS#** | |
|---|---|
| **713110** | Amusement and Theme Parks |
| **713910** | All Other Amusement and Recreation Industries (such as miniature golf) |
| **713940** | Fitness and Recreational Sports Centers |
| **512132** | Drive-In Motion Picture Theatres |
| **711212** | Racetracks |
| **713910** | Golf Courses and Country Clubs |
| **721110** | Resort Hotels without Casinos |

~~A) Cemetery or Crematory~~

~~B) Hospital~~

~~C)~~1) Sanitarium

~~D) Convalescent Home~~

~~E) Group or Family Home~~

~~F) Home for Children or the Aged~~

~~G) Private School or College including those with students or faculty in residence~~

D~~4~~) *Other Uses not provided for:*

1) Other legal uses of unique or exceptional requirements or circumstances that are other wise not permitted by this Zoning Resolution.

## Section ~~740~~730.03 – Development Standards

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All regulations of Article VIII – 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 the development standards, requirements, and other provisions of this Zoning Resolution as they may be appropriate, shall be used.

## Section ~~740~~730.04~~3~~ - Procedure

The following procedure shall be followed in placing land in the Exceptional Use District.

A~~1~~) *Development Plan*

One (1) hard copy and one (1) electronic copy of a ~~Eight (8) copies of a~~ d~~D~~evelopment p~~P~~lan shall be submitted with the application for ~~amendment of the Zoning District Map~~rezoning to the Exceptional Use District, ~~and~~ such plan shall include ~~text or map form~~the following in text and/or map form:

~~A)~~1) The proposed location and size of areas of~~if~~ use, indicating size, location and type of structure~~.~~;

~~B)~~2) The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas~~.~~;

~~C)~~3) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility studies~~.~~;

~~D)~~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.~~;

~~E)~~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~~.~~;

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

~~G)~~7) Evidence that the applicant has sufficient control over the land to effectuate the proposed d~~D~~evelopment p~~P~~lan within three (3) years. Such control may include~~s~~ verification of property rights, economic resources and engineering feasibility as may be necessary.

B~~2~~) *Basis of Approval*

The basis of approval for the Exceptional Use District shall be:

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

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B)2) That the proposed development plan is in conformity with athe Jefferson Township Comprehensive Plan and Core Community Values or a portion thereof as it as they may apply.; and

C)3) That the proposed development plan advancespromotes the public health, safety, convenience, comfort, prosperity or general welfare of theJefferson Township and that the benefits to be derived from the proposed use justify the change in the land use character of the area.

C3) *Effect of Approval*

The Development Plan as approved by the Jefferson Township Trustees shall constitute an amendment rezoning the land included in the approved development plan to the Exceptional Use District Regulations as they apply to the land included in the approved amendment.

The approved dDevelopment pPlan shall be valid for a period not to exceed three (3) years. ; except if aAn application for time extension ismay be submitted and approved in accordance with the following section.

D4) *Extension of Time or Modification*

The Board of Trustees Jefferson Township may approve an extension of the time limit or the modification of an approved development plan. Modifications may be approved according to the normal rezoning procedure. Such approval shall be given upon finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original dDevelopment pPlan, and that such extension or modification promote the public health, safety, convenience, comfort, prosperity or general welfare in Jefferson Township is not in conflict with the general health, safety and welfare of the public or the dDevelopment sStandards of the Exceptional Use District.**Section 740.04 - Development Standards**

The provisions of Article VIII – 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 the Development Standards, requirements, and other provisions of this Resolution as they may be appropriate, shall be used.

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# Article VIII
General Development Standards

## SECTION 800 – GENERAL DEVELOPMENT STANDARDS ADOPTED

### Section 800.01 - 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 z~~Z~~oning d~~D~~istricts adopted in Article III are hereby established and adopted as supplementary to the d~~D~~istrict r~~R~~egulations of Article V, Article VI and Article VII.

## SECTION 805 – LOT AND YARD SPACE REQUIREMENTS

### Section 805.01 - 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. These standards are minimum requirements for the arrangement of lots and space to be achieved in all developments.

### Section 805.02 - Lot Area and Yard Space Preserved ~~*(Amended 01/13/2009)*~~

The lot area and yard space required for a use or~~of~~ 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.

A) ~~*1)*~~ *Yards Required Open*

The yard space required for a use or structure shall~~, during its life,~~ remain free of all obstructions~~uses or occupancies~~ except as follows:

1) Fences, gates, walls, columns, pillars, other similar type structures and landscaping shall be permitted in any required yard, or along the side of any yard. Except as otherwise provided herein, no fence, gate, wall, column, pillar or other similar type structure and landscaping shall exceed a maximum height of six (6) feet from the lowest part of the existing grade to the highest part of the structure. ~~A) Fences, gates, walls, columns, pillars, other similar type structures and landscaping shall be permitted in any required yard, or along the edge of any yard, provided that~~ N~~n~~o fence, gate, wall, column, pillar, or other similar type structure and landscaping between a street and a front building line ~~is more than~~shall exceed a maximum of fifty-four (54) inches in height from the lowest part existing grade to the highest part of the structure, except as required in Article VIII, Section 835, or in accordance with an approved d~~D~~evelopment p~~P~~lan of a p~~P~~lanned ~~Development D~~district. Any ornamental or lighting fixtures attached to fences, gates, walls, columns, pillars, other similar type structures shall not exceed twelve (12) inches in height.~~Chain link or wire fences in front of the building line shall be prohibited in any Residential District.~~

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2) B) Fences, gates, walls, columns, pillars, and other similar type structures shall be located outside the public right of way.

3) C) The owner of the property upon which any fence, gate, wall, column, pillar, and other similar type structure is situated shall be responsible for its maintenance and repair.

4) D) No fence, gate, wall, column, pillar, and other similar type structure shall be permitted in a state of disrepair.

5) E) With the exception of eaves, cornices, windowsills, and belt courses, no part of a primary or accessory structure shall encroach into any required yard.

6) F) Porches may project beyond the front building line a distance not to exceed eight (8) feet.

7) G) Driveways (in a residential district) shall be permitted in required yards, but shall be three (3) feet or more from any property line unless driveways are developed jointly as a common drive to adjoining lots.

2)B) *Yards Maintenance Maintained*

All yard space shall be maintained in accordance with one or more of the following provisionand include the following, where permitted:

Fencing A) Fenced as permitted or required.

1)

2) B) Landscapeding accomplished by lawns, shrubbery, trees, and other plantings, or used for permitted accessory or ancillary use.

3) C) Pavinged for parking as permitted.

C) *Additional Fencing Regulations*

1) Fences, gates, walls, columns, pillars, other similar type structures or other landscaping plantings shall be erected without the issuance of a Certificate of Zoning Compliance. Applications for such permit shall include plans and drawings showing the actual and accurate shape and dimensions of the property upon which the fences, gates, walls, columns, pillars, other similar type of structure is to be erected; the exact height, location, length, type of material and type of construction of such proposed fence; the location of the buildings on the lot; or any such other information as deemed necessary for such permit.

2) The following fence types shall be permitted in required yards as follows:

a) Open fences, partially open fences, and hedges are permitted in any required yard or along the edge of any yard; and

b) Solid fences shall be permitted in all zoning districts, and in the rear yard only.

3) The following fences shall not be permitted in any zoning district or yard:

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a) Fences, wall or other landscaping equipped with or having barbed wire, spikes, sharp points or any similar device or an electrical charge sufficient to cause shock shall be prohibited. In addition, chicken wire, poultry wire or hex netting fence consisting of a galvanized or PVC coated material shall be prohibited except where associated with a swimming pool in the rear yard. This section shall not be construed or applied to prohibit underground invisible fences installed for the purpose of confining pets to property.

b) Open chain link fences except those associated with approved tennis courts.

c) Vinyl clad, plastic or PVC (poly vinyl chloride) fences in colors other than black or white.

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# SECTION 810 – BUILDING LINES ALONG PUBLIC RIGHTS-OF-WAY

## Section 810.01 - Building Lines Established

Except as otherwise provided as part of an approved development plan in Planned District. Along every street right-of-way a building line shall be established from the centerline of the existing pavement for a distance of one hundred ~~and~~ ten (110) feet.

~~1)~~A) *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.

~~2)~~B) *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.

~~3) *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.~~

C) *Garage Setback*

1) ~~4) A)~~ Front Load Garage: ~~(Amended 11/13/2007)~~

The width of the garage wall door or doors facing the front building ~~setback~~ line shall not exceed sixty ~~(60)~~ percent (60%) of the width of the entire structure. A garage designed or intended for the parking of vehicles, which is attached and accessory to single, two-family ~~dwellings~~, ~~and~~ or multi-family dwellings of three (3) or four (4) units shall extend no more than eight (8) feet closer to the front building line than the foundation ~~of~~as measured from the first floor habitable portion of the dwelling. As an option, the measurement may be taken from a cantilever projection in front of the foundation line, provided that the width of the cantilever projection is equal to or greater than the width of the entire garage.

2) ~~B)~~ Side Load Garage: ~~(Amended 11/13/2007)~~

A garage designed or intended for the parking of vehicles, which is attached and accessory to single, two-family ~~dwellings~~, ~~and~~or multi-family dwellings of three (3) or four (4) units that have~~s~~ a garage door or doors perpendicular to the front building setback line shall extend no more than twenty ~~feet~~ (20) feet closer to the front building line than the foundation ~~of~~as measured from the first floor habitable portion of the dwelling.

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D) ~~5)~~ *Rear Elevation*

The rear elevation of a residential structure may not face any street, unless the rear elevation is behind a line at least 200 feet from the right-of-way and entire lot width of the rear yard is screened by vegetation that is at least six (6) feet in height with fifty ~~(50)~~ percent (50%) ~~-~~opacity within one hundred twenty (120) days of final building inspection. *(Amended 6/22/04)*

## Section 810.02 - Sight Triangle Established

The area of a corner lot bounded by the right-of-way lines and a line connecting the two (2) points on the property lines thirty (30) feet from the intersection of the property lines shall remain clear of structures and other obstructions, including parked cars, between the heights of two and one-half (2-1/2) feet and ten (10) feet above the average grade line. Trunks of existing trees and light-poles or signposts may be exempted from this requirement.

# SECTION 815 – HOME OCCUPATION

## Section 815.01 - Purpose

The purpose of the home occupation provisions is to allow limited, non-residential activities in residential 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.

## Section 815.02 - ~~Permitted~~ Home Occupation Requirements

A home occupation shall be defined as an occupation carried on within a ~~dwelling~~single family dwelling unit by individuals residing in the single family~~residential~~ dwelling unit and provided that:

~~1)~~A) The appearance of the single family dwelling~~structure~~ shall not be altered or the occupation within the dwelling~~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. A home occupation shall be clearly incidental and secondary to the use of the unit for dwelling purposes.

B) ~~2)~~ There is not more than one (1) non-resident employee.

C) ~~3)~~ No equipment or process shall be used in such home occupation~~,~~ which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot when~~, if~~ the occupation is conducted in a single-family dwelling~~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. Sales are only of commodities or services produced on the premises.

D) ~~4)~~ No sign or other announcement of such home occupation shall be permitted.

~~5)~~E) There shall be no outside storage of any kind related to a home occupation ~~included in *as permitted in this Section*~~unless otherwise permitted by this Section.

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6)F) Specialized instruction or tutoring shall be limited to one (1) individual at a time.

7) The volume of traffic generated by a permitted home occupation shall be typical of the traffic volume generated by a single-family dwellingresidence as calculated using accepted transportation-engineering standards.

G)

## Section 815.03 - Home Occupation Conditional Use

It is recognized that there may be some home occupations, which do not meet the criteria outlined in subsections 815.02, but which may be appropriate for a residential districtarea provided that the following additional standards are addressed through the cConditional uUse pPermit procedure. A hHome oOccupation cConditional uUse may be permitted, provided it meets the procedures and requirements of Article X and the following requirements: set forth in Section 815.04.

For purposes of this Zoning Resolution, a hHome oOccupation cConditional uUse pPermit ceases to be valid once the premises used for the home occupation is no longer occupied by the holder of the cConditional uUse pPermit or upon the conduct of a home occupation in a manner not approved by the Board of Zoning Appeals.

## Section 815.04 - Conditional Use Criteria

Home oOccupation cConditional uUses shall be limited by the following criteria and/or any other conditions as determined to be necessary by the Board of Zoning Appeals in order to protect the residential character of the subject area:

1)A) There shall be no more than a total of three (3) non-resident employees.

2)B) The conduct of a home occupation may be approved within a structure accessory to a single family dwelling unit.

3)C) Sales of commodities not produced on the premises may be permitted, provided such commodities are specified and approved as a part of the application. Examples of hHome oOccupation cConditional uUses in which retail sales of items not produced on the premises may be permitted include, but are not limited to, the following:

A)1) Barber shop or beauty shop with limited sales of associated accessory items.;

B)2) Arts, crafts or other artistic instruction with sales of associated materials used in the instruction and preparation of artistic works.;

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~~C)~~3) Small machinery and equipment repair such as computers, cameras, clocks or other similar small items including limited sales of repaired or associated parts and equipment; and~~.~~

~~D)~~4) Limited, seasonal sales of specialized items such as holiday ornaments, handicrafts, or sporting supplies, which do not otherwise meet the requirements of this section.

In approving the sale of commodities not produced on the premises, the Board of Zoning Appeals shall determine that such sales will not become a detriment to the existing residential character of the lot or the surrounding~~general~~ area ~~through a~~ resulting in an increase ~~in~~to traffic, noise, vibration, glare, fumes, odors or electrical interference or any other factor that may result~~ing~~ in an adverse impact as determined by the Board of Zoning Appeals.

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4) Organized instruction may be permitted provided the class size does not exceed six (6) pupils at any given time. Prior to any approval for organized instruction associated with a Home Occupation Conditional Use Permit, the Board of Zoning Appeals shall determine that because of the location and orientation of the residence and lot in question, the regularly organized instruction of up to six (6) pupils at any given time will 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.

D) 5) No outside storage of any kind associated with a hHome oOccupation Conditional Use shall be permitted unless it is totally screened from the adjacent residential lots and the abutting street.

E) 6) Signs shall not exceed one (1) square foot of area per side with no more than two sides; shall not interfere or obstruct visibility when leaving or entering the property; shall not exceed eight feet in height; no more than one (1) per parcel; shall not be illuminated; and shall otherwise be in accordance with Section 809.028845.

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# SECTION 820 – ACCESSORY USES AND STRUCTURES

## Section 820.01 - Accessory Uses and Structures Permitted

Accessory uses and structures shall be permitted in association with a principal use or structure.

1)A) *Accessory Use and Structure Defined*

"Accessory Structure or Use" means either a use of an object, building or structure applied, constructed or installed on, above, or below the surface of a lot, which is located on the same lot as a principal use, building, object, or structure, and which is subordinate to or services the principal use, building, object, or structure; is subordinate in area to the principal use, building, object, or structure; and is customarily incidental to the principal use, building, object, or structure. Among other things, "Accessory Buildings or Use" includes anything of a subordinate nature detached from a principal structure or use. Except as otherwise regulated in this Zoning Resolution, an accessory use must be a permitted use within the District. Swimming pools, detached garages, sheds, hot tubs, sport courts, tennis courts, basketball courts, batting cages, gazebos or other detached opened aired structures as determined by the Zoning Inspector shall be classified as accessory structures and shall be governed by the regulations of this Section. This list is intended to provide examples of common structures and uses that are accessory uses and structures. This list is not intended to be an exclusive or all-inclusive list.An accessory use or structure shall be defined as a subordinate use or structure which is incidental to and in association with a principal use or structure and which is customarily required or provided for the principal use or structure.

2)B) *Location of Unattached Accessory Structures*

1) A) On residential lots of one (1) acre or less, unattached accessory structures shall be located behind the rear of the principal structure. The accessory structure shall conform to the minimum side yard requirements as listed in Table VIII-1;.

2) On residential lots larger that one (1) acre, unattached accessory structures may be located to the side or rear of the principal structure, provided all minimum building line and side yard requirements listed in Table VIII-1are met.;

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3) No more than two (2) unattached accessory structures per parcel, or lot, which combined does not exceed the maximum footprint size for each structure as listed in Table VIII-1;

4) An accessory structure shall have an exterior that is complimentary in materials to the principal building on the parcel or lot. This includes, but is not limited to materials, colors, texture, roof types and windows;

5) No accessory structure, except fences, shall be located within any easement, floodplain, floodway, drainage easement, or apparent drainage course for any parcel or subdivision which would be detrimental to the public health safety and welfare;~~.~~

6) A Certificate of Zoning Compliance shall be obtained for accessory uses and structures;

7) All accessory structures shall be located to the rear of the principal building;

~~B) The minimum rear yard setback may be modified to permit placement of an unattached accessory structure as close as six (6) feet to the rear lot line if the structure is not more than twelve (12) feet in height.~~

~~C)~~8) Accessory uses or structures shall be on the same ~~lot~~parcel as a principal use or structure and located subject to the Development Standards of the Zoning District in which it may be located; and~~.~~

9) Accessory building development standards shall be based upon the following table requirements:

**TABLE VIII-1**

| ***LOT SIZE*** | ***MAXIMUM* FOOTPRINT *SIZE*** | ***MAXIMUM HEIGHT*** | ***SET-BACK FROM SIDE AND REAR PROPETY LINE*** |
|---|---|---|---|
| Under one (1) acre | 720 square feet | 18 feet | 5 feet |
| Equal to or greater than one (1) acre but less than two (2) acres | 1,440 square feet | 20 feet | 10 feet |
| Equal to or greater than two (2) acres but less than three (3) acres | 2,160 square feet | 25 feet | 20 feet |
| Equal to or greater than three (3) | | | |

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| acres but less than four (4) acres | 2,880 square feet | 25 feet | 20 feet |
| Equal to or greater than four (4) acres but less than five (5) acres | 3,600 square feet | 25 feet | 20 feet |
| Five (5) or more acres _____(Non agricultural) | 4,320 square feet | 35 feet | 20 feet |

## Section 820.02 - Towers, Antennae, and Windmills as Accessory Uses in Residential Districts

Radio and T.V. towers, antennae, satellite earth stations (dish antennas), solar collectors, and similar structures shall be permitted in association with a residential structure, provided that the following standards are met:

~~1)~~A) All towers, antennae, windmills and similar accessory structures shall be located to the rear of the building setback line. No such structure shall be permitted to encroach upon the minimum required side yard and rear year.

~~2)~~B) No such structure shall be permitted to exceed thirty-five (35) feet in total height, inclusive of the height of any building or base upon which said structure is erected, except upon issuance of a c~~C~~onditional u~~U~~se p~~P~~ermit in accordance with this Resolution.

~~3)~~C) Any guy anchorage or similar device shall be at least ten (10) feet from any property line.

~~4)~~D) No structure shall be in excess of a height equal to the distance from the base of the structure to the nearest overhead electrical power line or phone line less ten (10) feet.

~~5)~~E) No structure shall be in excess of a height equal to the distance from the base of the structure to the nearest lot line less ten (10) feet.

~~6)~~F) Suitable fencing and/or landscaping or other treatment is provided to effectively prevent unauthorized climbing of the structure.

~~7)~~G) The structure or activity for which the structure is used shall not interfere with radio and television reception on nearby properties.

## Section 820.03 - Plot Plan for Towers, Antennae, Windmills and Similar Structures

Prior to issuance of any Certificate of Z~~Z~~oning C~~C~~ompliance for a tower or similar structure, the applicant shall submit a plot plan and supporting information to the Zoning Administrator/Inspector, which shows the following:

~~1)~~A) Proposed location and height of proposed structure, support systems, and distances to the nearest phone, electric lines and property lines;

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~~2)~~B) Type of structure and construction materials~~,~~ and, if requested by the Zoning Administrator/Inspector, a structural engineering analysis;

~~3)~~C) Documentation of any maintenance program ~~which~~ may be necessary;

~~4)~~D) Proof that a building permit can be obtained or is not necessary for the proposed structure;

~~5)~~E) Proof that any license~~, which~~ may be required~~,~~ has been or will be obtained;

~~6)~~F) All fencing, landscaping or other treatment~~,~~ which may be required; and

~~7)~~G) Other information as may be requested by the Zoning Administrator/Inspector.

## ~~SECTION 825 – AGRICULTURAL USES AND STRUCTURES~~

### ~~Section 825.01 - General~~

~~In any platted subdivision approved under ORC section 711.05, 711.09 or 711.10 or any area consisting of fifteen (15) or more lots approved under section 711.131 of the Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one 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 as follows;~~

~~1) Agriculture is prohibited on lots of one acre or less. This does not prohibit gardening related to a residence.~~

~~2) A building or structure incident to the use of land for agricultural purposes on a lot greater than one acre but not greater than five acres must conform to:~~

~~A) *Side Yard Setbacks*~~

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The side yard setback for buildings used for agriculture shall be a distance such that the sum of the side yard setback of the adjacent property and the property used for agricultural use shall total to not less than fifty (50) feet. When adjacent to other property zoned or used for agricultural purposes, the side yard setback shall be 25 feet or equal to the height of the building, whichever is greater. In no case shall a side yard setback be less than 25 feet.

B) *Rear Yard Setbacks*

Shall be 20 percent (20%) of the lot depth up to a maximum of 50 feet

C) *Front Yard Setbacks*

No building shall be constructed less than 110 feet measured from the edge of pavement abutting the property unless the Franklin County Thoroughfare Plan indicates widening of road is planned, in which case the centerline of right-of-way will be used.

D) *Building Height*

Maximum allowable height of buildings shall be two stories and 45 feet.

3) Dairying and animal and poultry husbandry are permitted on lots greater than one acre but not greater than five acres until thirty five (35) percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on the manufactured homes under section 4503.06 of the Ohio Revised Code. After thirty five (35) lots in the subdivision are so developed, ongoing dairying, animal and poultry husbandry shall be considered a nonconforming use pursuant to 519.19 of the Ohio Revised Code. No new dairying, poultry or animal husbandry shall commence on such lots after thirty five (35) percent of the lots are developed with structures.

NOTE: Agriculture, agricultural structures, dairying, animal and poultry husbandry on lots greater than five acres are zoning exempt.

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~~(Agricultural structures must meet floodplain regulations in the flood prone areas.)~~

~~4) Farm markets which derive at least fifty (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 except planned zones, subject to the following regulations:~~

~~A) Buildings less than 144 square feet must be placed at least 15 feet outside the road right-of-way so as to safely allow for adequate customer off-street parking and shall conform to side and rear yard setbacks the same as for any structure in the underlying zone. Seasonal farm markets may use grassed areas for parking. Permanent farm markets must have paved or graveled parking areas.~~

~~B) For buildings larger that 144 square feet, off-street parking must be provided at a ratio of one space for each 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 County engineering standards. Setbacks are the same as for any structures in the underlying zone. Buildings larger than 144 square feet shall require building permits.~~

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## ~~SECTION 830 LAND SUITABILITY AND ENVIRONMENTAL PERFORMANCE STANDARDS~~

### ~~Section 830.01 - General~~

~~No land which is subject to flooding, improper or inadequate storm water drainage, limiting topographic, soil or geologic conditions, or other conditions which may be harmful to the health, safety and general welfare of the present or future inhabitants of the township shall be approved unless the applicant presents and commits to methods adequate to overcome or avoid the limiting conditions.~~

### ~~Section 830.02 - Soils Criteria~~

~~The following soils are floodplain soils, as determined by the USDA Soil Survey of Franklin County, Ohio. The frequency, duration and extent of flooding may vary. However, in most cases, these soils do not constitute acceptable sites for building and on-site sewage disposal.~~

| ~~SYMBOL~~ | ~~SOIL TYPE~~ |
|---|---|
| ~~Ag~~ | ~~Algiers Silt Loam~~ |
| ~~Ee~~ | ~~Eel Silt Loam~~ |
| ~~Gn~~ | ~~Genesse Silt Loam~~ |
| ~~Mh~~ | ~~Medway Silt Loam~~ |
| ~~Rs~~ | ~~Ross Silt Loam~~ |
| ~~Sh~~ | ~~Shoals Silt Loam~~ |
| ~~So~~ | ~~Sloan Silt Loam~~ |

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~~Most soils in the nearly level areas of Jefferson Township are subject to a seasonally high water table which should be properly drained in order to create good building areas. However, the following soils, which are located in very flat or low areas, characteristically have severe seasonally high water table problems, which often cannot be resolved. The creation of buildings with basements or wastewater leaching systems in the following soil types is therefore discouraged. The burden is on the applicant to demonstrate that safe and healthful building and leaching sites can be provided in these soils.~~

| ~~SYMBOL~~ | ~~SOIL TYPE~~ |
|---|---|
| ~~Pm~~ | ~~Pewamo Silty Clay Loam~~ |
| ~~Ms~~ | ~~Montgomery Silty Clay Loam~~ |
| ~~Wt~~ | ~~Westland Silty Clay Loam~~ |
| ~~Cn~~ | ~~Condit Silt Loam~~ |

**~~Section 830.03 - Stormwater Runoff~~**

~~All proposed development with a runoff rate exceeding the capacity of the downstream system shall be required to control the rate of stormwater discharge, as determined by the Franklin County Engineer.~~

~~The township will not approve an application when the County Engineer determines that adequate stormwater drainage cannot be provided to the proposed development.~~

**~~Section 830.04 - Natural and Scenic Features~~**

~~Applications for zoning approval shall include measures to protect outstanding scenic spots, stream banks and watercourses, or exceptionally fine wooded areas, when deemed necessary by the Zoning Commission and Trustees.~~

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## Section 830.05 - Package Sewage Plants

The provision of sewage disposal through a collection and treatment system ("package plant") is the method preferred by Jefferson Township, provided all Ohio Environmental Protection Agency standards can be met.

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## Section 830.06 - Use of Individual Sewage Treatment and Water Supply

A tract of land that was of record on the date of adoption of this Zoning Resolution shall not be developed with individual sewage treatment or individual water supply for more than fifteen (15) dwelling units nor to more than fifty percent (50%) of the tract area (whichever is the most restrictive) within a three-year period without the approval of the appropriate Health Authority. Approval shall be in writing with a finding of adequate control of water pollution and sewage disposal in accordance with all governing health rules and regulations.

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## Section 830.07 - Discharge of Treated or Untreated Sewage

No person shall discharge from his lot, or permit or cause to be discharged, treated or untreated sewage, the drainage or contents of a sewage tank, or other putrescible or offensive wastes onto the surface of the ground, into any street, road, alley, or open excavation or underground drain. (Reference Franklin County Board of Health, Household Sewage Disposal Systems Regulations Section 701-02 as may be amended.) This shall not apply to properly approved sewage collection and treatment systems or to existing development for which no other reasonable remedy is available, in the opinion of the Township Trustees and County Board of Health.

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## Section 830.08 - Water Quality

In order to protect the health, safety and general welfare of people in Jefferson Township, it is the intent of this Zoning Resolution to prevent the degradation of the quality of surface and underground waters in the

~~Township. In accordance with the goals established by the Clean Water Act (Public Law 92-500 as amended) it is the goal of this Resolution to attain and maintain the streams of the Township at a level of quality safe for "Primary Contact, Recreation," as classified by Ohio EPA. An indication of the ability to comply with the above standards shall be prerequisite for development approval.~~

**~~Section 830.09 - Limited Water Supply Areas~~**

~~When Ohio Capability Analysis Program (OCAP) maps or other geologic information shows that groundwater yields may be questionable for the proposed development, the township may require that the subdivider drill a minimum of three (3) test wells, or more, as may be required by the County Board of Health. The test wells should be drilled at locations and depths necessary to determine the horizontal and vertical dimensions of any water bearing strata proposed as a source of water supply. The Board of Health may require the construction of central water facilities, including a water tower or storage wells, where necessary.~~

~~Test wells shall be pumped at a continuous rate of five (5) gallons per minute for at least a 24 hour period. Lesser rates may be acceptable for individual homes when a storage system is provided. Groundwater level draw down resulting from the test pumping shall not exceed fifty (50) percent of the estimated draw down available.~~

~~Any residence or building using well water as a source of heating or cooling (groundwater heat pump) shall cease to use the well water for heating or cooling if the water level in surrounding or nearby wells is depleted or reduced to the point that those wells must be deepened.~~

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# SECTION 835 – SCREENING BY STRUCTURE OR LANDSCAPING REQUIRED

## Section 835.01 - Screening Requirements

~~Certain activities~~Where this Zoning Resolution requires that screening by provided by~~ shall be screened by~~ structures, walls, fences, or landscaping, the following standards shall be met:~~ so that these activities will not be detrimental to adjacent land.~~

~~1) *Screening Standards*~~

~~Required screening shall be provided in accordance with the following standards, except as provided in other sections of this Zoning Resolution:~~

~~A) It shall totally screen the activity from view~~

~~B) It shall be at least six (6) feet in height~~

~~C) 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~~

~~D) Strips in chain link fencing shall not be permitted~~

~~2)~~A) *Adjacent to Residential ~~Zones~~Districts and Planned Residential District~~Development~~*

The following list of activities, if developed adjacent to land in a R~~R~~esidential Z~~Z~~oning D~~D~~istrict or a P~~P~~lanned R~~R~~esidential D~~D~~istrict as listed in Article ~~V~~III, or any non-conforming residential lot, shall be screened as prescribed, except ~~that it is~~when the zoning districts are separated by a street right-of-way of at least eighty (80) feet or more in width.

~~A)~~1) A parking area of one thousand (1,000) square feet or more provided or intended for five (5) or more vehicles for commercial and industrial establishments~~.~~;

~~B)~~2) A drive-in or outdoor service facility;

~~C)~~3) A commercial or industrial loading area; and

4) An outdoor display area of goods in a complete, usable and normal condition, including samples and models, offered for retail sale.

B) *Screening Standards*

Required screening shall be provided in accordance with the following standards, except as provided in other sections of this Zoning Resolution unless otherwise stated, screening shall be provided as follows:

1) It shall have an opaqueness of seventy-five percent (75%) or more;

2) It shall be at least six (6) feet in height but no more than ten (10) feet in height;

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3) If screening is to be accomplished by landscaping, the landscape materials shall achieve the standards stated above within a period of three (3) years or less;

4) Strips in chain link fencing shall not be permitted; and

D)5) Landscape materials must consist of a mix of evergreen and deciduous plant species.

3)C) *Along a Public Street*

The following list of activities, in addition to being screened as prescribed, shall be screened so that the activity is not visible from a public street or Residential or Planned Residential District 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 nothat are not being offered for retail sale in a completed, usable and normal condition.

# SECTION 840 – OFF-STREET PARKING AND LOADING

## Section 840.01 - 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.

Such required facilities, additional space provided, and access drives thereto, including required curb-cuts, shall be sloped and constructed to provide adequate drainage of the area, surfaced with a sealed surface pavement and maintained in such a manner that no dust will be produced by continuous use. The design and construction of all facilities provided shall be subject to approval by the Franklin County Engineer.

1)A) *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 twenty (20) feet plus adequate area for ingress and egress.

2)B) *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 may establish with public or commercial establishments joint parking facilities of up to for fifty percent (50%) or less of their required spaces provided that a written agreement thereto is obtained and that all parking areas so designated lie within one thousand (1,000) feet of the church.

3)C) *Parking Area Setback*

Parking areas shall be permitted in required yards developed in cCommercial and iIndustrial zZoning dDistricts to within fifteen (15)twenty-five (25) feet of a Residential Zoning District or a Planned Residential District.

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## Section 840.02 - Minimum Number of Parking Spaces Required

A minimum number of off-street parking spaces shall be provided in accordance with the following schedule:

~~1)~~A) *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**<br><br>**Residence** | **Spaces Required** |
|---|---|
| Fraternal or Group Housing | One (1) space per two (2) occupants |
| Institutional Housing<br><br>(unless otherwise specified) | One (1) space per ten (10) occupants plus one (1) space per each two (2) employees and staff on the combined work shifts |
| Residential Dwellings | Two (2) spaces per dwelling unit |
| **Commerce** | **Spaces Required** |
| Commercial Lodging | One (1) space per sleeping room |
| Barber Shop, Beauty Shop or Similar Personal Service | Two (2) spaces per barber or beautician |
| Restaurant, Bar or Similar Place of the Sale and Consumption of Food and/or Drink on the Premises | One (1) space per one hundred (100) square feet of gross floor area |
| All Outdoor Display and Sales | One (1) space per five hundred (500) square feet of display area |
| Indoor Sales Exclusively of Motor Vehicles, Aircraft, Watercraft, Lumber, Plants and Furniture | One (1) space per five hundred (500) square feet of sales area |
| Retail Sales or Service Establishment not Elsewhere | Three (3) parking spaces per first one thousand (1,000) square feet of gross floor area per structure plus one (1) space per two |

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| Specified | hundred and fifty (250) square feet of gross floor area. |
| Funeral Parlors, Mortuaries | One (1) parking space per one hundred and fifty (150) square feet of gross floor area on the first floor of the structure devoted to this use |
| Administrative or Business Office | One (1) space per two hundred (200) square feet of gross floor area |
| **Medical and Health** | **Spaces Required** |
| Medical/Dental Office/-Clinic | One (1) parking space per one hundred (100) square feet of gross floor area |
| Convalescent and Nursing | One (1) parking space per each two (2) beds |
| Hospital or Similar | Two spaces per bed |
| **Education** | **Spaces Required** |
| Day Care Centers | Two (2) parking spaces for each classroom but not less than six (6) per school or institution |
| Elementary Schools | One (1) space per teacher and staff member, plus one (1) parking space per student, up to five percent (5%) of the student body |
| High Schools | One (1) parking space per four (4) students |

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| Business, Technical and Trade Schools | One (1) parking space per two (2) students |
| Colleges and Universities | One (1) parking space per two (2) students |
| Libraries, Museums, Art Galleries and Similar Uses | One (1) parking space per four hundred (400) square feet of gross floor area |
| **Recreation and Religion** | **Spaces Required** |
| Auditorium, Church, Stadium, or Similar Place with Fixed Seating for Assembly | One (1) space per three (3) seats |
| Assembly Hall, Club Room, Place of Amusement or Similar Place of Assembly | One (1) space per one hundred (100) square feet of area devoted to assembly |
| Tennis Court, Bowling Alley or Similar Establishment Providing Facilities for Intensive Public Participation in Sports Activity | Four (4) parking spaces per lane, court or similar activity area, plus additional parking spaces as required for supplementary uses, such as restaurant, etc. |
| Golf Course | Seven (7) spaces per hole plus one (1) space per two (2) employees on the combined work shifts |
| Indoor Public Swimming Pool or Natatorium<br><br>(Public or Semi-Public Type) | One (1) space per five (5) persons capacity computed on the basis of one (1) person per thousand (1,000) gallons of pool capacity, plus one (1) for each 4 seats or thirty (30) square feet of gross floor area used for seating purposes, whichever is greater |
| Outdoor Swimming Pool<br><br>(Public or Semi-Public Type) | One (1) space per five (5) persons capacity computed on the basis of one (1) person per five hundred (500) gallons of pool capacity, plus additional spaces as required for any supplementary uses such as restaurant, etc. |
| | One (1) space per each three (3) patrons the establishment is designed to serve |

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|---|---|
| All Other Recreational Facilities | |
| **Industry** | **Spaces Required** |
| Manufacturing, Warehousing, Wholesaling, or Similar Establishments | One (1) space per two (2) employees on the combined work shifts, on an annual average, plus one (1) space per ten thousand (10,000) square feet of gross building area |

~~2)~~B) *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 required shall be to the next highest whole number where a fractional space results in computation.

## Section 840.03 - Minimum Number of Loading Spaces Required

A loading space shall consist of a rectangular area of one (1) of the following classes:

***Class A*** - An area of at least fourteen (14) feet by fifty-five (55) feet having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.

***Class B*** - an area of at least twelve (12) feet by thirty (30) feet having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.

~~1)~~A) *Schedule of Loading Spaces*

Loading space shall be provided for retailing, wholesaling, warehousing, processing, and similar activities or uses in accordance with the following schedule:

| Activity or Use | Class Required |
|---|---|
| Building area less than seven hundred ~~and~~ fifty (750) square feet | None required |
| Building area more than seven hundred ~~and~~ fifty (750) square feet, but less than fifteen hundred (1,500) square feet | One (1) Class B space required |
| Building area fifteen hundred (1,500) square feet, but less than twenty-five hundred (2,500) square feet | One (1) Class A space or two (2) Class B spaces required |

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|---|---|
| Building area twenty-five (2,500) square feet, but less than ten thousand (10,000) square feet | One (1) Class A space and one (1) Class B space, or three (3) Class B spaces required |
| Building area ten thousand (10,000) square feet, but less than fifty thousand (50,000) square feet | One (1) Class A space and one (1) Class B space, or three (3) Class B spaces, plus one (1) Class A space for each ten thousand (10,000) square feet over ten thousand (10,000) square feet of building area |
| Building area fifty thousand (50,000) square feet or more | One (1) Class A space for each ten thousand (10,000) square feet over ten thousand (10,000) square feet of building area, plus one (1) Class A space for each twenty-five thousand (25,000) square feet over fifty thousand (50,000) square feet of building area |

## Section 840.04 - Access Drives

Access drives (driveways) leading to and from a street shall be developed as follows:

~~1)~~A) *Width of Drive*

An access drive shall not exceed twenty-five (25) feet in width at the right-of-way, except at curb returns.

~~2)~~B) *Location of Drive*

An access drive, exclusive of curb returns, shall be ten (10) feet or more from the side lot line~~ and twenty (20) feet or more from another access drive~~, except that an access drive for residential uses may be within three (3) feet of a side lot line. If the residential uses utilize a common access drive for two (2) or more lots, the access drive shall be permitted~~ or~~ adjacent to the side lot line ~~if a common drive is provided for~~of the two (2) or more adjoining lots utilizing such drive.

~~3)~~C) *Turn-Arounds*

An access drive opening onto any road shown as an arterial (either major or minor) on the Franklin County Thoroughfare Plan must have provisions for a turn-around so cars need not back onto the road.

~~4) *Condition of Drive*~~

~~All access drives, except residential, shall be maintained in a dust-free condition.~~

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## Section 840.05 - Limitation of Parking in Residential Zoning Districts ~~*(Amended 9/10/2010)*~~

The provision of parking space, either open or enclosed, for the parking or storage of vehicles in a r~~R~~esidential z~~Z~~oning d~~D~~istrict or p~~P~~lanned r~~R~~esidential z~~Z~~oning d~~D~~istrict as listed in Article ~~V~~III, shall be subject to the following:

~~1)~~A) *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 State of Ohio Bureau of Motor Vehicles as a commercial vehicle or truck. The parking or storage of commercial motor vehicles, including those vehicles having commercial signage, commercial equipment, or structures for commercial equipment attached to the motor vehicle permanently or temporarily, shall not be permitted within any Residential District except when completely parked or stored in an enclosed garage or screened from view in accordance with this Zoning Resolution and Article VIII, Section 815. ~~Commercial vehicles shall not be allowed in a residential district or planned residential district unless parked in an enclosed structure or screened from adjacent lots or street by natural vegetation except in association with an approved home occupation, subject to approval in accordance with Article VIII, Section 815.~~

This Section shall not apply to passenger cars that qualify as non-commercial motor vehicles, as defined in ORC ~~Section~~ 4501.01, or to commercial vehicles making temporary house calls or deliveries. ~~of the Ohio Revised Code.~~

~~2)~~B) *Recreational Vehicles Used for Household Related and Non-Commercial Activities*

Recreational vehicles, boats, camping trailers or other trailers shall meet the following requirements:

1) ~~A)~~ Recreational vehicles parked or otherwise stored on residential properties shall comply with the following size requirements:~~.~~

~~i)~~ Less than one (1) acre:

a) Shall be parked to the side or rear of the principal structure and only to the front of a principal structure if parked in a permitted enclosed structure.

~~ii)~~ One (1) acre or more:

b) Should be parked to the side or rear of the principal structure or in an enclosed structure, but will be allowed to be parked in front of a principal structure provided the r~~R~~ecreational v~~V~~ehicle, b~~B~~oat/b~~B~~oat t~~T~~railer, c~~C~~amping t~~T~~railer or o~~O~~ther t~~T~~railer does not obstruct adjacent properties from safe ingress and egress ~~to property~~.

2) ~~B)~~ Parking shall be limited to one (1) recreational vehicle, or boat, or camping trailer or other trailer per residential parcel, unless enclosed within a permitted structure or accessory structure or:

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3) C) Any rRecreational vVehicle, bBoat/bBoat tTrailer, cCamping tTrailer or oOther tTrailer not parked in an enclosed permitted structure must be completely located outside of the public right-of-way and must be parked a distance equal to or greater than the minimum side yard setbacks and minimum rear yard setback required for the zoning district that parcel is located in.

3)C) *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.

D) 4) *Inoperable Vehicles, Including Motor Vehicles*

Any permitted inoperable motor vehicle shall meet the requirements of Section 840.05 (1) 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) residential parcel. Any permitted inoperable motor vehicle shall be parked or stored within a permitted structure, or by screening with a one hundred percent (100%) opaque fence no less than six (6) feet and no more than eight (8) feet in height, or by screening with natural vegetation 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 a permitted structure.

In addition, anno such inoperable motor vehicle shall not be parked or stored within a required side or rear yard unless the parking or storage space is completely enclosed by a permitted structure or screened by a totally opaque fence with a minimum height of six (6) feet and a maximum height limit of eight (8) or screen by natural vegetation. An automobile or other vehicle is inoperable if it meets any one of the following subsections:

1) A) It does not meet Ohio Revised Code, Ohio Administrative Code or other applicable Ohio law requirements for operating on a public street;

2) B) It is extensively damaged, such damage including, but not limited to, any of the following: missing wheels, tires, motor or transmission;

3) C) It is not operable on the public streets of Franklin County because it is not currently licensed to so operate; or

4) D) It is not capable of being operated on a public street due to missing or inoperable mechanical parts such as but not limited to, wheels, tires, engine or transmission.

# SECTION 845 – SIGN AND BILLBOARD REGULATIONS *(Amended 8/24/2006)*

## Section 845.01 - Purpose

The purpose of this sign regulation is to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance, preserve the scenic and natural beauty of the Township, reduce obstructions and distractions that may contribute to traffic accidents, provide more open space and generally curb the deterioration of the natural environment to the benefit of all Township residents.The Sign and Billboard

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Regulations are intended to protect the public health, safety and welfare by regulating the placement, size and general appearance of signs and billboards in order to:

A) 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;

B) Encourage signs and billboards that are readable and integrate with the aesthetics of the landscape and buildings of Jefferson Township;

C) Control the size, number and location of signs and billboards to reduce clutter;

D) Improve pedestrian and traffic safety;

E) Minimize the possible adverse effect of signs and billboards on nearby public and private property; and

F) Regulate signs and billboards so that they do not obstruct vision or interfere with the functions performed by drivers.

## Section 845.02 - General Regulations

The following restrictions shall apply to all signs located and erected within Jefferson Township:

~~1)~~A) *Location*

~~A)~~1) No sign shall be placed within or above the public right of way except governmentally owned signs, including, but not limited to, traffic control and informational signs.

~~B)~~2) No sign shall be mounted upon a roof of any building.

~~C)~~3) No sign shall be painted on a building surface.

~~D)~~4) No sign shall interfere with fire evacuation routes from a building.

~~E)~~5) No sign shall be permitted off premise unless otherwise specifically permitted.

~~F)~~6) No sign shall interfere with the visibility and safe operation of a vehicle entering or exiting a property.

~~2)~~B) *Lighting*

If illuminated, signs shall be illuminated only by the following means:

~~A)~~1) By a white, steady, stationary light of reasonable intensity, directed solely at the sign and shielded or otherwise prevented from beaming onto adjacent properties or rights of way. In no case shall the light create a hazard to vehicular traffic~~.~~;

2) By white, steady, stationary, interior light of reasonable intensity, with logos and/or letters lighted or silhouetted on a translucent background~~.~~; or

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B)3) An application for commercial building permit shall be submitted and approved for each proposed illuminated sign.

3)C) *Colors and Shapes*

1) No signs shall closely resemble the shape, size, or color of official traffic signs, signals, or devices.

4)D) *Calculation of Sign Area*

A)1) Sign area shall include the face of all the display areas of a sign and shall not include the bracing, framing, or structural supports, unless such support members are made part of the message or face of the sign.

B)2) The area of the letters, numbers, or emblems mounted on a wall shall be computed by enclosing the total signage within the smallest, single, continuous rectangular perimeter around the letters, numbers, or emblems.

C)3) Where a sign has two (2) sides, the sides shall be back to back.

5)E) *Maintenance*

All signs shall be maintained as follows:.

A)1) The owner of the property upon which any sign is situated shall be responsible for its maintenance and repair.

B)2) No sign shall be permitted in a deteriorated or unsafe condition upon any premises.

6)F) *Additional Restrictions and Prohibitions*

1) Unless otherwise permitted, no sign or part thereof shall contain or consist of banners, posters, pennants, balloons, festoons, ribbons, streamers, spinners, air activated, attraction devices, or other moving devices;

A)2) No sign or advertising being displayed by a person and used to promote a nearby business is permitted within twenty-five (25) feet of the edge of the roadway;.

B)3) No sign or advertisement is permitted on any utility pole or rock;

C)4) No sign or advertisement is permitted on any tree or fence except property control signs as defined in this Zoning Resolution.;

D)5) Portable signs are prohibited;

E)6) No temporary signs shall be attached to a freestanding sign;

7) No contractor signage allowed unless otherwise specifically permitted;

8) All commercial signs must be reviewed and approved by the designated commercial building department to ensure the State of Ohio building standards are followed during the installation; and

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F)9) Any other type of sign not specifically permitted by this Section.

## Section 845.03 - Permitted Signs (No ~~Permit~~Certificate of Zoning Compliance Required)

A) ~~1)~~ *Real Estate & Sales Signs*

Signs for the sale, lease, or rental of the property on which the sign is located and signs for garage sales, yard sales, and estate sales, auctions of personal property by or on behalf of the owner of the property or other similar sales on which the sign is located shall be permitted, ~~as follows~~when the following requirements are met:

~~A)~~1) One sign per parcel;

~~B)~~2) The maximum size in any R~~r~~esidential D~~d~~istrict is six (6) square feet of area per side with no more than two (2) sides~~.~~;

~~C)~~3) The maximum total height in any R~~r~~esidential District is four (4) feet above the existing grade below the sign~~.~~;

~~D)~~4) The maximum size in any commercial or industrial district is thirty-two (32) square feet per side with no more than two (2) sides~~.~~;

~~E)~~5) The maximum total height in any commercial or industrial district is ten (10) feet above the existing grade ~~below the sign.~~; and

~~F)~~6) All signs shall be removed within three (3) days after occupancy but in no case more than seven (7) days after closing.

~~2)~~B) *Vehicular Control Signs*

Signs pertaining to vehicular or pedestrian control on private property shall be permitted, provided the said signs:

~~A)~~1) Shall not exceed two (2) square feet of area per side with no more than two (2) sides;

~~B)~~2) Shall not interfere or obstruct visibility when leaving or entering any property; and

~~C)~~3) If the sign is used in connection with a specific event, it shall be removed immediately following the event.

~~3)~~C) *Political Signs*

Shall be permitted in any district provided the property owner has given permission and that said signs:

1) ~~Shall not be posted more than forty-five (45) days prior to the election~~Do not interfere with the visibility of vehicular traffic entering or leaving a public street;

~~A)~~2) Are located outside of the right-of-way limits of a road; and

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B)3) Shall be removed within seven (7) days following the electionAre be posted and removed without the destruction of public or private property.

4) Farm Signs

Shall be permitted only as follows:

A) Such signs shall designate the name and address of the occupant or the produce or livestock for sale.

B) Such signs shall not exceed six (6) square feet of area per side with no more than two (2) sides.

C) Such signs shall not exceed one (1) sign per parcel

5)D) *Security Protection Signs*

Shall be permitted only as follows:

A)1) Such signs shall not exceed one (1) square feet; and

B)2) Such signs shall not exceed two (2) per parcel.

6)E) *Property Control Signs*

(To include "nNo trespassing, hunting, keep off grass," etc.)

A)1) Such sign shall not exceed two (2) square feet in size; and

B)2) No more than one (1) sign per one hundred (100) lineal feet of property line being posted.

7)G) *Support our Troops, Cancer Survivor Signs, etc*

Shall be permitted; provided the sign is located outside of the right-of-way.

## Section 845.04 - Permitted Signs (Certificate of Zoning CompliancePermit Required)

The following signs shall be permitted in Jefferson Township subject to the regulations set forth herein:

A) 1) *Commercial or Industrial District Signs*

(To include schools, parks, churches, libraries, museums, cemeteries located in all zoning districts)

Each business or entity shall be permitted one (1) mounted wall sign or one (1) free standing sign or one (1) wall sign and one (1) free standing sign as follows:.

A)1) Wall Signs

i)a) Projections of wall signs shall not exceed two (2) feet measured from the face of the main wall of the building.

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~~ii)~~b) The area of all permanent wall sign advertising shall be limited to one (1) square foot of sign area for each lineal foot of building face~~-~~ that sign will be mounted to, but shall not exceed fifty (50) square feet.

~~B)~~2) Free S~~-s~~tanding, G~~g~~round M~~m~~ounted S~~-s~~igns

~~i)~~a) No sign shall exceed thirty-two (32) square feet per side with no more than two (2) sides.

~~ii)~~b) No part of such sign shall be closer than thirty-five (35) feet to any property line.

~~iii)~~c) No sign shall be erected at a height greater than ten (10) feet above the existing grade below the sign.

~~C)~~3) Wall and~~&~~ Free Standing Sign

a) Projections of wall signs shall not exceed two (2) feet measured from the face of the main wall of the building.

b) The area of all permanent wall sign advertising shall be limited to one (1) square foot of sign area for each lineal foot of building face that sign will be mounted to, but shall not exceed twenty-five (25) square feet.

c) No sign shall exceed sixteen (16) square feet per side with no more than two (2) sides.

d) No part of such sign shall be closer than thirty-five (35) feet to any property line.

e) No sign shall be erected at a height greater than ten (10) feet above the existing grade below the sign.

Buildings with multiple business occupants who share a common entryway shall be permitted one (1) joint identification freestanding sign and one (1) mounted wall sign provided the mounted wall sign and joint identification freestanding sign meet Section 845.04 ~~2A~~3A and 845.04 ~~2~~3B.

B) ~~2)~~ *Temporary Signs* (all districts)

Signs u~~U~~sed for announcing special public or institutional events or the proposed construction of a building shall be permitted as follows:

~~A)~~1) Such signs shall not exceed thirty-two (32) square feet per side with no more than two (2) sides.

~~B)~~2) Such signs are ~~for a period~~ not to exceed a thirty (30) day period.~~s~~

~~C)~~3) In the case of construction of a commercial/industrial building, the sign shall ~~be for a period~~ not to exceed a one (1) year period.

~~D)~~4) No part of such sign shall be closer than thirty-five (35) feet to any property line.

~~E)~~5) ~~One sign per parcel~~There shall be no more than one (1) sign per parcel.

~~3)~~C) *Subdivision Signs*

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Each platted subdivision shall be permitted the following signage:

A)1) Permanent Subdivision Entry (Feature) Sign:

i)a) The sign shall be erected only upon the platted subdivision.

ii)b) The signage area shall be limited to sixteen (16) square feet and shall only include recorded subdivision name.

iii)c) Not more than one (1) such sign shall be placed along single road frontage or at each corner of each public entrance.

B)2) Marketing Sign:

i)a) The sign shall only advertise the platted subdivision that it is erected upon.

ii)b) One sign per platted subdivisionThere shall be no more than one (1) sign per platted subdivision.

iii)c) The area of all advertising shall be limited to thirty-two (32) square feet per side with no more than two (2) sides.

iv)d) The maximum height for the sign would be no more than ten (10) feet above existing grade.

v)e) The mMarketing sSign shall be allowed for a period of three (3) years or until seventy-five percent (75%) -of total lots have been permitted for zoning compliance (whichever occurs first).

vi)f) Landscaping shall be installed along the base of the sign.

vii)g) No lighting shall be allowed.

C)3) Model/Sales Center Sign

i)a) One (1) model/sales center sign per platted subdivision shall be permitted per platted subdivision.

ii)b) The area of all advertising shall be limited to sixteen (16) square feet per side with not more than two (2) sides.

iii)c) The signs shall beSign located only on property that has been permitted as a subdivision model/sales center.

iv)d) Model/sales center sign shall be allowed for a period of three (3) years or until seventy-five percent (75%) of total lots have been permitted for zoning compliance (whichever occurs first).

D)4) Construction Trailer/Office Sign

i)a) One (1) construction trailer/office sign per platted subdivision.

~~ii)~~b) The area of all advertising shall be limited to sixteen (16) square feet with no more than two (2) sides permitted on the sign.

~~iii)~~c) Construction trailer/office sign shall be mounted to construction trailer/office.

~~E)~~5) Temporary Brochure Box Sign

~~i)~~a) One (1) brochure box sign per platted subdivision.

~~ii)~~b) The area of brochure box, including advertising, shall be limited to two (2) square feet.

~~iii)~~c) Brochure box sign shall be mounted to the model/sales center.

~~iv)~~d) Brochure box sign shall be allowed for a period of three (3) years or until seventy-five percent (75%) of total lots have been permitted for zoning compliance (whichever occurs first).

D) ~~4)~~ *Off P~~p~~remise S~~s~~igns*

~~A)~~1) Open H~~h~~H~~H~~ouse/R~~R~~ealtor S~~S~~igns

~~i) Open house permitted only 12:00 P.M. – 4:00 P.M. on Sunday's~~

~~ii)~~a) Signs can be located in an approved location for up to one (1) hour before and shall be removed no more than one (1) ~~-~~hour after the open house.

~~iii)~~b) No more than one (1) off premise sign~~s~~ in conjunction with open house.

~~iv)~~c) Size of off premise sign cannot exceed six (6) square feet.

~~v)~~d) Open house sign(s) shall be located outside the public right-of-way.

~~vi)~~e) Open house sign shall be affixed to the ground and made of a material to withstand the weather (wind, rain, etc).

~~vii)~~f) Only one (1) sign per parcel (i~~I~~ncluding other legal signage already located on parcel).

i) ~~1) An~~The application for ~~each~~an off premise sign in conjunction with an open house must be submitted no later than 5:00 PM the Wednesday before the open house. Application must include the following:

~~i)~~A) Written approval ~~from~~ for the off-premise sign location from the property owner.

~~ii)~~B) Contact information for ~~same~~ property owner (name, address, phone number).

~~iii)~~C) Site plan of proposed location.

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iv)D) Graphic of proposed off premise sign.

2)ii) Provided all requirements are met for an off premise sign(s), a permitcertificate of zoning compliance will be issued which shall be affixed to the off premise sign.

B)2) Personal Sales Signs

i)a) No more than one (1) off premise sign in conjunction with sale.

ii)b) Off premise sign shall not exceed three (3) days.

iii)c) Size of off premise sign cannot exceed six (6) square feet.

iv)d) Personal sales sign shall be located outside the public right-of-way.

v)e) Personal sales sign shall be affixed to the ground and made of a material to withstand the weather (wind, rain, etc).

vi)f) Only one (1) sign per parcel (iIncluding other legal signage already located on parcel).

i) The1) An application for eachan off premise sign in conjunction with a personal sale must be submitted no later than 5:00 PM the Wednesday before the personal sale. -Application must include the following:

i)A) Written approval for thefrom off-premise sign location property owner.

ii)B) Contact information for same property owner (name, address, phone number).

iii)C) Date of personal sale.

iv)D) Site plan of proposed location.

v)E) Graphic of proposed off premise sign.

2)ii) Provided all requirements are met for an off premise sign(s) a permit will be issued which shall be affixed to the off premise sign.

5)E) *Contractor Signage*

A)1) One (1) sign per parcel.

B)2) Size of sign shall not exceed six (6) square feet.

C)3) Contractor sign shall be located outside the public right-of-way.

D)4) Sign allowed for duration of construction up to six months.

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## Section 845.05 - Conditional Uses

Except as otherwise provided, a~~A~~ conditional use shall be subject to the same signage requirements as if such sign were a permitted use.

## Section 845.06 - Non Conforming Signs

Any sign in existence within Jefferson Township prior to the effective date of this R~~r~~esolution (August 24, 2006) that does not conform with the provisions of this Zoning Resolution shall be allowed to continue in its non-conforming status provided the sign was erected in compliance with applicable laws in existence on the date of its erection. A non-conforming sign shall not be relocated or replaced unless it is brought into compliance with the provisions of this Zoning Resolution.

# SECTION 850 – PUBLIC NUISANCE REGULATIONS

## Section 850.01 - 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.

## Section 850.02 - 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.

~~1)~~A) *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 in the area or from the usual street traffic observed at the street right-of-way line of the lot, except occasional blast or shock required in normal operation and produced in such manner as not to create hazard. This shall not apply to normal construction activity, but shall apply to the repeated use of firearms, vehicles and similar noise generators.

~~2)~~B) *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 manufacture of goods or other commercial activity.

~~3)~~C) *Odor or Fumes*

Odor or noxious fumes shall be so controlled so that they are not offensive or hazardous.

~~4)~~D) *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.

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5)E) *Lighting and Glare*

No direct or reflected 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.

6)F) *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 express prior written approval of the Jefferson Township Fire Chief.

7)G) *Fire 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 Jefferson Township Fire Chief is first 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 theJefferson Township.

8)H) *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, unless. All such materials shall be housedare stored in an appropriate container or enclosure and kept to the side or rear of the dwelling and stored, excepting trash that is properly placed in an appropriate enclosed container at an assigned location for in anticipation of a regularly scheduled trash pickup. In all cases, there shall be full compliance with applicable zoning district standards.

## Section 850.03 - Agricultural Nuisances

A) 1) Persons who are engaged in agriculture-related activities, as agriculture is defined in the ORC Section 519.01 of the Ohio Revised Code, and who are conducting those activities in theJefferson Ttownship in accordance with generally accepted agricultural practices, and in such a manner as not to have a substantial, adverse effect on the public health, safety andor general welfare are exempt from the nuisance standards of this Zoning Resolution, per ORC section 3767.13 of the Ohio Revised Code.

B) 2) "Substantial adverse effect on the public health, safety or welfare" shall be defined as any activity, which creates a nuisance for a continuous period of ten (10) days or more or for a total of more than twenty (20) days in any calendar year. It is the intent of this section to permit unavoidable temporary nuisances associated with generally accepted agricultural practices (i.e. dust from cultivating, temporary odor from manure spreading, spraying, etc.). It is also the intent of this section, however, to preclude the establishment of long-er term or permanent agriculture-related nuisances or dangerous agricultural practices adjacent to or near existing residential land uses (i.e. feed lot, pigpen, lagoon, improper use of pesticides, herbicides, etc.). Specific agriculture-related activities or uses which existed prior to the establishment of adjacent non-agricultural uses shall be exempt from these nuisance standards and shall not be determined to have a "substantial, adverse effect on the public health, safety or welfare."

## SECTION 855 - AVAILABILITY OF FUEL AND ENERGY

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~~No structure or addition to a current structure normally considered to require fuel or energy for occupancy or use shall be started without a commitment in writing that the necessary fuel or energy will be available when the structure or addition to the structure is completed. Such a written commitment will be binding and transferable to successive owners of the structure.~~

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# SECTION 860 – TEMPORARY USES

## Section 860.01 - ~~Purpose~~

~~Because of the special characteristics and needs of temporary uses, special standards to properly locate and control the activities of temporary uses are necessary in order to secure the health, safety and general welfare of the community. The following uses are deemed to be temporary uses and are subject to the following development standards in addition to the development standards of the district in which the use is located:~~

~~1) Garage sales and other temporary sales in association with an existing structure shall be permitted in any district in which dwellings are permitted, provided the sales are conducted during daytime hours only and all signs are removed immediately upon cessation of the sale. Such sales activities on any single premises shall not be conducted for a total of more than five (5) days in any calendar year. No certificate of zoning compliance shall be required for garage sales meeting these requirements.~~

~~2) Christmas tree sales may be permitted in any non-commercial parcel or on church, school or other similar sites for a period not exceeding thirty-five (35) days, provided no activities are conducted within the public right-of-way and off-street parking is provided in accordance with the minimum parking setback. Approval of a temporary certificate of zoning compliance must be obtained from the zoning inspector prior to conducting such temporary sales.~~

~~3) Real estate sales offices may be provided within any district for any new subdivision provided sales activities are limited to that subdivision only and such office is not used as a dwelling. Such office use shall cease upon completion of the initial sales of lots in the subdivision. Rentals or resales of lots and/or units in the subdivision shall not be conducted from the temporary office. Approval of a temporary certificate of zoning compliance must be obtained from the zoning inspector prior to establishing the temporary sales office. Sales offices shall not be established in a temporary structure or vehicle.~~

~~4) Contractor's offices and equipment sheds in association with construction activities may be permitted within any district provided such uses are removed immediately upon completion of the construction project. No certificate of zoning compliance shall be required for such temporary uses meeting these requirements.~~

~~5) Mobile homes may be permitted as temporary emergency replacement structures in any residential district for a period not exceeding twelve (12) months following destruction or substantial damage to the existing residential unit on the lot by fire or other natural causes. All applicable health and building code minimum standards shall be met. The applicant shall obtain a temporary zoning certificate from the zoning inspector prior to placement of the unit. Any emergency mobile home in place in the rural district for twelve (12) months or more shall be subject to the Conditional Use requirements of that district.~~

~~Carnivals, circuses, tent meetings, bazaars, festivals, flea markets, art shows, or other similar public events sponsored by a public or non-profit organization, may be permitted within any non-residential district or upon church, school or other similar sites within any residential district, provided adequate off-street parking, sanitary facilities, lighting, security and setbacks from existing residential uses can be provided. Any such use shall not be permitted for a total of more than seven (7) days nor more than twice in any calendar year. Approval of a temporary zoning permit shall be obtained from the zoning inspector prior to establishment of such temporary use.~~

## Temporary Uses, Sales, Purpose

Because of the special characteristics and needs of temporary uses, special standards to properly locate and control the activities of temporary uses and/or sales are necessary in order to secure the health, safety and morals of the community. An application for a Temporary Permit shall be filed at least ten (10) days prior to the

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commencement of the proposed temporary use or sale. No temporary use or sale shall commence until a Temporary Permit shall have been issued by the Township Zoning Inspector.

Except as provide in 1) and 2) of Section 860.06, the provisions of Section 508 shall not apply to a sale of property publicized solely by classified newspaper advertising, which is limited to describing or identifying the specific property offered for sale and does not designate the date, hours or location of the sale other than by stating the name, address or telephone number of the seller.

## Section 860.02 – Temporary Use/Sale Permit

Each application for a Temporary Use/Sale Permit shall contain a graphic description of the property to be utilized, a description of the proposed use, and excepting temporary uses and/or sales listed in Section 860.06 (1), (2), (3) and (7), a site plan in triplicate, drawn to scale, which illustrates the following:

Submission Requirements for Temporary Use/Sale Permit:

A) The actual dimensions of the lot, including easements.

B) The exact size, location, and height of all existing and proposed buildings and structures, whether principal or accessory, on the lot.

C) The existing and intended use of all parts of the land and buildings and structures, whether principal or accessory.

D) Existing zoning on the lot in question and on all adjacent lots.

E) Existing and/or proposed parking spaces, traffic flow, wheel stops, access drives, building and parking setbacks, yard requirements, and existing and proposed sanitary facilities.

F) Existing and proposed signs and billboards, including lighting and size detail.

G) Such other information with regard to the temporary use, lot, and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution.

## Section 860.03 – Fees

When making an application for a Temporary Use/Sale Permit, the investigation and compliance fees shall be paid in accordance with the Schedule of Fees Resolution as may from time to time, be adopted by the Board of Jefferson Township Trustees.

## Section 860.04 – Issuance of Permits

Temporary Use/Sale Permits shall be issued or refusal thereof given within five (5) days of the completed application and fee. Written notice of such refusal and reason thereof shall be given to the applicant.

## Section 860.05 – Prohibited Temporary Uses

Temporary retail sales conducted on parking lots, vacant lots, or along roadsides by transient vendors shall be prohibited unless conducted pursuant to a valid permit issued by the Township under Ohio Revised Code Section 505.94.

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## Section 860.06 – Permitted Temporary Uses

The following temporary use and/or sales are deemed to be permitted temporary uses or sales and are subject to the following requirements, in addition to applicable development standards of the district in which the use is located:

A) *Garage or Yard Sales*: Shall be limited to not more than two (2) consecutive days and only two (2) such sales may be conducted during any one (1) calendar year. Garage or yard sales involving the complete liquidation of all personal property located within the entire dwelling unit shall be limited to not more than two (2) consecutive days and only one (1) such sale may be conducted by the owner or occupant of such dwelling unit. The term " Garage or Yard Sales " shall be defined as a sale of personal property to the general public conducted inside or outside a dwelling unit on any property within a residential zoning district, including, but not limited to, garage sales, patio sales, yard sales, porch sales, tag sales, liquidation sales and other similar types of sales. A garage or yard sales does not include the casual sale of motor vehicles, boats, trailers, motorcycles, motor homes, and other similar types of vehicles, which sales shall be regulated in accordance with the provisions of Section 860.06(2). In addition, the following regulations shall apply to garage or yard sales:

1) No garage or yard sales shall be conducted within a temporary accessory structure or vehicle, including but not limited to, tents, canopies, sheds, trailers and similar types of structures and vehicles.

2) Garage or yard sales shall not be conducted on consecutive weekends.

3) No garage or yard sale shall commence before the hour of 8:00 a.m. nor extend later than 7:00 p.m.

4) Personal property offered for sale shall not be displayed closer than twenty five (25) feet of a street.

5) Signs for garage and yard sales must adhere to Section 845 of this Zoning Resolution.

6) The Zoning Inspector may require the review of any garage or yard sales Temporary Permit application by the Township Fire Department. In the event that the Chief of either department requires that temporary, no parking restrictions be implemented on any public street in order to protect the health and safety of the citizens of Jefferson Township, the applicant for a Temporary Use permit shall cooperate to the extent necessary for the posting of such restrictions.

7) No garage or yard sales conducted within a dwelling unit shall occupy more than 200 square feet of such dwelling unit, unless such sale involves the complete liquidation of all personal property located within the entire dwelling unit.

8) No person shall sell or offer for sale at such garage or yard sales any merchandise that has been purchased, consigned, or otherwise acquired for purposes of resale. The offering of new merchandise for sale shall be prima-facie evidence that such merchandise was acquired for purposes of resale. No person shall sell or offer for sale at such home sale any personal property except such property that has been owned, maintained and used for personal household use by such person or members of his family on or in connection with the premises on which such sale is held.

9) Garage sales in accordance with the criteria outlined in 860.06 (1) shall not require a Temporary Permit.

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B) *Casual Sales of Motorcycles and Motor Vehicles, Excluding Boats, Trailers, Motor Homes and Other Similar Vehicles*: A casual sale of a motor vehicle or motorcycle may be conducted on any property in a residential or planned residential zoning district, provided the following criteria are met:

1) No person shall sell or offer for sale any such vehicle that has been purchased, consigned or otherwise acquired for purposes of resale. The offering of a new vehicle for sale shall be prima facie evidence that such vehicle was acquired for purposes of resale.

2) No person shall sell or offer to sell any such vehicles except such vehicles as have been owned, maintained and used for personal household use by such person or members of his/her family on or in connection with the premises on which the vehicle is being sold.

3) No more than three (3) such vehicles may be sold or offered for sale in any one (1) calendar year.

4) No more than one (1) such vehicle shall be displayed for sale on or from the property at any time. Such displayed item shall be located upon an approved driveway within the front or side yards and such displayed item shall be placed no nearer to the edge of the roadway pavement than fifteen (15) feet. In no event shall such displayed items be located in any public road right-of-way.

5) Not more than two (2) signs, each of which shall not exceed two (2) square feet in area, may be displayed for the sale of such vehicle upon or in the vehicle, provided that such sign(s) shall not be illuminated or animated.

6) Any such vehicle displayed for sale must be in operating condition and capable of being immediately moved under its own power if self-propelled, or if not self-propelled, by towing by ordinary means available upon the premises, and must have a valid and current registration decal and/or license plate.

7) Except as may otherwise be permitted in an applicable zoning district or as may be approved as part of a planned development zoning district, the sale of motor vehicles and motorcycles, which does meet the foregoing criteria shall be prohibited. The casual sale of such vehicles in accordance with the criteria outlined in 860.06(2) shall not require a Temporary Permit.

C) *Christmas Tree Sales*: Christmas tree sales may be permitted for a period not exceeding thirty-five (35) consecutive days during any one calendar year in any nonresidential zoning district or upon a church, school or similar site within a residential zoning district, provided that no activities are conducted within the public right-of-way and adequate off-street parking is provided in accordance with the minimum parking set-back.

D) *Temporary Real Estate Sales Offices/Model Home Sales*: Temporary real estate sales offices and model home offices may be permitted within any district for any new subdivision, provided such office is not used as a dwelling. Such office use shall cease upon completion of the sales of lots within the subdivision. Rentals or resales of lots and/or units in the subdivision shall not be conducted from the temporary office.

E) *Temporary Contractors' Offices*: Temporary contractors' offices and equipment sheds, other than portable storage units, in association with construction activities may be permitted within any district, provided such uses are removed immediately upon completion of the construction project. Port-a-Johns or similar temporary restroom facilities and dumpster shall not be located in the right-of-way.

F) *Temporary Public Events*: Temporary public events sponsored by a public or non-profit organization may be permitted within any non-residential zoning district or upon a church, school or other similar site within a Residential Zoning District provided adequate off-street parking, sanitary facilities, lighting, and security are provided. Temporary public events shall be limited to not more than three (3) consecutive days and only two (2) such events may be conducted in any one (1) calendar year.

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Temporary public events include, but are not limited to, temporary uses, such as tent meetings, bazaars, festivals, flea markets, art shows, and other similar public events. Temporary uses permitted in this section do not include major rock concerts or similar functions that will normally attract more than five hundred (500) persons.

G) *Portable Storage Units*: in accordance with the provisions of Sections 860.07 and 860.071.

## Section 860.07 – Portable Storage Units

Portable Storage Units may be permitted as a temporary use in any zoning district only in conjunction with and not to exceed the times listed for the following activities:

A) Temporary use for construction sites as accessory to and in association with an on-going construction project at such site for a period of up to one hundred twenty (120) total days in any three hundred sixty-five (365) consecutive day period or upon the completion of the project, whichever occurs sooner.

B) Temporary use, including open top dumpsters, when the occupant of the property on which the portable storage unit is located is relocating for a period not to exceed seven (7) consecutive days or for a period of fourteen (14) total days in any one hundred eighty (180) consecutive day period.

C) Temporary use to facilitate temporary activities for a period not to exceed seven (7) consecutive days or for a period of fourteen (14) total days in any one hundred eighty (180) consecutive day period.

## Section 860.07 – Portable Storage Unit Criteria

Portable Storage Units shall be subject to the following requirements:

A) A Portable Storage Unit shall not exceed one hundred sixty-nine (169) square feet in size and eight (8) feet in height.

B) Not more than one (1) Portable Storage Unit shall be permitted on any property at any time.

C) No Portable Storage Unit shall be located in a public right-of-way.

D) Portable Storage Units shall be located no closer to an adjacent property than the greater of ten (10) feet or the required minimum side or rear yard setback for accessory buildings in the district in which the unit is located.

E) Portable Storage Units shall only be used for the storage of personal property and for no other purpose whatsoever.

F) The placement of Portable Storage Units shall be in such manner as not to create a public nuisance.

G) A Portable Storage Unit is not permitted as a permanent accessory storage structure regardless of the proposed location on a property.

H) A Temporary Use Permit shall be obtained prior to the placement of a Portable Storage Unit on a property. For the activities listed in Section 860.07 (1) and (2), no more than two (2) Temporary Use Permits may be issued for the same property during any three hundred sixty-five (365) consecutive day period.

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## Section 860.08~~2~~ - Zoning Inspector Authority in Regulating Temporary Uses

The Z~~z~~oning I~~i~~nspector shall have the authority to require any information he deems necessary or pertinent to the control of temporary uses in order to safeguard the public interest, and shall approve or disapprove the application based on the information submitted and the standards of this Resolution. The applicant may appeal any decision of the Z~~z~~oning I~~i~~nspector to the Board of Zoning Appeals.

## Section 860.09~~3~~ - Prohibited Temporary Uses

Temporary retail sales conducted on parking lots, vacant lots, or along roadsides by non-resident or transient vendors shall be prohibited.

# SECTION 865 – RECOMMENDED DRIVEWAY STANDARDS

## Section 865.01 - Standards~~Geo-metrics~~

~~1) *Driveway Entrance*~~

~~*Minimum apron width of twenty (20) feet*~~

~~2)~~A) *Turn-Around at House*

1) Minimum outside turn-around radius of thirty-eight (38) feet, or minimum "T" of sixty (60) feet by twenty (20) feet at the house (or as otherwise accepted by the Fire Chief based on individual lot characteristics and local emergency equipment).

~~3)~~B) *Surface Width*

1) Minimum driveway surface width of ten (10) feet with passing bays (50 ft. X 8 ft.) at five hundred (500) foot intervals or minimum overall width of sixteen (16) feet, or similar arrangement to permit passage of two (2) eight-foot (8') wide vehicles.

2) No obstructions within twenty (20) feet of edge of public road pavement within the apron area.

3) No front gates closer than eighteen (18) feet in width or having height of cross member less than twelve (12) feet.

~~**Section 865.02 Profile**~~

C) No driveway shall be constructed with a slope~~s~~ exceeding fourteen ~~(14)~~ percent (14%).

D) ~~Trim a~~All trees and overhangs above driveways and apron areas shall be trimmed to a minimum twelve~~-foot~~ (12~~'~~) foot height.

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## Section 865.03 Base

Minimum gravel base will vary with local drainage and terrain. It is suggested that base be built to minimum county road sub-base thickness standards, if feasible.

Proper drainage is necessary for sub-base stability.

## Section 865.042 - Bridges and Culverts

Where bBridges and culverts are required for access, such bridges and culverts shallshould be built to handle twenty (20) ton vehicles (for short duration and infrequent use) or suitable for the use of emergency vehicles, as attested to the Jefferson Township Fire Chief and Roadway Superintendent.

## Section 865.035 - House Identification

The hHouse number appearingshall appear at the left side of driveway entrance at a minimum of five (5) feet and maximum of ten (10) feet from road edge. House numbers should be a minimum of three (3) inches in height and prominently displayed.

# SECTION 87065 – POND REGULATIONSond Regulations

## Section 87065.01 - Purpose

Man-made ponds may be excavated or otherwise constructed provided the following standards are met. This section shall also apply to any existing pond, which is heretofore drained and subsequently reconstructed as part of a maintenance or reconstruction plan of the property owner.

No pPond shall be constructed within the boundaries of the floodway as indicated by NFIP maps and data published by FEMA. Ponds constructed in the floodway fringe (to include the one hundred (100) year floodplain) shall require review and approval of a professional engineer or registered landscape architect or another professional deemed appropriate by the State of Ohio, and the Franklin Soil and Water Conservation District.

All ponds must be set back a minimum distance of twenty-five (25) feet from all property lines. The distance shall be measured from property line to edge of water at the principal spillway elevation or from property line to the toe of the slope on any portion of the downstream side of the dam, embankment, or excavated pond edge, whichever is minimum distance.

All ponds shall be properly maintained and shall function as originally designed and be free from objectionable conditions, (i.e., odors, improper drainage, etc.) so as not to be ato avoid becoming a public nuisance as defined by the Franklin County Board ofPublic Health.

Pond standards and specifications from the Natural Resource Conservation Service will be used to design all ponds using the Natural Resource Conservation Service's Practice Standard, Pond Code 378. No pond shall be constructed in a way that conflicts with the requirements and regulations adopted by the Franklin Soil and Water Conservation District.

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## Section 870.02~~65.01~~ - Ponds Less Than 750 Square Feet in Surface Area~~:~~

~~1)~~A) A permit to construct and Certificate of Zoning Compliance shall not be required.

~~2)~~B) Notification to the Zoning office is required for record keeping

## Section 870.03~~65.02~~ - Ponds 750 Square Feet or Greater in Surface Area~~:~~

~~1)~~A) An application for a pond permit shall be required. Once construction is completed and after successful final inspection by the Franklin Soil and Water Conservation District and the Township, a Certificate of Zoning Compliance shall be issued.

~~2)~~B) The pond shall be designed in accordance with standards and specifications published in the Natural Resources Conservation Service Conservation Practice Standard Pond Code 378.

~~3)~~C) A pond development plan shall be submitted to the Franklin Soil and Water Conservation District via the Jefferson Township Zoning Department for review and approval. The pond development plan must include the following:

~~A)~~1) Location~~.~~, e~~E~~levation and profile of principle spillway;

~~B)~~2) Location, elevation and cross-section of pool area;

~~C)~~3) Location, elevation, cross-section and profile of emergency spillway;

~~D)~~4) Location and elevation of dam;

~~E)~~5) Elevations of inlet and outlet structures;

~~F)~~6) Proposed final grade of pond and surrounding area, including elevations;

~~G)~~7) Soil stabilization plan including seeding, mulching, fertilizing and spoil disposal area;

~~H)~~8) Proposed design calculations;

~~I)~~9) Soil log including location of test holes; and

~~J)~~10) Other information deemed reasonably necessary by the Franklin Soil and Water Conservation District or the Jefferson Township Zoning Office.

~~4)~~D) The Franklin Soil and Water Conservation District shall inspect the construction to assure the pond is completed in accordance with approved plans.

~~5)~~E) Upon completion of construction, a report of final grading, inlet and outlet elevations as well as any other changes to the original plan shall~~will~~ be submitted to the Franklin Soil and Water Conservation District.

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~~6)~~F) The Franklin ~~SWCD~~ Soil and Water Conservation District and Jefferson Township Zoning Administrator Inspector will meet on site for a post construction inspection prior to seeding being completed and the contractor moving off site.

~~7)~~G) The property owner or applicant will pay all costs associated with the review of the pond.

~~***Retention and detention ponds constructed as an appurtenance to, and regulated by, subdivision regulations shall be exempt from the above regulations.***~~

# SECTION 875 – RESIDENTIAL CARE FACILITIES

## Section 875.01 – Purpose

This section is intended, in part, to ensure compliance of related provisions of the Jefferson Township Zoning Resolution with the Fair Housing Act Amendments of 1988, effective March 12, 1989, which extend equal housing opportunities to the handicapped, as well as place some minimal regulations upon residential care facilities in accordance with ORC Chapter 5119. Jefferson Township's policy has been, and shall continue to be, to encourage persons whose disabilities or status limit their ability to live independently, to live in stable, affordable housing, in settings that maximize community integration and opportunities for acceptance and to ensure that these individuals are not forced into housing enclaves that would perpetuate isolation from the mainstream of society. For purposes of this Zoning Resolution, a Residential Care Facility of five or fewer unrelated residents (excluding care-givers) shall be regulated as a single (one) family dwelling. A Residential Care Facility of six or more residents (excluding care-givers) shall be regulated as a multifamily dwelling structure in the SPRD and as a form of rooming or boarding house in the SO, NC, and CS District.

## 875.02 - Location of Residential Care Facilities

A Residential Care Facility of five or fewer residents (excluding care-givers) shall be permitted in any single (one) family zoning district.

A) A Residential Care Facility of six or more residents (excluding care-givers) shall be permitted in the SPRD, SO, CS and NC District.

B) The term "Residential Care Facility" as used in this Section means a Residential Care Facility licensed by the State of Ohio.

## 875.03 - Concentration of Residential Care Facilities

A) In order to promote the benefits of residential surroundings for the residents of Residential Care Facilities and to further the goal of deinstitutionalization of persons whose disabilities or status limit their ability to live independently and to foster their integration into the mainstream of society, no Residential Care Facility shall be located within 1,320 feet of any other Residential Care Facility.

B) The Jefferson Township Board of Zoning Appeals may, in accordance with the procedures and provisions of Section 1020, Procedures for Authorizing a Conditional Use, issue a Conditional Use Permit for a Residential Care Facility to locate within 1,320 feet of another Residential Care Facility upon a finding that:

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1) The residents of said facility will benefit from normal residential surroundings;

2) The placement within 1,320 feet of another Residential Care Facility does not hinder the goal of deinstitutionalization;

3) The placement of the Residential Care Facility furthers the goal of integrating the residents into the mainstream of society;

4) A hardship exists in that suitable housing is unavailable elsewhere in the community that meets the 1,320 foot spacing requirement;

5) The architectural design and site layout of the proposed facility and the location, nature and height of any walls, screens and fences shall be compatible with adjoining land uses and the character of the neighborhood; and

6) The proposed facility shall fully comply with all yard, parking and sign regulations and shall comply with all health, fire and safety regulations and building standards.

# SECTION 880 - SMALL WIND FARMS

Wind farms of 5MW or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. Small Wind Farms, classified as producing less than 5MW and used as incidental to an agricultural use will be exempt from these zoning regulations in accordance with ORC §519.21. Any proposed construction, erection, or siting of a Small Wind Farm less that 5MW including the wind turbine generator or anemometer or any parts thereof shall be a permitted use in any zoning district except those expressly zoned for residential use. A conditional use permit shall be required in all Residential Districts and Planned Residential Districts. The following conditions shall be met for both permitted and conditional use permits:

A) *General Requirements*

1) Height: The maximum height of any turbine shall be 125 feet. For purposes of this Resolution, the maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower.

2) Setbacks: Any turbine erected on a parcel of land shall be setback 1.1 times the height of the tower, or established "clear fall zone", from all road right-of-way lines and neighboring property lines. structures, as well as any inhabited structures on the parcel intended for the turbine. A turbine shall be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located and would not strike any structures including the primary dwelling, and any inhabited structures.

3) Maintenance: Wind turbines must be maintained in good working order. The owner shall, within 30 days of permanently ceasing operation of a wind turbine tower, provide written notice of abandonment to the Zoning Inspector. An unused wind turbine or small wind project farm may stand no longer than 12 months following abandonment. All costs associated with the demolition of the wind turbine tower and associated equipment shall be borne by the property owner. A wind turbine tower is considered abandoned when it ceases transmission of electricity for 30 consecutive days. Wind turbines that become inoperable for more than 12 months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing wind turbine.

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4) Decibel Levels: Decibel levels shall not exceed those provided by the manufacturer as requested in Section II Permits. All units collectively shall operate at not more than 5 decibels above the established ambient decibel levels at property lines. This information shall be included in the engineering report described in Section II Permits. This information shall be obtained from the manufacturer of the turbine, and all decibel readings, if necessary, shall be taken from the nearest neighboring property lines. Those turbines that do not meet this requirement will be issued a zoning violation and be required to shut down immediately until the required decibel levels are met.

5) Wiring and Electrical Apparatuses: All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground or in an appropriate enclosed structure and meet all applicable local, state, and federal codes including the County Building Regulations and Residential Building Code of Ohio.

6) Warning Signs: Appropriate warning signs to address voltage shall be posted.

7) Building Permits: All Small Wind Projects Farms and parts thereof shall obtain all applicable Building Permits from the State of Ohio and County Building Regulations where required.

B) *Certificate of Zoning Compliance*

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1) A certificate of zoning compliance shall be required before construction is commenced on an individual wind turbine project system.

2) As part of the certificate of zoning compliance process, the applicant shall inquire with the County Building Regulations as to whether or not additional height restrictions are applicable due to the unit's location in relation to any local airports.

3) Applicant shall then provide the Township Zoning Inspector with the following items and/or information when applying for a certificate of zoning compliance:

a) Location of all public and private airports in relation to the location of the wind turbine.

b) An engineering report that shows:

i) The total size and height of the unit.

ii) If applicable, the total size and depth of the unit's foundation structure concrete mounting pad, as well as soil and bedrock data.

iii) A list and/or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.

iv) Data specifying the kilowatt size and generating capacity in kilowatts of the particular unit.

v) The maximum decibel level of the particular unit. This information shall be obtained from the manufacturer of the turbine unit.

vi) Ambient noise levels at property lines.

vii) Hazardous materials containment and disposal plan.

c) A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, and neighboring property lines.

d) Evidence of an established setbacks of 1.1 times the height of the wind turbine and "Clear Fall Zone." with manufacturer's recommendation must be attached to the engineering report.

e) A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled.

## SECTION 885 - TELECOMMUNICATION TOWERS.

Public utilities or other functionally equivalent providers may site a telecommunications tower as a permitted use in any zoning district except the Residential Districts, Planned Residential Districts or any Exceptional Use District, including a residential component. Local zoning authority shall not extend to the regulation of maintenance or use of such a tower or to any change or alteration that would not substantially increase the tower's height. Local zoning authority over proposed telecommunications towers shall apply only to a particular tower, only upon provision of a notice of objection to that particular tower. No blanket zoning authority exists over telecommunication towers in Residential Districts unless and until a written objection has been timely filed.

Telecommunication towers may be regulated in areas zoned for residential use upon receipt of an objection pursuant to ORC 519.211(B)(2). The provisions of this Resolution concerning telecommunication towers are not intended to replace or modify ORC 519.211, but instead are intended to incorporate ORC 519.211 and its terms into this Resolution. Any notice of an objection shall comply with the provisions of ORC 519.211(B)(3). Upon timely receipt by the Jefferson Township Board of Trustees of an objection to a proposed telecommunication tower, the Board of Trustees shall proceed as provided in ORC 519.211(B)(4)(a). Telecommunication towers shall be permitted as a use exempt from any local zoning authority in residential zoned areas if no objections are timely filed as provided in ORC 519.211(B)(4)(b). If objections are timely filed consistent with ORC 519.211(B) for a proposed telecommunications tower in a district zoned for residential use then the telecommunications may only be permitted as a conditional use by the Board of Zoning Appeals, provided that all of the following conditions of this Section are meet. An application for conditional use shall be filed with the Board of Zoning Appeals.

A) *Conditional Use Application Requirements*

The application shall include:

1) A preliminary development plan must be submitted at the time the application for the conditional use permit is submitted. The preliminary development plan shall contain the following:

a) The location of all the applicant's existing facilities both within the Township and within one (1) mile of the proposed site.

b) The general location of planned future facilities, if known.

c) For each location shown on the plan, there shall be listed:

i) The type and size of tower at each location;

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ii) The type of equipment located or proposed on each tower;

iii) The space available on the tower for additional equipment;

iv) The ground network, if any, served by the tower; and

v) A site plan showing the parcel on which any existing or proposed tower, antenna or equipment is located.

d) A site plan for the facility which is being applied for shall also be submitted containing:

i) The location, type and size of existing and proposed towers, antennas and equipment located at the site;

ii) The location of existing and proposed buildings and structures, access easements and parking areas;

iii) Detailed drawings of the screening plan and related design standards; and

iv) A written certification from a professional engineer registered in accordance with the laws of the State of Ohio certifying the following:

A) That the tower's design is structurally sound and in compliance with all applicable federal, state and local building laws including, without limitation, the Ohio Basic Building Code and the National Electric Code;

B) That the tower complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER); and

C) That the tower will, to the extent possible, accommodate co-location of additional wireless communication antennas for future use, with a statement as to the number of antennas capable of being accommodated and the ultimate height needed for the stated co-location capacity; or, alternatively, an explanation as to the reasons why the tower will not be constructed to accommodate co-location.

B) *General Requirements for all Telecommunications Towers*

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1) The applicant or tower provider shall demonstrate that the telecommunications tower must be located where it is proposed in order to service the applicant's service area and that there are no alternative sites reasonably available in any area. This shall include an explanation and accompanying documentation a to why a tower on this proposed site is technically necessary; a description of the suitability of the use of existing towers, other structures or technology not requiring the use of the proposed new tower; and a demonstration that a technically suitable location is not reasonably available on an existing tower, building or structure. If another tower is technically suitable, the applicant must show that a request to co-locate was made and that such request was rejected.

2) All towers shall meet or exceed current standards and regulations of the FAA, FCC and any other agency of the state or federal government with the authority to regulate such towers. If the applicable standards and regulations are changed, then the owners/operators of the towers shall, if required by the applicable governmental authority, bring such towers into compliance with the

revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the applicable governmental authority.

3) The owner/operator shall remove a tower within one hundred eighty (180) days after the tower's use is discontinued. The owner/operator shall annually file a declaration with the Zoning Inspector which certifies that the radio frequency transmission and/or reception equipment attached to the tower is in use and is operational.

4) The owner/operator shall provide documentation that notice has been provided in accordance with Section 519.211 of the Ohio Revised Code.

C) *Development Standards for all Telecommunications Towers*

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1) No telecommunications tower shall be permitted to be located in any platted subdivision approved under Sections 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any 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 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, when at least thirty-five percent (35%) of the lots within such subdivision or area are developed with at least one (1) dwelling unit.

2) The maximum height of a tower shall not exceed 150 feet.

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

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

5) The tower shall be located no closer to a street right-of-way than 15 feet behind the established building setback line.

6) A tower shall be set back from any adjoining property line a distance which is equal to the height of the tower as measured from its base.

7) Security fencing shall be provided to prevent uncontrolled access to the tower site.

8) The lot on which the tower is to be located shall meet the minimum frontage requirements of the district in which it is located.

9) The tower shall be screened by a minimum eight (8) foot high solid masonry or textured concrete wall and, outside of and along the wall, a continuous evergreen hedge, trees or similar landscape materials of a size and type deemed appropriate by the Board of Zoning Appeals. The screening shall be maintained in good condition. The applicant is responsible for ensuring that the area on which the tower is to be located is kept free of weeds and trash. The outside storage of vehicles or equipment must be contained within the screened area.

10) The tower and related screening shall be designed to be aesthetically and architecturally compatible with the surrounding environment. The tower may be painted in non-contrasting gray or similar color minimizing its visibility and shall not contain, or be illuminated by, artificial lights, beacons or strobes, unless otherwise required by the Federal Aviation Administrations (FAA) or the Federal Communications Commission (FCC). All surfaces shall be maintained in good condition, absent of flaking or peeling paint, and rust. Unless otherwise approved by the Board of Zoning Appeals, the tower shall be of a non-corrosive monopole design.

11) No advertising is permitted anywhere on the telecommunications tower facility with the exception of one identification sign not to exceed one square foot in size.

12) The tower shall be fully automated and unattended on a daily basis and shall be visited only for periodic and necessary maintenance. Also, all utility service to the tower shall be underground in accordance with applicable federal, state and local codes.

13) Where the tower is located on a property which is not owned by the tower operator, the applicant shall present documentation that the owner of the property has approved the application and that vehicular access is provided to the property. Reasonable access and circulation shall be provided to the tower.

14) The applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential co-location of other antenna facilities to the extent possible, until said tower has reached full antenna capacity. Antenna towers are not permitted to be built to a height which exceeds the applicant's service need as substantiated by the testimony and certification of the applicant's engineer. If the tower must be extended in the future to accommodate co-location, the initial tower foundation must be designed to accommodate this extension capability. This ultimate height shall be specified on the drawings submitted with the application. Unless otherwise approved, the tower height shall not be extended until co-locators are installed.

15) A tower may be attached to a residential or nonresidential building or structure that is a permitted use and structure in the district, provided that the tower's height does not exceed twenty (20) feet above the existing building or structure to which the tower is attached; and further provided that all requirements except those found in Items C 2, 7 and 9 are met. All roof-mounted towers shall be screened from view to the extent possible. The outside storage of vehicles or equipment, if not located inside the building or structure on which the tower is located, shall be screened by a minimum eight (8) foot high solid masonry or concrete wall and, outside of and along the wall, a continuous evergreen hedge, trees or similar landscape materials of a size and type deemed appropriate by the Board of Zoning Appeals. The screening shall be maintained in good condition. Any solid wall shall contain no advertising, but may contain one small identification sign not to exceed one square foot in size. The applicant is responsible for ensuring that the tower area is kept free of weeds and trash.

D) *Exception to Conditional Use Permit*

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Telecommunications towers meeting the following conditions shall not be required to obtain a Conditional Use Permit, but shall be deemed to be permitted uses requiring a Certificate of Zoning Compliance.

1) Should the owner/operator of a telecommunications tower desire to site a tower on property that falls under the direct ownership and with the consent of the Perry Township Board of Trustees, then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that the requirements founding the following provisions are met: (A)(1)-(e)-(i) and (ii); (B) (2), (3) and (4); (C) (5), (7), (10), (11), (13) and (14).

2) Should the owner/operator of a telecommunications tower desire to co-locate a tower on another existing telecommunications tower or on another utility structure (i.e., water tower) and such co-location will result in a substantial change in the height of the tower, then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that the requirements found in the following provisions are met: (A)(1)(-e)-(i) and (ii); (B)(2)-(3) and (4); (C) (5), (7), (10), (11), (12) and (13). A substantial change in height shall mean the addition of more than 40 feet to the existing tower or structure.

3) Should the owner/operator of a telecommunications tower desire to site a tower using a no-impact design (specifically meaning that the tower will be completely invisible to the casual observer by incorporating the tower within an existing structure such as inside a steeple), then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that the requirements found in the following provisions are met: (A)(1)-(e)-(i) and (ii); (B)(2), (3) and (4); (C) (10), (11), (12) and (13).

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# Article IX

## ~~Administration~~Zoning Resolution Administration and Amendments

## SECTION 900 - ENFORCEMENT OF REGULATIONS

In accordance with the ORC ~~§~~519.16 and for the purpose of enforcing the zoning regulations, the Board of Jefferson Township Trustees may provide for a system of zoning certificates, may establish and fill the position of Township Zoning Inspector, together with assistants as the board deems necessary, may fix the compensation for those positions, and may make disbursements for them. The Township Fiscal Officer may be appointed Secretary of the Township Zoning Commission, Secretary of the Township Board of Zoning Appeals.

### Section 900.01~~—~~ - Zoning Administrator/Inspector

~~This Zoning Resolution shall be administered and enforced by~~ T~~t~~he Zoning Administrator/Inspector or ~~his or her~~a designated representative ~~who~~ shall be appointed by the Jefferson Township Trustees as is prescribed by ORC ~~Sec.~~ 519.16, Ohio Revised Code. The Zoning Administrator/Inspector shall administer and enforce the Zoning Resolution with the assistance of such other persons as the Board of Township Trustees may direct.

### Section 900.02 - Zoning Administrator/Inspector Duties and Responsibilities

The Zoning Administrator/Inspector shall have the following duties and responsibilities;

A) *Enforce the Zoning Resolution*

The Zoning Administrator/Inspector shall take all necessary steps to administer, interpret and enforce this Zoning Resolution and take all necessary steps to remedy conditions found in violation by ordering, in writing, the discontinuance of illegal uses of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or take any other action authorized by this Zoning Resolution to ensure compliance with or prevent violation of its provisions.

B) *Issues Permits of Zoning Compliance and Certificate of Zoning Compliance*

The Zoning Administrator/Inspector shall review all application for Zoning Compliance and ~~To~~ issue ~~a~~ Permits of Zoning ~~Certificate of Zoning~~ Compliance and Certificates of Zoning Compliance in ~~according~~accordance with~~ to the provisions of~~ Section 900.04 when ~~these regulations have been followed or to refuse to issue the same in the event of non-compliance~~the provisions of this Zoning Resolution have been met, or refuse to issue the same in the event of non-compliance.

C) *Collection of Fees*

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To collect the designated fees as set forth in the current fee schedule for c~~C~~ertificates of z~~Z~~oning c~~C~~ompliance, application for amendment or changes to the Zoning Resolution, a~~A~~ppeals, v~~V~~ariances, ~~or~~and c~~C~~onditional u~~U~~se p~~P~~ermits.

D) *Making and Keeping Records*

To make and to keep all records necessary and appropriate to the office, including record of the issuance and denial of all c~~C~~ertificates of z~~Z~~oning c~~C~~ompliance and of receipt of complaints of violation of this Zoning Resolution and action taken on the same.

E) *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.

~~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. Any person aggrieved by any decision, either written or oral, of the Zoning Administrator/Inspector may, within 20 days, appeal such decision to the Board of Zoning Appeals.~~

F) *Advise Zoning Commission*

To keep the Zoning Commission advised on all matters pertaining to zoning amendments and records pertaining thereto and provide the Zoning Commission any requested reports which may provide background evaluations regarding any application sent before the Zoning Commission. To keep the Jefferson Township Zoning Commission advised of all matters pertaining to the code enforcement of this Zoning Resolution and to transmit all applications and records pertaining thereto.

G) *Advise Board of Appeals*

To keep the Board of Zoning Appeals advised of all matters pertaining to c~~C~~onditional u~~U~~se p~~P~~ermits, a~~A~~ppeals or v~~V~~ariances and to transmit all applications and records pertaining thereto and provide the Board of Zoning Appeals any requested reports which may provide background evaluations regarding any application sent before the Board of Zoning Appeals.

H) *Monthly Reports*

The Zoning Administrator/Inspector shall make monthly reports to the ~~Jefferson~~Jefferson Township Board of Trustees pertaining to the enforcement of this Zoning Resolution. The report shall document all actions taken during that period of time. Copies of the report shall be given to the Jefferson Township Board of Trustees, Zoning Commission the Board of Zoning Appeals and the t~~T~~ownship a~~A~~dministration.

## Section 900.03 - -Conflict of Interest

The Zoning Administrator/Inspector is subject to the Ohio Code of Ethics~~ to represent any applicant~~. A conflict of interest shall include, but is not ~~be~~ limited to, all applications or issues in which the Zoning

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Administrator/Inspector or his/her immediate family has a direct pecuniary interest. If a conflict of interest exists, the Jefferson Township Trustees shall appoint a designee to act on behalf of the Zoning Administrator/Inspector.

~~A conflict of interest shall include, but not be limited to, all applications or issues in which the Zoning Administrator/Inspector, or his/her immediate family has a direct pecuniary interest. If a conflict of interest exists, the Trustees and/or the Township Clerk shall appoint a designee to act on his/her behalf.~~

## Section 900.04 - Permits of Zoning Compliance and Certificates of Zoning Compliance

No occupied or vacant land shall hereafter be changed in its use in whole or part, including any structure as defined by this Zoning Resolution, until the Zoning Administrator/Inspector shall have issued the ~~Certificate of Zoning Compliance~~Permit of Zoning Compliance and Certificate of Zoning Compliance. No existing or new building shall hereafter be changed in its use in whole or in part until the Zoning Administrator/Inspector shall have issued ~~the Certificate of Zoning Compliance~~a Permit of Zoning Compliance and Certificate of Zoning Compliance.~~ A Certificate of Zoning Compliance is not required in the event of a change in ownership or tenancy only, without a change in use or intended use, provided that no structural alterations or additions are proposed for building.~~

## Section 900.041 - ~~Building Permit~~Permit of Zoning Compliance

No building permit for the extension, erection or alteration of any building shall be issued before an application for ~~a certificate of zoning compliance~~Permit of Zoning Compliance has been submitted~~made~~ and ~~until~~ such application~~certificate~~ is approved.

## Section 900.042 - Applications for ~~Certificates of~~Permit of Zoning Compliance

Each application for a Permit of~~Certificate of~~ Zoning Compliance shall be accompanied by one (1) copy of a plot~~a~~ plan prepared by a professional engineer, surveyor or architect where required,~~in duplicate~~ drawn to scale and accompanied by the designated application fee.

The plot plan shall show the following items, as applicable, to insure compliance with the regulations herein:

~~(a)~~A) The actual dimensions of the lot including easements;~~.~~

~~(b)~~B) The exact size and location of all buildings existing on the lot~~.~~;

~~(c)~~C) The proposed new construction, drawn to scale and shall indicate the rear, side and front setbacks;~~.~~

~~(d)~~D) The existing and intended use of all parts of the land or buildings~~.~~;

~~(e)~~E) The proposed provisions of water ~~,~~and sanitary sewer facilities;~~, surface drainage features and underground storm drainage facilities. These features and facilities shall be in compliance with applicable County and Township Regulations. A grading plan and storm water management plan, to include existing and proposed surface and subsurface drainage features, shall be submitted, indicating how storm water runoff will be handled. In order to document conformance with these~~

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~~requirements, the Zoning Administrator/Inspector may require review and approval from all applicable government agencies.~~

F) ~~(f)~~ 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;~~.~~

G) A grading plan and storm sewer layout, to include existing and proposed surface and subsurface drainage features, indicating how storm runoff will be handled; and

H) Any and all other requirements applicable to each application as required by this Zoning Resolution.

The requirements of Section 900.042, or portions thereof, may be waived by the Zoning Administrator/Inspector when, in their opinion, the applicant has satisfactorily demonstrated that all aspects relative to the above have been suitably addressed.

Applications for Permits of Zoning Compliance must comply with all other applicable local and state requirements and regulations. These may include, but are not limited to, the Franklin County Storm Water Drainage Manual if the proposal will disturb one (1) or more acres of land, Franklin County Public Health Regulations, Jefferson Water and Sewer District requirements, Franklin County Drainage Engineer requirements, Franklin County Engineer requirements and requirements of the applicable Ohio Environmental Protection Agency Construction permit.

## Section 900.043 - Procedure

~~(a)~~A) *Acceptance of a Complete Application*

The Zoning Administrator/Inspector shall ~~only~~not accept an~~ complete~~ application until the application is deemed complete and the appropriate fee, as prescribed by the Jefferson Township Fee Schedule for ~~a Certificate of Zoning Compliance~~that application is received.

~~(b)~~B) *Approval and Issuance*

A~~Certificates of Zoning Compliance~~ Permit of Zoning Compliance shall be issued or refusal thereof given within forty-five (45) day~~thirty (30) working days~~ after the submittal of a complete application. Written notice of a refusal and reason thereof shall be given to the applicant.

## Section 900.044 - Fees

A fee shall be paid to Jefferson Township for each application for Certificate of Z~~z~~Zoning C~~c~~Compliance in accordance with the Jefferson Township Fee Schedule~~ as is prescribed in ORC 519~~.

## Section 900.0444 ~~Effect of Approval~~- Expiration of Permit of Zoning Compliance

~~If the change or modifications described in any Certificate of Zoning Compliance has not begun~~A Permit of Zoning Compliance shall expire if the work described in the Permit has not commenced within one (1) year

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from the date of issuance thereof, or the work has not been completed within two (2) years.~~said Certificate of Zoning Compliance shall expire;~~ Once expired, the Permit of Zoning Compliance shall be void.~~ it shall be revoked by the Zoning Administrator/Inspector and~~ Once void, the Zoning Administrator/Inspector shall provide written notice thereof ~~shall be given~~ to the persons affected. Further, the written notice of expiration shall be accompanied by notice that further work as described in the expired permit shall not proceed unless and until a new Certificate of Zoning Compliance has been obtained or an extension granted by the Board of Zoning Appeals.~~ if work described has begun, but then suspended for a period of six (6) months.~~

## Section 900.045 - Certificates of Zoning Compliance

Once an applicant is issued a Permit of Zoning Compliance, the applicant may begin construction of the proposed extension, erection or alteration of any building or development approved by the process outlined in Section 900.042 – 900.044 of this Zoning Resolution. If the extension, erection or alteration has been completed without the Permit of Zoning Compliance expiring in accordance with Section 900.044, the applicant shall return to the Zoning Administrator/Inspector for a Certificate of Zoning Compliance. The Certificate of Zoning Compliance will only be issued if the extension, erection or alteration has been constructed in accordance with the approved development plan and meets all the requirements of this Zoning Resolution.

# SECTION 910 - PENALTIES FOR VIOLATION

Any person violating any provision of any part 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 Zoning Administrator/Inspector to cease work, shall be guilty of a misdemeanor, and subject to the penalty provided in ORC ~~§Sec.~~ 519.99~~, Ohio Revised Code~~.

# SECTION 920 - ~~AMENDMENTS OR SUPPLEMENTS TO ZONING RESOLUTION~~ZONING AMENDMENTS

Whenever the public necessity, convenience, general welfare or good zoning practices require or in conformance with the Jefferson Township Comprehensive Plan, the Board of Township Trustees may by resolution amend, supplement change or repeal the regulations, restrictions and boundaries or established by the Zoning Resolution. Amendments or supplements of this Zoning Resolution may be initiated by either the Jefferson Township Board of Trustees, the Jefferson Township Zoning Commission or one (1) or more owners of property within the area proposed to be changed or affected by the proposed amendment. The procedures as specified in Section 920.01 through 920.022, inclusive, of this Zoning Resolution outline the zoning amendment process.

## ~~Section 920.01 Change or Amendment by Jefferson Township Trustees~~

~~The Township Trustees may change or amend the text of this Zoning Resolution or the Zoning District Map or Special District Map.~~

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## Section 920.01 -~~1~~ Initiation by Resolution of the Trustees or by Motion of the Zoning Commission

Proposed changes or amendments to the Zoning Resolution may be initiated by t~~T~~he Jefferson Township Trustees ~~may initiate proposed changes or amendments~~ by resolution or by the Jefferson Township Zoning Commission by motion~~ of the Township Zoning Commission~~. Once initiated, the Zoning Amendment process outline in ORC ~~§~~519.12 shall be followed.

## ~~Section 920.012 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 or more owners or lessees of land to be affected by change or amendment of other provisions of this Zoning Resolution.~~

## ~~Section 920.013 Resubmission of Application~~

~~If a proposed amendment or supplement initiated by application is disapproved by the Township Trustees, 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 county or regional planning commission of changed or changing conditions affecting the land sufficient to warrant reconsiderations.~~

## Section 920.02- Initiation of Action by Owner~~ or Lessee of Land~~

Proposed changes or amendments may be initiated by one (1) or more property owners or lessees of land within the area that is proposed to be changed by amendment. ~~Eight (8)~~One (1) copy~~ies~~ of a provided application form shall be filed with the Zoning Administrator/Inspector together with the corresponding fee ~~in accordance with the deadline established for setting the Zoning Commission agenda. No such application shall be accepted or deemed to have been filed unless the Zoning Commission shall determine that such application is complete and complies as to form with the requirements of this Zoning Resolution. Such determination relates to form only and does not reflect on the substantive merits of any application~~.

## Section 920.021 Application

The application for any proposed change or amendment shall contain:

~~(a)~~A) A description or statement of the present and proposed provisions of this Zoning Resolution or the proposed change of the district boundaries of the Official Z~~z~~Zoning D~~d~~Dstrict M~~m~~Map~~,~~ or s~~S~~pecial d~~D~~istrict m~~M~~ap~~.~~;

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~~(b)~~B) A legal description by map and text of the property to be affected by the proposed change or amendment~~.~~;

~~(c)~~C) A statement of the relation of the proposed change or amendment to the ~~general~~public health, safety, convenience, prosperity or ~~and~~ general 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. Also approval by the controlling health agency, and where applicable, the county engineer~~.~~; and

~~(d)~~D) A list of owners of property within, contiguous to, directly across the street from, and within ~~1,000~~two hundred fifty (250) feet of such area proposed to be rezoned. Such list to be in accordance with the Franklin County Auditor's current tax list, and shall include all owners' addresses.

## Section 920.022 - Fees

A fee shall be paid to Jefferson Township for each application for any proposed change or amendment in accordance with ~~ORC 519~~the Jefferson Township Official Fee Schedule. ~~Reference the current fee schedule, available from the Township Clerk or Zoning Administrator/Inspector.~~

# SECTION 930 - PROCEDURE FOR CONSIDERATION OF PROPOSED CHANGE OR AMENDMENT

Changes or amendments of this Zoning Resolution may be amended by utilizing the procedures as specified in Section 930.01 through 920.034, inclusive, of this Zoning Resolution.

## Section 930.01 - ~~Establishment of~~ Public Hearing by Jefferson Township Zoning Commission

Upon the certification of such resolution by the Jefferson Township Trustees, the adoption of such motion by the Jefferson Township 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 Map,~~ the Jefferson Township Zoning Commission shall set a date for a public hearing.

## Section 930.011- Public Hearing Date

The date for a public hearing shall be set for not less than twenty (20) days and not ~~nor~~ more than forty (40) days from the date of the acceptance of such resolution~~, motion~~ or filing of application or from the date such motion is made.

## Section 930.012 - Notice of Public Hearing

Notice of such hearing shall be given by the Township Zoning Commission by one (1) publication in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of such public hearing as set forth in Section 519.12 Ohio Revised Code.

If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be mailed by the Township Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within

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and contiguous to and directly across the street from and to all property owners within two hundred fifty (250) feet of such area affected by the proposed amendment. This notice is to be mailed to the address of such owners appearing on the County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment. ~~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 Township Zoning Commission by one (1) publication in one (1) or more newspapers of general circulation in the township at least ten *(10)* days before the date of such public hearing.~~

~~Written notice of the public hearing shall be mailed by the Township 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 and within 1,000 feet of 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 County Treasurer's mailing list as supplied by the applicant. The failure of delivery of such notice shall not invalidate any such amendment or supplement. Changes in the zoning text which do not redistrict any properties are exempt from the notice by mail requirement.~~

~~The Township Zoning Commission may require the Zoning Administrator/Inspector to post the property at each corner near the public right of way line. The sign must be clear of all obstruction and plainly visible from the roadway. It shall state the property to be considered, with the time and place of the hearing.~~

## Section 9~~2~~30.013 - ~~Filing pursuant to ORC 519.12,~~Action by County or Regional Planning Commission

Pursuant to ORC ~~§Section~~ 519.12~~ of the Ohio Revised Code~~, within five ~~-~~(5) days of the adoption of such motion initiating the amendment process, the certification of such resolution or the filing of such application, one (1) copy of the proposed change or amendment, together with text and map pertaining thereto, shall be forwarded to the county or regional planning commission, which shall return a recommendation on the proposed change or amendment. ~~-~~Said recommendation shall be considered at the public hearing held by the ~~z~~Zoning ~~c~~Commission on such proposed change or amendment.

## Section 930.014 - Consideration

The Jefferson Township Zoning Commission shall consider the approval, denial or some modification, if the modification is requested by the applicant, of the proposed amendment as such proposal in the Zoning Commission's judgment advances the public health, safety, convenience, prosperity or general welfare by encouraging appropriate use and development of land affected and the comprehensive development of the surrounding area.

## Section 930.02 - Action by the Jefferson Township Zoning Commission

After a public hearing has concluded, the Jefferson Township Zoning Commission shall act on a proposed change or amendment within thirty (30) days. The Zoning Commission shall submit to the Jefferson Township Trustees a recommendation of approval, denial, or some modification, if the modification is requested by the applicant, regarding the proposed 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 county or regional planning commission.

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## ~~Section 930.021 Consideration~~

~~The Township Zoning Commission shall consider the approval, denial or some modification, if the modification is requested by the applicant, 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.~~

## ~~Section 930.022 Recommendation~~

~~Within thirty (30) days after the public hearing, the Township Zoning Commission shall submit to the Township Trustees a recommendation of approval, denial, or some modification, if the modification is requested by the applicant, 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 County or Regional Planning Commission.~~

## Section 930.03 - ~~Action by the~~Receipt by Jefferson Township Trustees

Upon receipt of such recommendation concerning proposed change or amendment the Jefferson Township Trustees shall set a time for a public hearing.

## Section 930.031 - ~~-~~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 Jefferson Township Zoning Commission.

## Section 930.032 - ~~-~~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 Jefferson Township Trustees by one (1) publication in one (1) or more newspapers of general circulation in ~~the~~Jefferson T~~t~~ownship at least ten (10)~~fifteen (15)~~ days before the date of the public hearing.

## Section 930.033 - ~~Final Action~~Action by the Jefferson Township Board of Trustees

Within twenty (20) days after ~~such~~the conclusion of the public hearing, the Jefferson Township Board of Trustees shall either adopt or deny the recommendation of the Jefferson Township Zoning Commission or adopt some modification thereof. ~~In the event the Board of Trustees denies or modifies the recommendation of the Township Zoning Commission the unanimous vote of the Board of Trustees shall be required. The Trustees shall take action within thirty (30) days.~~

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## Section 930.034 -- Date of Effect

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~~Such change or~~An amendment ~~as~~as adopted by the Jefferson Township Trustees shall ~~adopt shall~~ become effective within thirty (30) days after the date of such adoption, unless within such thirty (30) day period there is presented to the Jefferson Township Board of Trustees a petition, as set forth in ORC ~~§Sec.~~ 519.12, ~~Ohio Revised Code,~~ requesting that the Jefferson Township Board of Trustees ~~to~~ submit the proposed change or amendment to referendum vote.

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## ~~Section 930.035 Zoning Compliance Required~~

~~The approval of a zoning request by the Township Trustees shall not eliminate the requirement for a certificate of zoning compliance.~~

## SECTION 940 – RESUBMISSION OF APPLICATION

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If a proposed amendment or supplement initiated by application is denied by the Jefferson Township Trustees, another application for the same or a similar amendment or supplement affecting the land included in the denied application shall not be submitted within one (1) year from the date of denial.

JEFF-15-01
Received 1/22/2015

# Article X

## Zoning Commission and Board of Zoning Appeals

## SECTION 1000 – CREATION OF THE ZONING COMMISSION

### Section 1000.01 - Appointed by the Township Trustees

In accordance with ORC §519.04, the Township Board of Trustees hereby creates the Jefferson Township Zoning Commission (the "Zoning Commission"). The Zoning Commission shall be composed of five (5) members who live in the unincorporated area of the township. Each member shall be appointed by the Township Trustees and their terms shall be staggered such that one (1) member's term will expire each year. The Township Trustees may also appoint two (2) alternate members for terms to be determined by the Township Trustees. An alternate member may take the place of an absent regular member at any meeting of the Zoning Commission, according to procedures prescribed by the Trustees.

### Section 1000.02 - Organization and Members

The Zoning Commission shall organize and adopt rules in accordance with the Ohio Revised Code and this Zoning Resolution. The rules shall establish regularly scheduled meetings of the Zoning Commission, which shall be held at the call of the chairman. The Zoning Commission may set any other hearings as necessary in accordance with the adopted rules. All meetings of the Zoning Commission shall be open to the public.

The Zoning Commission 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 Zoning Administrator/Inspector and shall be made available, upon request, as a public record.

### Section 1000.03 - Powers and Duties of the Zoning Commission

The Zoning Commission shall have the following duties:

A) Initiate amendments to the Zoning Resolution by motion and/or in accordance with the procedures outlined in ORC §519.12 and Section 920 of the Zoning Resolution;

B) Hold public hearings regarding any and all applications submitted to the Zoning Administrator/Inspector that are required by this code to be heard by the Zoning Commission for recommendation or approval before being heard by the Township Trustees; and

C) Hold the public hearings required by the ORC §519.12 and Section 920 of this Zoning Resolution with regard to any amendments to the Zoning Resolution initiated by the Township Trustees or by one (1) or more of the owners of property located within the unincorporated area of the township.

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# SECTION 101~~0~~0 - CREATION OF THE BOARD OF ZONING APPEALS

In accordance with the ORC ~~§~~519.13, the Trustees shall appoint a ~~t~~Township ~~b~~Board of ~~z~~Zoning ~~a~~Appeals (the "BZA") composed of five (5) members who shall be residents of the unincorporated territory of the township. The terms of all regular members shall be of such length and so arranged that the term of one (1) member will expire each year. The Trustees may also appoint two (2) alternate members to the ~~township board of zoning appeals~~BZA, for terms to be determined by the Trustees. An alternate member shall take the place of an absent regular member at any meeting of the BZA according to procedures prescribed by the Trustees. The members may be allowed their expenses, or such compensation, or both, as the Trustees may approve and provide.

The BZA may, within the limits of the moneys appropriate by the Trustees for the purpose, employ such executive, professional, technical, and other assistants as it deems necessary.

## ~~Section 1000.01 Appointed by the Township Trustees~~

~~There shall be a Jefferson Township Board of Zoning Appeals consisting of five (5) members appointed by the Jefferson Township Trustees as provided by Section 519.13 of the Ohio Revised Code.~~

## Section 101~~0~~0.0~~2~~1 - Organization and Members

The Board of Zoning Appeals shall organize and adopt rules in accordance with the Ohio Revised Code and this Zoning Resolution. The rules so adopted shall establish regularly scheduled m~~M~~eetings of the BZA~~Board of Appeals~~. Those meetings shall be held at the call of the chairman. The BZA may also schedule meetings~~, and~~ at such other times as the BZA~~Board~~ determines necessary.

The chairman, or in his absence the acting chairman, ~~may~~shall administer oaths to all testifying at any hearing held by the BZA~~,~~ and the ~~Board of Zoning Appeals~~BZA may compel the attendance of witnesses as required.

All meetings of the ~~Board of Zoning Appeals~~BZA shall be open to the public.

The ~~Board of Zoning Appeals~~BZA 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 Zoning Administrator/Inspector~~Township Trustees~~, and available for inspection as~~be~~ a public record, upon request.

# SECTION 1020~~01~~ - POWERS AND DUTIES OF THE BOARD OF ZONING APPEALS

## Section 1020~~01~~.01 - Powers and Duties

The ~~Board of Zoning Appeals~~BZA shall have the following powers and duties:

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A) *Administrative Review*

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator/Inspector in the enforcement of this Zoning Resolution.

B) *Conditional Use*

To authorize only such conditional uses as the ~~Board of Zoning Appeals~~BZA is ~~specifically~~ authorized to ~~pass on by the terms of~~permit in accordance with this Zoning Resolution.

C) *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 create~~result in~~ a practical difficulty to the applicant~~ unnecessary hardship~~. In granting such variance, the ~~Board of Zoning Appeals~~BZA shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the z~~Z~~oning d~~D~~istrict in conformity with this Zoning Resolution.

## Section 102~~01~~.02 - Procedure for Administrative Appeal

A) *Administrative Appeals*

Appeals to the ~~Board of Zoning Appeals~~BZA may be taken by any person aggrieved, or by any officer of ~~the~~Jefferson Township affected by any decision of the Zoning Administrator/Inspector.

B) *Notice of Appeal*

Such appeal shall be taken within twenty (20) days after the decision by filing a notice of appeal with the officer from whom the appeal is taken and with the ~~Board of Zoning Appeals~~BZA, specifying the grounds. The officer from whom the appeal is taken shall transmit to the ~~Board of Zoning Appeals~~BZA all the papers constituting the record upon which the action was taken.

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## Section 1001.03 Procedure for Variance

### A) 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.

### B) Written Application

Eight (8) 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/Inspector not more than twenty (20) days from the date such denial of the Certificate of Zoning is issued.

### C) Description of Property and Nature of Variance

The application shall include the following statements:

1) The nature of the Variance; i.e., 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 granting of the application is necessary to the preservation and enjoyment of substantial property rights.

5) A list of owners of property within, contiguous to, directly across the street from, and within 1,000 feet of such area proposed to be considered for variance. Such list to be in accordance

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**with the Franklin County Auditor's current tax list, and shall include all owners' addresses.**

6) **Such other information regarding the application for appeal as may be pertinent or required for appropriate action by the Board of Zoning Appeals.**

**D) Plot Plan**

**Eight (8) copies of a plot plan drawn to an appropriate scale showing the following shall accompany the application:**

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 properties**

E) **Review**

**Review by the county or regional planning commission, or a person qualified in land use planning as designated by Jefferson Township Trustees, may be required. If such a review is required, one (1) copy of the application and plot plan shall be forwarded to the county or regional planning commission or designated planner. Said body or person shall forward their recommendation to the Board of Zoning Appeals in time for consideration at the public hearing.**

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**Section 1001.04 Actions of the Board of Zoning Appeals - Variances**

**The Board of Zoning Appeals shall fix a reasonable time for a public hearing of the application, give at least 10 days notice in writing to the parties in interest, give notice of such public hearing by publication in one or more newspapers of general circulation in Franklin County at least 10 days before date of such hearing, and shall within a reasonable time after the application is submitted hold a public hearing and act on a Variance.**

A) **Approval of Variance**

**The Board of Zoning Appeals shall only approve a variance or modification thereof if the following findings are made:**

1) **That such variance or modification will not be contrary to the public interest.**

2) **That owing to special conditions, a literal enforcement of this Zoning Resolution will result in unnecessary hardship.**

3) **That the approval of such variance or modification thereof is consistent with the spirit of this Zoning Resolution, and substantial justice shall be done thereby.**

4) **That the special conditions and circumstances do not result from the action of the applicant.**

***Section 1001.05 Effect of a Variance Approval***

***A) Certificate of Zoning Compliance***

**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 year of its issuance, meaning there has been no active and substantial improvement to a property in accordance with a valid variance, then the variance shall expire and no work may commence**

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~~**without either renewing the variance or receiving a new variance approval.**~~

~~***B)*** **Building Permit**~~

~~**A building permit may be obtained only for the development in accordance with the approved plot.**~~

## Section 102~~01~~.0~~6~~3 - Procedure for Authorizing a Conditional Use

A) *Nature of Conditional Uses*

Specifically listed c~~C~~onditional u~~U~~ses are provided within each of the z~~Z~~oning d~~D~~istrict. Such uses~~ Regulations in recognition that such uses~~, although often desirable, will more intensely affect the surrounding area in which they are located than the p~~P~~ermitted u~~U~~ses of such z~~Z~~oning d~~D~~istricts.

The intent of the "Procedure for Authorizing a Conditional Use" is to set forth the ~~Development Standards and~~ criteria for ~~locating and developing a~~approving a c~~C~~onditional u~~U~~se~~ in accordance with the nature of the surrounding area, conditions of development, and with regard to appropriate plans~~.

B) *Written Applications*

One (1)~~Eight (8)~~ copy~~ies~~ of a conditional use ~~premitprovided~~permit application ~~form~~ shall be filed with the Zoning Administrator/Inspector.

C) *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) 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.~~BZA; and

6) A list of owners of property within, contiguous to, directly across the street from, and within one thousand (1,000) feet of such area proposed to be considered for a c~~C~~onditional u~~U~~se. Such list to be in accordance with the Franklin County Auditor's current tax list, and shall include all owners' addresses.

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D) *~~Plot~~Site Plan*

~~Eight (8)~~One (1) copy~~ies~~ of a ~~plot~~site plan, drawn to ~~an appropriate~~ scale, clearly showing the following, shall accompany the application:

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 d~~D~~evelopment s~~S~~tandards~~.~~; and

5) The current use of the land and the location of structures on adjacent -properties~~y~~.

E) *Additional Review*

Review by the county or regional planning commission~~,~~ or any other technical agencies, or a person qualified in land use planning, or legal counsel as designated by Jefferson Township ~~Trustees~~BZA, may be required. ~~If such a review is required, one (1) copy of the application and plot plan shall be forwarded to the county or regional planning commission or designated planner. Said body or person shall forward their recommendation to the Board of Zoning Appeals in time for consideration at the public hearing.~~

## Section 102~~01~~.04 -~~7~~ Actions of the Board of Zoning Appeals – Conditional Uses

The BZA~~Board of Zoning Appeals~~ shall fix a reasonable time for a public hearing of the application, give at least ten (10) days' notice in writing to the parties in interest, give notice of such public hearing by publication in one (1) or more newspapers of general circulation in Franklin County at least ten (10) days before date of such hearing, and shall hold a public hearing and act on a c~~C~~onditional u~~U~~se in one of the following ways:

A) *Approval*

The BZA~~Board of Zoning Appeals~~ ~~shall~~may approve an application for a c~~C~~onditional u~~U~~se if the following ~~four~~ conditions are met:

1) The proposed use is a c~~C~~onditional u~~U~~se of the z~~Z~~oning d~~D~~istrict, and the applicable d~~D~~evelopment s~~S~~tandards established in this Zoning Resolution are met~~.~~;

2) The proposed development is in accord with appropriate plans for the area~~.~~;

3) The proposed development will be in keeping with the existing land use character and physical development potential of the area~~.~~; and

4) There is a necessity or desirability of the proposed use to the neighborhood or community ~~has been proven~~in granting any conditional use application, the BZA may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of

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such conditions and safeguards, when made a part of the terms under which the request for a conditional use is granted, shall be deemed a violation of this Resolution.

B) *Approval with Modification*

The BZA~~Board of Zoning Appeals~~ may approve with modification an application for a c~~C~~onditional u~~U~~se, if the proposed use is a c~~C~~onditional u~~U~~se of the z~~Z~~oning d~~D~~istrict and the applicable d~~D~~evelopment s~~S~~tandards are met, but ~~plot~~site plan modification is required:

1) To be in accord with appropriate plans 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.

C) *Disapproval*

The BZA~~Board of Zoning Appeals~~ shall only disapprove an application for a c~~C~~onditional u~~U~~se for any ~~one~~ of the following reasons:

1) The proposed use is not a c~~C~~onditional u~~U~~se of the z~~Z~~oning d~~D~~istrict, or the applicable d~~D~~evelopment s~~S~~tandards are not and cannot be met.

2) The proposed development is not in accord with appropriate plans of the area.

3) The proposed development will have undesirable effects on the surrounding area and is not in keeping with the existing land use character and physical development potential of the area.

## Section 102~~01~~.05 ~~7~~ Effect of a Conditional Use Approval

A) *Conditional Use Approval*

Upon a favorable finding, the BZA~~Board of Zoning Appeals~~ shall approve a c~~C~~onditional u~~U~~se application within thirty (30) days following the public hearing.

B) *Conditional Use Permit*

A ~~Certificate~~Permit of Zoning Compliance may be issued within one (1) year from the date of final approval by the BZA~~Board of Zoning Appeals~~.

C) *~~Building Permit~~Certificate of Zoning Compliance*

A final Certificate of Zoning Compliance must be obtained when work under the Permit for Zoning Compliance is completed, and may only be issued for finished development that complies with the approved site plan and any applicable conditions issued as part of the approved conditional use.~~A building permit may be obtained only for the development in accordance with the approved plot.~~

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## Section 1020.06 - Procedure for Variance

A) *Nature of Variance*

Extraordinary circumstances may exist on any property which makes a strict enforcement of the applicable development standards of the Zoning Resolution unreasonable. Therefore, the procedure for variance from development standards is provided to allow the township the flexibility necessary to adapt to changed or unusual conditions which create~~s~~ a practical difficulty to the applicant with regard to their ability to meet the development standards of this Zoning Resolution.

B) *Written Application*

One (1) copy of a variance application accompanied with a copy of the denied application for a certificate of zoning compliance shall be filed with the Zoning Administrator/Inspector not more than twenty (20) days from the date such denial of the certificate of zoning is issued.

C) *Description of Property and Nature of Variance*

The application shall include the following statements:

1) The nature of the variance, i.e., include 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 granting of the application is necessary to the preservation and enjoyment of substantial property rights;

5) A list of owners of property within, contiguous to, directly across the street from, and within one thousand (1,000) feet of such area proposed to be considered for variance. Such list to be in accordance with the Franklin County Auditor's current tax list, and shall include all owners' addresses; and

6) Such other information regarding the application for variance as may be required by the BZA.

D) *Site Plan*

The application shall include one (1) copy of a site 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;

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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; and

6) The use of land and location of structures on adjacent properties.

E) *Additional Review*

Review by the county or regional planning commission or any other technical agencies, a person qualified in land use planning, or legal counsel as designated by BZA, may be required.

## Section 1020.07 - Actions of the Board of Zoning Appeals – Variance

The BZA shall fix a reasonable time for a public hearing of the application, give at least ten (10) days' notice in writing to the parties in interest, give notice of such public hearing by publication in one (1) or more newspapers of general circulation in Franklin County at least ten (10) days before the date of such hearing, and shall within a reasonable time after the application is submitted hold a public hearing and act on the variance request.

A) *Approval of Variance*

The BZA shall make a determination on a request for variance based upon the consideration of the following factors:

1) That the property would yield a reasonable return or whether there could be any beneficial use of the property without the ~~variance~~variance;

2) Whether the variance is substantial;

3) The essential character of the neighborhood would be substantially altered or whether the adjoining properties would suffer a substantial detriment as a result of the variance;

4) The variance would adversely affect the delivery of governmental services (i.e., water, sewage, garbage);

5) Whether the property owner purchased the property with knowledge of the zoning restrictions;

6) Whether the property owner predicament feasibly can be obviated through some method other than a variance; and

7) Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance.

This list of factors is not inclusive, nor should any of the factors be deemed dispositive or automatically entitled to greater weight. The ~~A~~applicant has the burden of showing by a preponderance of the evidence that there exists a practical difficulty in meeting the requirements of the Zoning Resolution. Based upon an analysis of the factors and the evidence present by the applicant, the BZA must then determine whether to grant, grant with conditions, or deny the requested variance. In granting any variance application, the BZA may prescribe appropriate conditions and safeguards in conformity with this Zoning Resolution. Violation of such

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conditions and safeguards, when made a part of the terms under which the request for a variance is granted, shall be deemed a violation of this Zoning Resolution.

## Section 1020.08 - Effect of a Variance Approval

A) *Permit of Zoning Compliance*

A permit 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 BZA. If a variance has not been used within one (1) year of its issuance, meaning there has been no active and substantial improvement to a property in accordance with an approved variance, then the variance shall expire and no work may commence without either renewing the variance or receiving a new variance approval.

B) *Certificate of Zoning Compliance*

A final Certificate of Zoning Compliance must be obtained when work under the Permit for Zoning Compliance is completed and may only be issued for finished development that complies with the approved site plan and any applicable conditions issued as part of the approved variance.

## Section 1020~~01~~.09 -~~5~~ Fees for Conditional Uses and Variances

A fee shall be paid to Jefferson Township for each application for ~~Certificate of Zoning Compliance~~variance or conditional use as is prescribed ~~in ORC 519~~by the Township Trustees and shown on the Township Official Fee Schedule.

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# Article XI
Definitions

## Section 1100 ~~Definition of Words~~DEFINITION OF WORDS

Except where specifically defined herein, all words 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 words "plot" or "parcel"; ~~:~~ the words "must," "will," and "shall" are mandatory requirements, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.~~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~~"~~."

~~* Tense and usage~~

* The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

~~* Words used in the present tense include the future tense. The reverse is also true.~~

~~* Words used in the singular include the plural. The reverse is also true.~~

* Words pertaining to gender shall be interchangeable. The word "he" shall mean "she." The reverse is also true.

~~* The words "must," "will," and "shall" are mandatory requirements, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.~~

~~* The words "used" and "occupied" include the words "intended, designed, or arranged to be used or occupied."~~

* Definitions in this chapter are not meant to imply a standard; for specific standards, refer to the applicable section of the Jefferson Township Resolution~~Code~~.

* Conjunctions. Unless the context clearly indicates otherwise, the following conjunctions have the following meanings:

* "And" indicates that all connected items and~~or~~ provisions apply.

* "Or" indicates that the connected items or provisions may apply singly or in combination.

* "Either... or" indicates that the connected items or provisions apply singly, but not in combination.

## Section 1100.01 - Specifically Defined Words

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The following listed words are specifically defined for use in this Zoning Resolution.

~~Build-to-Line: An alignment established at a certain distance from and parallel to the curb line along which the building shall be built.~~

~~Floor Area Ratio: The ratio of gross floor area of all structures on a lot to total lot area.~~

~~Hotel: Any building or portion thereof used as a temporary abiding place for remuneration, with or without meals, containing 15 or more guest rooms or suites where no provision for cooking is made in any individual guest room or suite, no room or suite is separately metered for utilities; and is not a hospital or jail.~~

~~In-Between Places: A location, which fulfills a necessary role between the public and private realms. In between places usually occur in cafes, pubs, exercise clubs, corner stores, and the like.~~

~~Live-Work Quarters: Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.~~

~~Massing: Three-dimensional building form; Appearance and style are applied to massing, but do not appreciably affect the volume established, except for the roof form selected.~~

~~Movie Theater: A specialized theater for showing movies or motion pictures.~~

~~Parking Area, Public: An open area, excluding a street or other public way, used for the parking of automobiles and available to the public, whether for free or for compensation.~~

~~Standard: A criterion established in the interest of protecting the public health and safety for the control of pollution, vibration, noise, odor, smoke, noxious gases, nuisances, and other objectionable or dangerous elements generated by and inherent in or incidental to land uses.~~

~~ABANDONMENT~~**Abandonment:** To intentionally stop the use of a property and when the use of a property has ceased and the property has been vacant for 24 (twenty-four) months, abandonment of use will be presumed unless the owner can show that a diligent effort has been made to sell, rent, or use the property for a legally permissible use.

**Abate:** To end a nuisance, emergency, or nonconformance.

**Abatement:** Actions taken to reduce, relieve, or suppress another continuing action. A summary abatement; a legal action taken to suppress the continuation of an offensive land use.

**Abut/Abutting:** *(see also adjacent/adjoin; contiguous)*~~:~~ The condition of two adjoining properties having a

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common property line or boundary, including cases where two or more lots adjoin only on a corner or corners~~-~~.

**Access, ~~(direct)~~:** The provision for immediate ingress and egress of vehicles from an abutting property to an adjacent street.

**Access drive:** A roadway leading from a public right-of-way to a parking area and shall be considered part of the parking area when it is adjacent to one or more parking spaces.

**Access, ~~(indirect)~~:** The provision for ingress and egress of vehicles from an abutting property to an adjacent street, is shared by two or more properties or is channeled by some means indirectly to the adjacent street.

**Access management:** A set of policies and standards that manage the number and location of access points (driveways) on the public road system.

**Access point:** A driveway or other opening for vehicles to enter from or exit to a street.

**Access, private:** A private access is an access not in public ownership or control by means of deed, dedication, or easement.

**Access, public:** A means of physical approach and available to the general public; this may also include visual approach.

**Access strip:** Strip of land which is part of a lot and provides access to the part thereof used or to be used for buildings and structures.

**Accessory apartment:** A secondary dwelling unit established in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot.

**Accessory use or structure:** A ~~U~~use or structure on the same lot that is customarily incidental and subordinate to the principle ~~permitted~~ use or structure on a property; it pertains to or depends on the principle use for its existence. Structures include, but are not limited to, sheds, storage sheds, pool houses, unattached garages, and barns.

**Acre:** A unit equal to 43,560 square feet (4,047 square meters).

**Acreage, gross:** The acreage within the perimeter of a development tract, plus one-half the right-of-way of all adjoining streets and alleys.

~~**Acreage, net:** The area within lot boundaries of all lands comprising the building site; a net acre shall not include any portion of the abutting dedicated streets, alleys, waterways, canals, lakes, or any such dedicated right-of-way by whatever name known.~~

**Address:** The number or other designation assigned to a housing unit, business establishment, or other structure for purposes of mail delivery, emergency services, and so forth.

**Addition** *(S~~s~~ee also expansion)~~:~~*: The extension of an existing building not including repairs and reconstruction of the existing building.

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**Adjacent:** Joined contiguous to, in contact with each other, so that no third object intervenes; therefore lots separated by a street shall be considered adjoining, except those lots separated by an arterial street shall be

adjacent.

**Adjoin:** To be next to some other thing.

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**Adult material:** Includes but is not limited to accessories, books, magazines, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing, or any service including computer software or any combination thereof, capable of arousing interest through sight, sound, or touch, and:

a)A) 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; and/or

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b)B) Which service is distinguished or characterized by an emphasis or sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.

**Agriculture:** The use of land for farming; ranching; algaculture meaning the farming of algae; 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; and 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.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; or land devoted to a soil conservation or forestry management program.

**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.

**Alteration:** Any change, addition, or modification.

**Anemometer:** An instrument that measures the force and direction of the wind.

**Animal boarding place:** *(Ssee also kennel):)* Any structure, land, or combination thereof used, designed, or arranged for the boarding, breeding or care of dogs, cats, pets, fowl, horses, or other domestic animals for profit, but exclusive of animals used for agricultural purposes.

**Apartment:** *(Ssee also dwelling)*: A room or suite of rooms, with toilet and culinary accommodations, used or designed for use as a residence, located in a building containing two or more such rooms or suites or located in a building devoted primarily to nonresidential use.

**Applicant:** A property owner or any person or entity acting as an authorized agent for the property owner in an application for a development proposal, permit, or approval.

**Application:** The process by which an applicant submits a request and indicates a desire to be granted a permit

under the provisions of this ~~z~~Zoning R~~r~~esolution; an application includes all written documentation, verbal statements, and representations, in whatever form or forum, made by an applicant to the Township concerning such a request.

**Appraisal:** The systematic method of determining the market value of property.

**Architectural appearance, exterior:** The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

**Architectural composition:** The scale, height, mass, proportion, color, form, style, detail, treatment, texture, construction material, and roof design of a project or building.

**Architectural decoration:** An element, design, or motif, other than an architectural feature, installed, attached, painted, or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression.

**Architectural feature:** A part, portion, or projection that contributes to the beauty or elegance of a building or structure, exclusive of signs, that is not necessary for the structural integrity of the building or structure or to make said building or structure habitable including but not limited to windows, columns, awnings, marquee, façade, or fascia, cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.

**Architectural plan:** A design for the construction of any structure created by a registered architect.

**Arterial Road, Major:** A high-capacity urban road designed to deliver traffic from expressways and freeways to collector streets which provide limited private access.

**Arterial Road, Minor:** A high-capacity urban road bound by major arterials. A minor arterial may also serve "through traffic" but provides more direct access to abutting land uses than does a major arterial.

**At-Grade:** *(S~~s~~ee also grade)~~:~~* Level of a road, building, or other structure at the same grade or level as the adjoining property (as opposed to a depressed or elevated road, building, or other facility) – *see Measurements Section for how to measure.*

**Automobile collision repair facility:** An establishment primarily engaged in the repair ~~or maintenance~~ of motor vehicles, trailers, and similar large mechanical equipment, including paint, body and fender, and major engine and engine part overhaul incidental to the automobile collision.

**Automobile maintenance facility**: An automobile repair shop primarily engaged in routine maintenance and service work of motor vehicles, trailers, and similar large mechanical equipment that is performed by automobile mechanics and electricians.

**Awning:** *(~~s~~See also marque~~e):~~e)* -A hood or cover that projects from the wall of a building.

**Awning, fixed:** An awning constructed with a rigid frame that cannot be retracted, folded, or collapsed.

**Awning, illuminated:** A fixed awning covered with a translucent membrane that is, in whole or part, illuminated by light passing through the membrane from within the structure; also known as an "electric awning."

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**Awning, retractable:** An awning that can be, retracted, folded, or collapsed against the face of the supporting building.

**Backfill:** (*See also borrow; fill*): Materials used to refill excavation, or the process of doing so.

**Balcony:** A projecting platform that is open and roofless and which is suspended or cantilevered from, or supported solely by, the principal structure.

**Bank:** A financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.

**Bank, drive through:** A facility including provisions for the conduct of banking services directly to the occupants of motor vehicles.

**Banner:** (*See also signs*): Any sign, painted, printed or otherwise displayed on cloth, plastic film or similar material bearing a slogan or design, hung in a public place or carried in a demonstration or procession.

**Banquet hall:** An establishment which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during scheduled events and not open to the general public; and 3) outdoor gardens or reception facilities.

**Bar:** Commercial establishment open to the general public which sells and serves intoxicating beverages for consumption on the premises.

**Barn:** Accessory building used exclusively for the storage of grain, hay, and other farm products, or the sheltering of livestock or farm equipment.

**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 chance of being equaled or exceeded in any given year. Sometimes referred to as Regional Flood or 100 year Flood.

**Base flood elevation:** (*S(see various definitions associated with "Flood")*): That elevation, expressed in feet above mean sea level, to which flooding can be expected to occur on a frequency of once in every 100 years, or which is subject to a one (1) percent or greater chance of flooding in any given year.

**Base map:** A map showing the important natural and man-made features of an area; such maps are used to establish consistency when maps are used for various purposes (e.g., reproductions of the same base map could be used to show natural resource limitations, public facilities, and land use as the basis for the official zoning map).

**Basement:** A story all or partly below grade but having at least one-half of its height below the average level of the adjoining ground.

**Basement, walk-out:** That portion of a building located partly underground and having an exterior door, where the finished ground at that exterior door is at or lowers from the finished floor.

**Bed-and-Breakfast (B&B):** A private residence that offers sleeping accommodations to lodgers in six (6) or

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fewer rooms for rent, in the innkeeper's (owner or operator) principal residence while renting rooms to lodgers, and serves breakfasts at no extra cost to its lodgers. For the purpose of this definition, a lodger means a person who rents a room in a bed-and-breakfast establishment for fewer than 30 consecutive days.

**Bench:** *(S(See also street furniture) ):* A seat located upon public property along any public way for the accommodation of pedestrians.

**Berm:** *(See also buffer; screening):* An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other such purposes.

**Bicycle:** Every device, other than a tricycle designed solely for use as a play vehicle by a child, propelled solely by human power, upon which any person may ride, having either two tandem wheels or one wheel in the front and two wheels in the rear, any of which is more than 14 inches in diameter.

**Bicycle facilities:** Improvements and provisions which accommodate or encourage bicycling, including parking facilities, maps, signs, bike lanes, multi-use paths, and shared roadways designated for bicycle use.

**Big-box retail establishment:** *(See also bulk merchandise; formula business; retail sales establishment; shopping center definitions; warehouse, retail):)* A retail structure or group of structures [having] a total in excess of 25,000 square feet of gross floor area.

**Bike connection:** A continuous, unobstructed, reasonably direct route between two points that is intended and suitable for bicycle use. Bicycle connections include but are not limited to access ways, bike paths, multi-use paths, and pedestrian bridges.

**Bike lane:** *(See also shared roadway):* A designated area within a street roadway reserved for bicycle travel and separated from the rest of the roadway by painted lines or other pavement markings.

**Bike path:** Any road, street, path or way which in some manner is specifically designated as being open to bicycle travel, regardless of whether the facility is designed for the exclusive use of bicycles or is to be shared with other transportation modes.

**Bike route:** A segment of a bikeway system designated for bicycles with appropriate directional and information markers.

**Billboard:** (*:See also sign*)

**Blight:** Unsightly condition including the accumulation of debris, litter, rubbish, or rubble; fences characterized by holes, breaks, rot, crumbling, cracking, peeling, or rusting; landscaping that is dead, characterized by uncontrolled growth or lack of maintenance, or damaged; and any other similar conditions of disrepair and deterioration regardless of the condition of other properties in the neighborhood.

**BoardBZA:** Jefferson Township Board of Zoning Appeals.

**Boarding or lodging house:** A dwelling or part thereof where meals and/or lodging is provided for compensation.

**Boundary:** A line, which may or may not follow a visible feature that defines the limits of a geographic entity.

**Borrow pit:** A lot or parcel of land or part thereof used for the purpose of extracting sand, gravel or topsoil for sale or use on another premises, and exclusive of the process of grading a lot preparatory to the construction of a

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building for which application for a building permit has been made.

**Breezeway:** A roofed structure for the principal purpose of connecting the main building or buildings on a property with other main buildings or accessory buildings.

**Buffer strip:** Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another.

**Build:** (*See also erect*): To construct, assemble, erect, convert, enlarge, reconstruct, or structurally alter a building or structure.

**Building:** Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

~~**Build out:** Development of land to its full potential or theoretical capacity as permitted under current or proposed planning and zoning designations.~~

~~**Building (*accessory*):** A subordinate structure on the same lot as the principal or main building~~

**Building area:** (*See also building coverage*)

**Building coverage:** The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings; exclusive of steps and all dimensions shall be measured between the exterior faces of walls.

**Building, height of:** The vertical distance measured as viewed from the front lot line from the finished grade to the highest point of the highest roof.

**Building line, front:** A line parallel to a street right-of-way line, edge of a stream, or other property line established on a parcel of land or lot for the purpose of prohibiting construction of a building or structure in the area between such line and right-of-way, stream bank, or other property line.

**Building permit:** Written permission issued by the proper ~~municipal~~ authority for the construction, repair, alteration, or addition to a structure.

**Building, principal:** A building in which the main or principal use of the lot on which it is situated is conducted.

**Building, residential:** (*See also dwelling definitions*): Any building arranged, designed, used, or intended to be used for residential occupancy by one or more families or lodgers and that includes but is not limited to the following types: (a) single-family detached dwellings; (b) two-family dwellings; (c) townhouse dwellings; and (d) multiple-family dwellings.

**Building setback:** A line establishing the minimum allowable distance between the nearest portion of any building and the centerline of any street when measured perpendicularly thereto.

**Building, single occupancy:** A building or structure with one major enterprise and generally under one ownership. A building is considered to be "single occupancy" if it: (a) has only one occupant; (b) has no wall in common with another building; and (c) has no part of its roof in common with another building.

**Building, temporary:** A building which is used by a contractor during the construction or reconstruction of a

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principal building, and which is located on the same lot as the principal building under construction or reconstruction.

**Bulb Outs:** *(See cCurb Eextensions)*:

**Business, general:** Commercial uses which generally require location on or near major thoroughfares and/or their intersections, and which tend, in addition to serving day-to-day needs of the community, to supply the more durable and permanent needs of the whole community.

**Business, local:** Commercial establishments which cater to and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. Businesses in this classification tend to serve a day-to-day need in the neighborhood.

**Business, office type:** Quasi-commercial uses which may often be transitional between retail business and/or manufacturing, and residential uses. Office business generally accommodates administrative, executive, professional, or institutional operations.

**Business, services:** Any for-profit activity which renders services primarily to other commercial, institutional, or industrial enterprises, or which services and repairs appliances and machines used in homes and business

**Business, wholesale:** Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments; these commodities are basically for further resale, for use in the fabrication of a product or for use by business service.

**Canopy:** A structure constructed of rigid materials including, but not limited to, metal, wood, concrete, plastic, canvas or glass which is attached to and supported by a building or by columns, poles or braces extended to the ground.

**Camping trailer:** *(See also trailer, travel)*: A structure designed to be on a chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, or vacation uses.

**Campground:** Any parcel or tract of land wherein sites are offered for the use of the public or members of any organization for the establishment of temporary living sites for two or more recreational vehicles or camping units.

**Cantilever Projection:** A horizontal projection from a building, such as a step, balcony, beam or canopy, that is without external bracing and appears to be self-supporting.

**Car wash:** A site for washing and cleaning of any motor vehicle, recreational vehicle, or other light duty equipment

**Caretakers residence:** Accessory dwelling on a nonresidential premises, occupied by the person who oversees the nonresidential operation 24 hours a day, and his or her family.

**Carport:** Roofed structure not more than 75 percent enclosed by walls and attached to the main building for the purpose of providing shelter for one or more motor vehicles.

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~~**Catering service:** Establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption~~

**Certificate of compliance ~~(certificate of occupancy)~~:** A certificate issued by the Zoning Inspector confirming that the requirements of this Zoning Resolution have been met and the building can be occupied.

**Certified survey:** A survey prepared and signed by a licensed, registered Surveyor.

**Change of occupancy:** ~~(~~*S~~s~~ee occupancy, change of*~~)~~

**Change of use:** ~~(~~*~~s~~See use, change of*

**Charitable organization:** (*S~~s~~ee also tax exempt organization*)~~:~~ An organization operating under the rules and regulations of Section 501(C) of the Internal Revenue Service Code.

**Channel:** Natural or artificial depression of perceptible extent with definite bed and banks to confine and conduct flowing water either continuously or periodically.

**Child care:** Any place, home or institution which cares for young children apart from their parents when received for regular period of time for compensation such as kindergarten, nursery school or class for young children that develops basic skills and social behavior by games, exercise, toys and simple handicraft.

**Child day care:** Administering to the needs of infants, toddlers, pre-school children, and school children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption for any part of the twenty-four (24) hour day in a place or residence other than a child's own home.

~~1)~~ **C~~c~~hild day care center:**

Any place in which child day care is provided for seven (7) or more infants, preschool children, or school-age children outside of school hours in average daily attendance, other than the children of the owner or operator of the center, with or without compensation, as all such minors are defined by Ohio Revised Code 5104.01.

~~2)~~ **C~~c~~hild day care type B home: ~~e~~**

The permanent residence of the owner-operator in which child day care is provided for no more than six (6) children at one time and in which no more than three (3) children may be under two (2) years of age at one time. Amplifications of Revised Code 5104.01 (E) shall apply.

~~3)~~ **C~~c~~hurch:**

Building wherein persons regularly assemble for worship which is maintained and controlled by a religious body organized to sustain public worship.

**Cowling:** A streamlined removable cover that encloses the turbine's nacelle.

~~4)~~ **C~~cinema~~**

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~~A specialized theater for showing movies or motion pictures~~

~~5) **clinic**~~

~~A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis, including emergency treatment, diagnostic services, training, administration, and services to outpatients, employees, or visitors; the term "clinic" includes immediate care facilities, where emergency treatment is the dominant form of care provided at the facility.~~

~~6) **c**o-location**:**~~

Wireless telecommunication facilities which are used by more than one provider/carrier.

~~7) **collector street (*see also thoroughfare*)**~~

**Collector road:** A low-to-moderate-capacity road which serves to move traffic from local streets to arterial roads and provides land access to ~~both~~ commercial, industrial, business and residential properties.

~~8)~~ **Commission:**

Jefferson Township Zoning Commission.

~~9)~~ **C~~c~~ommercial vehicle:**

Any vehicle bearing or required to bear commercial license plates and which falls into one or of the categories listed below:

~~a)~~A) Truck t~~T~~ractor
~~b)~~B) Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures
~~c)~~C) Vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit, or similar vending supply commercial or delivery trucks. This category shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating and cooling, and other construction oriented contractors
~~d)~~D) Tow trucks
~~e)~~E) Commercial hauling trucks
~~f)~~F) Vehicle repair service trucks
~~g)~~G) Vehicles with blades attached for plowing, grading
~~h)~~H) Construction vehicle, such as a bulldozer, backhoe and similar vehicles
I) A vehicle which has permanently mounted outside brackets or holder for ladders, tools, pipes, or other similar equipment

~~10)~~ **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, as may be amended. For unincorporated Franklin County the Franklin County Development Department is the Community NFIP Administrator.

~~11)~~ **C~~c~~omprehensive plan:**

Assembly of policy statements, goals and objectives, standards, maps and statistical data for the public and private economic development of Jefferson Township.

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12) **Ceonditional use:** e

A use or occupancy which is permitted only upon issuance of a permit and subject to limitations and conditions specified therein.

13) **Ceonditional use permit:**

The documented evidence of authority granted by the board of adjustmentsBZA to locate a specific use or occupancy at a particular location.

14) **Ceondominium:**

A dwelling unit containing multiple individually owned units with jointly owned and shared areas and facilities.

C

15) **eonforming use:**

Any use of a structure or land which is permitted.

16) **Ceonservation:**

The management of natural resources to prevent waste, destruction, or degradation.

17) **Ceontiguous:**

In contact, adjoining, or touching another object or item.

18) **Contractor:** r

Persons engaged in the construction of either residential or commercial structures as well as persons engaged in heavy construction such as paving, highway or utility construction.

19) **Ceornice:**

Any horizontal member of any building which projects outward from the exterior walls at the roof line which includes eaves and other roof overhang.

**Clear Fall Zone:** An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose of the zone being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel.

20) **Ceredit union:**

A financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.

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21) **Curb:**

A boundary usually marking the edge of the roadway or paved area.

22) **Curb cut:**

An opening along the roadway curb to provide vehicular ingress and/or egress between property and public street.

**Curb Extensions:** A traffic calming measure primarily used to extend the sidewalk, reducing the crossing distance and allowing pedestrians about to cross and approaching vehicle drivers to see each other when vehicles parked in a parking lane would otherwise block visibility.

**Curb Returns:** A curved section of a curb located at a corner of an intersection, connecting a curb on one street to another curb on the intersecting street. A curb return starts at the point where the curb begins to turn toward the direction of the intersecting street and ends at the point where it meets the curb on the intersecting street.

**Decibel:** A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.

23) **Deck:**

A platform, either freestanding or attached to a building, that is supported by pillars or posts.

**D**

24) **dedication:**

The intentional appropriation or conveyance of land or an interest in land by the owner to the Township for public use.

25) **Deed restriction:**

A limitation on the use of a lot or parcel of land that is set forth in the deed and recorded with the county recorder of deeds which is binding on subsequent owners and is sometimes also know as a restrictive covenant.

26) **Density:**

The number of dwelling units permitted per acre of land.

27) **Design review:**

Regulations and procedures requiring the exterior design of any structures to be suitable, harmonious, and in keeping with the general appearance, historic character, and/or style of the surrounding areas which is a process used to exercise control over the design of buildings and their settings.

28) **Design standards:**

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A set of guidelines regarding the architectural appearance of a building, or improvement, that governs the alternation, construction, demolition, or relocation of a building or improvement.

~~29)~~ **D~~d~~etention area:**

The area that is designed to capture specific quantities of storm water and to gradually release the storm water at a sufficiently slow rate to avert flooding.

~~30)~~ **D~~d~~etonable materials:**

Generally unstable materials having the propensity to explode violently from a moderately irritating force; examples of such materials include, but are not limited to fulminates, nitrocellulose, black powder, dynamite, nitroglycerin, ozonides, perchlorates, gasoline, fuel oil, and other flammable gases and vapors.

~~31)~~ **D~~d~~ock:**

A structure built over or floating upon water which is used as a landing place for boats and other marine transport, fishing, swimming, and other recreational use.

~~32)~~ **D~~dog run~~**

~~An outdoor area intended for the exercising and/or containment of dogs and similar animals~~

~~33)~~ **~~d~~ownstream:**

Land and water which receive storm water runoff and other surface water flows from a designated site; downstream land and water are downgradient from the designated site.

~~34)~~ **D~~down zoning~~**

~~A change in the zoning classification of land to a classification permitting development that is less intensive or dense~~

~~35)~~ **~~d~~rainage:**

Any outflow of water or other fluid from a site, whether be natural or artificial means.

~~36)~~ **D~~drip line~~**

~~An imaginary vertical line that extends from the outermost branches of a tree's canopy to the ground~~

~~37)~~ **~~d~~rive-through window:**

An opening in a wall of a building or structure designed and intended to be used to provide for sales to and/or service patrons who remain in their vehicle.

~~38)~~ **D~~d~~riveway:**

A roadway which provides access for vehicles to parking space, garage, dwelling, or other structures.

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~~39)~~ **D~~d~~riveway, common:**

A roadway shared by adjacent property owners and privately owned and maintained.

~~40)~~ **D~~d~~welling, apartment:**

A building arranged or intended for three (3) or more families living independently of each other in separate dwelling units, any two or more provided with a common entrance or hall and all dwelling units are intended to be maintained under single ownership or owned under condominium**.**

~~41)~~ **D~~d~~welling, farm:**

A single-family dwelling on a lot of five (5) or more acres where the dwelling is incidental to provide living accommodations to the owner and operator of farming activities that occur on the lot.

**Dwelling, h~~H~~abitable ~~P~~portion:** the parts of a dwelling that provide living accommodations for persons, but do not include garages, entryways, porches (enclosed or open), or similar type portions of the dwelling.

**Dwelling, m~~M~~ulti-~~F~~family:** a classification of housing where multiple separate dwelling units for residential inhabitants are contained within one building or several buildings within one complex.

~~42)~~ **D~~d~~welling, single-family:**

A structure designed for occupancy by one family.

~~43)~~ **D~~d~~welling, three-family:**

A building designed exclusively for or occupied exclusively by no more than three families living independently of each other in three separate dwelling units.

~~44)~~ **D~~d~~welling, two-family:**

A residential building designed for, or used as, separate homes or residence of two separate and distinct families.

~~45)~~ **D~~d~~welling unit:**

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

~~46)~~ **Easement:**

Recorded authorization by a property owner for the use by another, and for a specified purpose, of a designated part of his or her property.

~~47)~~ **E~~e~~ave:**

The projecting lower edge of a roof overhanging the wall of a building.

~~48)~~ **E~~educational institution~~**

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~~A public, parochial, or private institution that provides educational instruction to students~~

~~49)~~ **~~e~~gress:**

A way out, an exit.

~~50)~~ **E~~e~~xterior:**

The front façade ~~facade~~ of any structure and any external features visible from public ways.

~~51)~~ **F~~facade f~~açade:**

The portion of an exterior elevation on any building which extends from the grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

~~52)~~ **Family:**

A person living alone, or any of the following groups living together as a single, nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

A) ~~(1)~~ any number of people related by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship;
B) ~~(2)~~ two unrelated people; or
C) ~~(3)~~ two unrelated people and any children related to either of them by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship.

~~"~~"Family" does not include any society, club, fraternity, sorority, association, lodge, federation or like organization; any group of individuals whose association is temporary or seasonal in nature; any group of individuals who are in a group living arrangement as a result of a criminal offense. This definition is not, however, intended to prohibit those living arrangements among individuals which is specifically set forth and authorized by applicable law as being permitted uses within residential zoning districts.~~A group composed of parents and children; a group of people connected by blood, marriage or adoption.~~

~~53)~~ **F~~f~~arm:**

A parcel of land used for ~~growing or raising agricultural products, including related structures thereon~~the purposes of agriculture.

~~54)~~ **F~~f~~ence:**

An enclosure or barrier, such of wooden posts, wire, iron, etc, used as a boundary, means of protection, privacy, screening or confinement, but not including hedges, shrubs, trees, or other natural growth.

~~55)~~ **F~~f~~estival:**

The sale of ethnic specialty, regional, and gourmet foods, art and crafts, live musical entertainment, in an outdoor setting.

~~56)~~ **F~~f~~inal plat:**

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A map of all of a portion of a subdivision or site plan that is presented to the proper review authority for final approval.

57) **Flag:**

Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.

58) **Flood:**

A general and temporary inundation of normally dry land areas.

59) **Floodplain:**

The land area susceptible to inundation by water as a result of the flood.

60) **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 a designated height.

61) **Floodway fringe:**

That portion of a floodplain that is inundated by floodwaters but is not within a defined floodway and serve as temporary storage for floodwaters.

**Floor area ratio:** The ratio of gross floor area of all structures on a lot to total lot area.

62) **Footprint:**

The horizontal area which is measured from outside of all exterior walls and supporting columns.

63) **Frontage:**

The horizontal distance between the side lot lines measured at the point where the side lot lines intersecest the street right-of-way.

64) **Garage:**

A building or structure, or part thereof, used or designated to be used for the parking and storage of vehicles.

65) **Garage, courtyard:**

A garage where the overhead doors face perpendicular to the front property line but face the front door.

66) **Garage, front load:**

A garage where the overhead doors face front property line.

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~~67)~~ **G~~garage, oblique~~**

~~A garage where the overhead doors are at an angle to the front property line~~

~~68)~~ **~~g~~arage, side load:**

A garage where the overhead doors are perpendicular to the front property line but face away from front door.

**G**

~~69)~~ **~~garden center~~**

~~A place of business where retail and wholesale products and produce are sold to the consumer~~

~~70)~~ **~~gas station~~**

~~Any building, structure, or area of land used for the retail sale of automobile fuels, oils, and accessories, where repair service, if any, is incidental.~~

~~71)~~ **~~g~~azebo:**

An accessory building consisting of a detached, covered, freestanding, open-air structure not exceeding three hundred (300) square feet.

~~72)~~ **G~~g~~rade:**

The level of the finished surface of the ground adjacent to the exterior walls of the building.

**Green s~~S~~pace:** an area of grass, trees, or other vegetation set apart for recreational or aesthetic purposes in an otherwise urban environment.

~~73)~~ **G~~g~~uest:**

Any person other than the family occupying or hiring a room for living or sleeping purposes.

~~74)~~ **G~~g~~uest house:**

An attached or detached accessory building used to house guests of the occupants of the principle building, and which is never rented or offered for rent.

~~75)~~ **H~~h~~abitable rooms:**

Rooms designed and used for living, sleeping, eating, or cooking, or combinations thereof. Bathrooms, toilet compartments, closets, halls, storage rooms, laundry and utility spaces, basement recreation rooms, and similar areas are not considered habitable.

~~76)~~ **H~~h~~eight:**

The vertical distance to the highest point of the roof.

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H

~~77) h~~**ome occupation:**

An occupation carried on in a dwelling unit by the resident thereof; provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

~~78)~~ **H~~h~~omeowners association:**

An incorporated nonprofit organization operating under recorded land agreements through which each property owner is automatically subject to a share of the expenses for the organization's activities, such as maintaining common property.

~~79)~~ **H~~h~~ot tub:**

An artificial container of water designed with a mechanical air injection system and/or recirculation device which may filter and/or disinfect the water for reuse and are not intended to be drained between uses.

~~80)~~ **I~~i~~mprovement:**

Alterations to any structure that do not change the intensity of its use or increase either the gross floor area or height.

**Impervious Surface:** ~~artificial structures and surfaces – such as, but not limited to, impenetrable materials such as asphalt, concrete, brick, and stone – and rooftops, that do not permit penetration or passage of water or other soluble liquids. Impervious surfaces may also include mounted mechanicals, accessory structures, pools, hot tubs, decks, storage areas, as deemed to be an impervious surface by the Zoning Inspector~~Material covering the ground that is incapable of being penetrated by water. Impervious surface includes but is not limited to any Building, Dwelling, Structure, deck, patio, sidewalk, driveway or other concrete, asphalt and/or paved areas and any other similar areas that are constructed or otherwise created in a manner that causes water runoff rather than allowing water to run into the ground. Impervious surfaces may include an area where the ground has been made impervious due to compaction or other manmade condition, regardless of the material placed on the ground.

~~81)~~ **I~~i~~ngress:**

A way in, an entrance.

~~82)~~ **I~~i~~noperable motor vehicle:**

Any motor-powered vehicle, including but not limited to, any automobile, boat, motorcycle, truck, farm equipment or similar vehicle, which cannot legally be driven on a public roadway or thoroughfare or is in need of mechanical or structural repairs to return it to a normal and safe operating condition.

~~83)~~ **I~~i~~ntense burning materials:**

Materials having the propensity to burn with great intensity by virtue of characteristics such as low ignition temperature, high rate of burning and large heat evolution. Such materials include, but are not limited to,

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manganese, pyrotechnics and pyroxylin.

~~84)~~ **Jjunk:**

Scrap or waste material of whatsoever kind or nature collected and accumulated for resale, disposal or storage.

~~85)~~ **Jjurisdiction:**

Any governmental unit or political division or subdivision including, but not limited to: township, village, borough, parish, city, county, state, commonwealth, province, freehold, district or territory over which the governmental unit exercises power and authority.

~~86)~~ **Kkennel:**

Any place where four or more dogs, cats, or other animals over three months of age are kept, raised, sold, boarded, bred, shown, treated, or groomed.

~~87)~~ **Lland owner:**

Any person, agent, firm, corporation, or partnership shown on the records of the recorder of the deeds for Franklin County, Ohio shall be presumed to be the person in control of the property.

~~88)~~ **Lland trust:**

A private, nonprofit conservation organization formed to protect natural resources, such as productive farm and forest land, natural areas, historic structures, and recreational areas. Land trust purchase and accept donations of conservation easements.

~~89)~~ **Lland use:**

A description of how land is occupied or utilized.

~~90)~~ **Llandscape:**

The installation and permanent maintenance of an area with trees, shrubs, lawn, or planted ground cover to present an attractive, well-kept appearance and shall not be covered in whole or part with any manmade surface material.

**Landscaped b~~B~~uffer:** a landscape area located along the perimeter of a lot intended to screen or separate land uses either from one another or from a public street.

**Landscaped m~~M~~edians:** A combination of paved, planted, or landscaped strip in the center of a highway that separates lanes of traffic going in opposite directions.

~~91)~~ **Lletter of map amendment (LOMA):**

An official determination by Federal Emergency Management Association (FEMA) that a specific structure is not in a flood hazard area; amends the effective flood hazard boundary map (FHBM) or flood insurance rate map (FIRM).

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92) **Lletter of map revision (LOMR):**

A letter that revises base flood elevations, flood insurance rate zones, flood boundaries, or floodways as shown on an effective flood insurance rate map.

93) **Lline of sight:**

A visual path emanating from an average eye level adjudged to be five feet above the ground level.

94) **live entertainment**

Any musical act (including karaoke), theatrical act (including stand-up comedy) play, revue, scene, dance act, or song and dance act, or any combination thereof, performed by one or more persons.

**Live-work quarters:** Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

95) **Lloading space:**

An off-street space on the same lot with a building or group of buildings for temporary parking of a vehicle while loading and unloading.

**L**

96) **lot:**

A parcel described by metes and bounds, the description of which has been recorded.

97) **Llot area:**

The horizontal areas within the exterior lines of the lot, exclusive of any area in a public or private way open to public use.

98) **Llot, depth:**

The average distance between the front and rear lot lines.

99) **Llot, frontage:**

The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way.

100) **lLot line:**

A line bounding or demarcating a plot of land or ground as established by a plat of record

101) **Llot line adjustment:**

The modification of common property line(s) or boundaries between adjacent lots, tracts, or parcels and the

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results shall not create any additional lots, tracts, or parcels.

**Lot l~~L~~ine, i~~I~~nterior:** any lot line that is not adjacent to a street.

~~102)~~ **L~~l~~ot, minimum:**

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 frontages 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.

~~103)~~ **L~~l~~ot, non-conforming:**

A lot or parcel of land that has been established and maintained but which, because of the enactment of zoning may no longer conform to the land-use standards and regulations of the zoning district which it located.

~~104)~~ **L~~l~~ot width:**

The horizontal distance between side lot lines measured at the required front setback.

**Megawatt (MW):** A unit of power, equal to one million watts.

**Massing**: Three-dimensional building form; Appearance and style are applied to massing, but do not appreciably affect the volume established, except for the roof form selected.

~~105)~~ **M~~m~~etes and bounds:**

A legal description of land prepared by an Ohio registered land surveyor providing measured distances and courses from known or established points on the surface of the earth.

~~106)~~ **M~~m~~ezzanine:**

An intermediate floor placed in any story or room but when the total area of any such mezzanine floor exceeds 33.3 percent of the total floor area it shall be considered an additional story.

~~107)~~ **M~~m~~ineral extraction:**

The excavation or extraction of any earth products of natural mineral deposits.

~~108)~~ **M~~m~~inutes:**

The chronological record of the proceedings of a public body.

~~109)~~ **M~~m~~ixed-use development:**

A tract of land or building or structure developed for two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment.

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~~110)~~ **M~~m~~obile home:**

A single family dwelling designed to be moved by being built on a frame or chassis and further specifically designed and constructed so that wheels are, or may be attached 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 wheels, jacks, blocks, or other foundation, connection to utilities and the like.

If applicable, the following criteria may be used to define and identify a mobile home for purposes of this Resolution.

~~a)~~A) A single-family dwelling constructed between 1975 and June 14, 1976 may be defined as a mobile home if constructed in accordance with the standards of Chapter BB-77, Industrialized Units, and Mobile Homes of the Ohio Building Code.

~~b)~~B) A single-family dwelling constructed between 1975 and June 14, 1976 may be defined as a mobile home if constructed in accordance with the standards of the National Home Construction and Safety Standards Act- 12 USC 5042 (6) and as hereinafter amended.

C) ~~c)~~ A single-family dwelling may be defined as a mobile home if constructed in accordance with the standards of the National Home Construction and Safety Standards Act- 12 USC 5042 (6) and as hereinafter amended; except those constructed between 1975 and June 14, 1976, which may be defined as mobile home if constructed in accordance with the standards of Chapter BB-77, Industrialized Units and Mobile Homes of the Ohio Building Code.

D) ~~d)~~ A~~a~~ dwelling unit fabricated in an off-site facility that is more than thirty-five body feet in length or, when erected on-site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections and does not qualify as a manufactured home as defined in ORC 3781.06(C)(4) or as an industrialized unit as defined in ORC 3781.06(C)(3).

E) ~~d)~~ A transportable structure suitable for year-round single-family occupancy and having water, electrical, sewage connections significantly similar to those of conventional dwellings.

~~111)~~ **M~~m~~odular housing (permanently sited manufactured home):**

A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards, where final assembly on the building site places the structure on a permanent foundation. ~~A dwelling unit constructed on site in accordance with the State of Ohio building code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation~~

~~112)~~ **M~~m~~oratorium:**

The temporary halting or severe restriction on specified development activities.

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~~113)~~ **M~~m~~otor vehicle, commercial:**

Any motorized vehicle used or designed to be used for business or commercial purpose.

**M**

~~114)~~ ~~**motor vehicle, inoperable**~~

~~Any motorized vehicle or trailer incapable of immediately being driven and not properly licensed in accordance with state law~~

~~115)~~ **~~m~~otor vehicle, limited repair and service:**

The business of minor repairs to any motor vehicle, including repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing, and repair and replacement of shock absorbers.

**Mounted m~~M~~echanicals:** All equipment mounted on the roof, ground or to the side of a building including, but not limited to, heating and air-conditioning equipment, antennas, satellite dishes and other equipment necessary to establish a controlled interior environment.

**Nacelle:** Sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.

~~116)~~ **N~~multifamily dwelling~~**

~~A building which contains four or more individual dwellings with separate cooking and toilet facilities for each dwelling~~

~~117)~~ **~~n~~ative vegetation:**

Plant communities that develop in the absence of human activities.

~~118)~~ **N~~n~~atural condition:**

The state that arises from or is found in nature and not modified by human intervention.

~~119)~~ **N~~n~~atural drainage:**

The channels which are formed in the existing surface topography of the earth prior to changes made by unnatural causes.

~~120)~~ **N~~n~~atural features:**

The physical characteristics of the subject property that are not man made.

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121) **Nnatural resource area (archaeological):**

Any significant evidence of human activity from prehistoric periods.

**Neck dDowns:** *(See cCurb Eextensions).*

122) **Nnoise:**

The intensity, duration, and character of sound from any and all sources.

123) **Nnoise pollution:**

Continuous or episodic excessive noise in the human environment.

N

124) **non-conforming activity**

A legal activity that antedates the adoption of these regulations and does not conform to the regulations for the Zoning District in which activity is located

125) **non-conforming lot:**

A lot that does not meet minimum zoning regulations.

126) **Nnon-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.

127) **Nnon-conforming structure:**

A legal structure that antedates the adoption of these regulations and does not conform to the regulation for the Zoning District in which it is located.

128) **Ooccupancy:**

The use of land, buildings or structures.

129) **Oodor:**

A scent of spicy, flowery, fruity, resinous, foul, or burnt character of sufficient intensity and duration to be irritating to one or more individuals.

130) **Oobstruction:**

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

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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.

131) **Ooff site::**

Outside the limits of the area encompassed by the tract area or the parcel of record on which the activity is conducted.

**Ohio Revised Code (ORC):** Rules of Ohio Legislature that guide township law and other regulations pertinent to land use and this Zoning Resolution.

132) **Oon site:**

Within the limits of the area encompassed by the tract area or the parcel of record on which the activity is conducted.

133) **Oopaqueness:**

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.

134) **Open sSpace:** an area of land or water that either remains in its natural state or is used for agriculture, free from intensive development for residential, commercial, industrial or institutional use. Open space can be publicly or privately owned and many times is used for passive or active recreation. It includes agricultural and forest land, undeveloped estuarine lands, undeveloped scenic lands, public parks and preserves. It also includes water bodies such as lakes and ponds. **open space**

Land and water areas retained for use as active or passive recreation areas or for resource protection in an essentially undeveloped state

135) **Ooutfall**

The point when water flows out from a conduit, drain, or stream

136) **overlay zonedistrict:**

A Zzoning Ddistrict designation that modifies the basic underlying Zzoning designation Ddistrict in some specific manner.

137) **Pparcel:**

A tract or plot of land of any size that may or may not be subdivided or improved.

138) **Ppark:**

An area reserved for recreational, educational, or scenic purposes.

139) **Pparking lot:**

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An authorized area not within a building where motorized vehicles are stored for the purpose of temporary, daily, over-night off-street parking.

**Parking lot, p~~P~~ublic:** An open area, excluding a street or other public way, used for the parking of automobiles and available to the public, whether for free or for compensation.

~~140)~~ **P~~p~~arking, off street:**

Space occupied by automobiles on premise other than streets.

~~141)~~ **Parking, on street:**

The storage space for an automobile that is located within the street right-of-way

~~142)~~ **P~~p~~arking space:**

An off-street space available for the parking of one motorized vehicle conforming to the typical parking lot standards.

~~143)~~ **P~~p~~arking structure (parking garage):**

A structure of two or more stories, whether privately or publicly owned, used for parking automobiles.

~~144)~~ **P~~p~~arsonage:**

The permanent place of residence of the pastor or minister of a church.

~~145)~~ **P~~p~~ath:**

A surfaced walkway, separate from the traveled portion of the roadway and usually constructed with crushed rock or asphalt which follows the existing ground surface.

~~146)~~ **P~~p~~atio:**

A level surfaced area directly adjacent to a principal building and may be constructed of any materials.

~~147)~~ **P~~p~~articulates:**

Fine particles, either solid or liquid; which are small enough to be dispensed or otherwise, carried into the atmosphere.

**Pedestrian crossing islands:** *(See l~~L~~andscaped ~~M~~medians)*.

**Pedestrian zone:** An area that has been concerted for the use of pedestrians only, by excluding all motor vehicles.

~~148)~~ **P~~p~~ermit, zoning compliance:**

A document issued by Jefferson Township, Franklin County, Ohio allowing a person to begin an activity provided for in this resolution.

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P

149) **pet**

Any animal which is tame or domesticated and not normally found in the wild state

150) **planned commercial development:**

A drawing or map made to measurable scale upon that is presented a description and definition in which the requirements are to be met and intended for recording.

151) **Pplanned industrial development:**

A drawing or map made to measurable scale upon that is presented a description and definition in which the requirements are to be met and intended for recording.

152) **Pplat:**

A map which represents a tract of land, showing the boundaries and location or individual properties and streets.

153) **Pplot plan:**

A plat of a lot, drawn to scale, showing the actual measurements, the size and location of any existing structures and structures to be erected, the location of the lot in relation to abutting streets and other such information.

154) **Ppole barn:**

A typically metal clad structure most often utilizing wooden poles and trusses for support with unfinished, insulated interiors.

155) **Ppond:**

An inland body of water either in a natural state or artificially formed which has a surface area of 1,000 square feet or more.

156) **Pporch:**

A covered but unenclosed projection from the main wall of a building that may or may not use columns or other ground supports for structural purposes.

157) **Rrecreational vehicle:**

A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

158) **Rregulatory floodplain:**

A watercourse and the areas adjoining a watercourse that has been or hereafter may be covered by the bBase fFlood.

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~~159)~~ **R~~r~~elated:**

Associated to one another by marriage, blood, or legal adoption: parent, grandparent, brother, sister, stepparent, stepsister, stepbrother, uncle, aunt; also includes legal guardian or ward.

**R~~r~~esource protected areas:** areas containing fragile natural features such as forests, floodplains, steep slopes, wetlands and other open space that can be adversely impacted by development.

~~160)~~ **R~~r~~etention:**

A permanent on-site maintenance of stormwater.

~~161)~~ **R~~r~~ezoning:**

An amendment to the map and/or text of a zoning ordinance to effect a change in the nature, density, or intensity of uses allowed within a zoning district and/or on a designated parcel or land area.

~~162)~~ **R~~r~~ight-of-way:**

The roadway area that has been dedicated or deeded for public use and under the control of a public agency.

~~163)~~ **R~~r~~oad:**

The property dedicated or intended ~~to~~ for construction of public or private roads, streets, alleys, highways, freeways, or roadway purposes or to public easements therefore.

~~164)~~ **S~~roof overhang~~**

~~The projecting area at the crown of an architectural composition~~

~~165)~~ **~~s~~creening:**

A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

~~166)~~ **S~~s~~ediment:**

Solid particulate matter that has been removed from its site of origin.

**Service a~~A~~lley:** ~~a~~A street providing only secondary access to abutting property.

~~167)~~ **S~~sewage system, on-site~~**

~~The disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means, approved by the County Board of Health generally within the confines of the lot in which the use is located~~

~~168)~~ **~~s~~etback, front:**

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The minimum allowable distance from the street right-of-way line to the closest point of the foundation of a building or projection.

~~169)~~ **Ssetback line:**

The distance as measured perpendicularly from the front, side, or rear property line to the building.

~~170)~~ **Ssetback, rear:**

The shortest distance between the building line and the rear lot line.

~~171)~~ **Ssetback, side:**

The shortest distance between the building line and the side lot line.

**Ssewage system, on-site:** The disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means, approved by the County Board of Health generally within the confines of the lot in which the use is located.

~~172)~~ **Ssign:**

Any device including, but not limited to, letters, words, numerals, figures, emblems, pictures, or any part or combination which is used for visual communication.

~~173)~~ **Ssign area:**

The entire face of a sign including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

**Site plan:** A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations and shall include lot lines, streets, building sites, reserved open space, buildings, major landscape features – both natural and man-made and the location of proposed utility lines.

~~174)~~ **Ssign, portable:**

A sign whose principle supporting structure is intended to be used by resting upon the ground for support and may be easily moved and relocated for reuse and shall include, but are not limited to, signs mounted upon a trailer, bench, wheeled carrier, or other nonmotorized mobile structure with or without wheels.

**Small Wind Project:** Any wind project less than 5MW which includes the wind turbine generator and anemometer.

~~175)~~ ~~**Ssite plan:**~~

~~A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations and shall include lot lines, streets, building sites, reserved open space, buildings, major landscape features – both natural and man-made and the location of proposed utility lines.~~

**Snout hHouse:** a house with a protruding garage that takes up most of the street frontage and facade.

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**Street, p~~P~~ublic:** an open pubic way used for the passage of vehicles, people and sometimes animals. A public street is often paved to allow travel by horse, cart or motor vehicles, is maintained and repaired by a public entity, such as a city, township, county or state, and is used for connection between two or more destinations.

**Street, p~~P~~rivate:** a road owned and maintained by a private individual, organization, or company rather than by a government. Use of such road may be restricted and use without permission may constitute trespass.

~~176)~~ **S~~s~~treet right-of-way line:**

The dividing line between a street right-of-way and the contiguous property.

~~177)~~ **S~~s~~tructure~~-~~:**

Anything constructed or erected.

**S**

~~178)~~ **~~s~~tructure, accessory or ancillary:**

A subordinate structure, the use of which is incidental to that of a principal structure on the same lot.

~~179)~~ **S~~s~~tructure, detached:**

Any structure with no common or party wall with another structure.

~~180)~~ **S~~structure, nonconforming~~**

~~A structure which existed prior to the adoption date of an ordinance, but remains not in compliance with the requirements for the district in which the structure is located~~

~~181)~~ **~~s~~tructure, principal:**

The main building on a parcel of land.

~~182)~~ **S~~s~~tructure, temporary:**

Any piece of work that is readily movable and used or intended to be used for a period not to exceed 90 (ninety) consecutive days and such structure shall be subject to all applicable property development standards for the district in which it is located.

~~183)~~ **S~~s~~tructure, twin single:**

A structure containing two dwelling units, which are divided by a common wall, built to meet or exceed minimum fire and building code specifications.

~~184)~~ **S~~structure, zero lot line~~**

~~A dwelling unit which abuts one side lot line to create additional yard area in the non-abutment side yard.~~

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~~185)~~ **subdivision:**

The division of land into two or more lots and the development shall be consisting of subdivided lots.

**S**

~~186)~~ **~~substantial improvement~~**

~~Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent 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.~~

~~187)~~ **surface water:**

Water located on the earth's surface exposed to the atmosphere such as rivers, lakes, and creeks.

~~188)~~ **S~~s~~wale:**

A natural depression or wide shallow ditch used to temporarily store, route, or filter runoff.

~~189)~~ **S~~s~~wimming pool:**

A structure, whether above or below grade level, designed to hold water more than 30 inches deep to be used for recreational purposes.

**Temporary u~~U~~ses:** means a use of land that is designed, operated and occupies a site for a limited time, typically less than twelve months.

~~190)~~ **T~~t~~ent:**

Any temporary structure or enclosure, the roof of which and/or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, or a similar pliable material.

~~191)~~ **T~~t~~ower:**

A portion of a building which is higher than the remainder of the building, or a tall structure of small dimension separate from the building it accompanies.

~~192)~~ T~~st~~**ownhouse:**

A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation.

~~193)~~ **T~~t~~oxic substance:**

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Those toxic substances as defined by regulations adopted pursuant to the Resource Conservation and Recovery Act of 1976 and any future law or regulation of like tenor or effect.

~~194)~~ **T~~t~~ract:**

A parcel or plot of land of any size that may or may not be subdivided or improved.

**Traffic c~~C~~alming d~~D~~evices~~:~~:** The combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users.

~~195)~~ **Trustees:**

Jefferson Township Board of Trustees.

~~196)~~ **U~~u~~nit:**

A single dwelling providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

~~197)~~ **U~~u~~tilities:**

All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary, sewage, oil, gas, power, information, telecommunications and telephone cable and includes facilities for the generation of electricity.

~~198)~~ **V~~v~~acant:**

Lands or buildings that are not actively used for any purpose.

~~199)~~ **V~~v~~ariance:**

A request for departure from any provision of the zoning requirements for a specific parcel~~, except use,~~ without changing the Z~~z~~oning ~~r~~Resolution or the underlying zoning of the parcel.

~~200)~~ **W~~w~~atercourse:**

A channel in which a flow of water occurs either continuously or intermittently, and in the latter, with some degree of regularity and such flow must be in a definite direction and cover a prescribed area. Watercourses may be either natural or artificially and both may occur either on the surface or underground.

~~201)~~ **W~~w~~aterway:**

Any body of water, including any creek, canal, river, lake or bay, or any other body of water, natural or artificial, except a swimming pool or ornamental pool located on a single lot.

~~202)~~ **W~~w~~ell:**

A hole or shaft sunk into the earth to tap an underground supply of water.

~~203)~~ **W~~w~~etland:**

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Those areas that are inundated and saturated by surface or groundwater 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.

**Wind Power Turbine Owner:** The person or persons who own(s) the Wind Turbine structure.

**Wind Power Turbine Tower:** The support structure to which the turbine and rotor are attached.

**Wind Power Turbine Tower Height:** The distance from the rotor blade at its highest point to the top surface of the ground at the Wind Power Generating Facility (WPGF) foundation.

**Woodland, m~~M~~ature:** An area of mature deciduous trees covering one (1) acre or more and consisting of thirty percent (30%) or more largely deciduous canopy trees having a ten (10) inch or greater caliper or any grove of deciduous trees consisting of eight (8) or more trees having an eighteen (18) inch or greater caliper.

**Woodland, y~~Y~~oung:** An area of deciduous or evergreen trees covering one (1) acre or more and consisting of seventy percent (70%) or more of canopy trees having a three (3) inch caliper or greater.

~~204)~~ **Y~~y~~ard:**

An open space at grade between a building and the adjoining lot lines.

~~205)~~ **Y~~y~~ard, front:**

An open space at grade extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

~~206)~~ **Y~~y~~ard, rear:**

An open space at grade extending across the full width of the lot between the rear line of the lot and the nearest line of the building, porch, or projection thereof.

~~207)~~ **Y~~y~~ard sale:**

The sale or offering for sale to the general public of over five items of personal property on any portion of a lot in a residential zoning district, whether within or outside any building.

~~208)~~ **Y~~y~~ard, side:**

A yard between any building and the side lot line.

~~209)~~ **Z~~z~~ero lot line:**

A common lot line on which a wall of a structure may be constructed.

~~210)~~ **Z~~z~~oning:**

A police power measure in which the community is divided into districts or zones within which permitted and specific uses are established as are regulations governing lot size, building bulk, placement, and other development standards.

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211) **Z~~z~~oning inspector/administrator:**

Generally, the local official responsible for enforcing and administering the Zoning Resolution, granting zoning permits and~~,~~ following a determination by the ~~zoning board~~BZA, for special permits, conditional uses and variances.

212) **Z~~z~~oning district:**

Any section of Jefferson Township in which zoning regulations are uniform.

213) **Z~~z~~oning enforcement officer:** *(See Zoning Inspector/Administrator)*

~~*The officer designated by Jefferson Township as the person responsible for enforcing, and administering the requirements of the zoning resolution*~~

214) **Z~~zoning inspector~~**

~~The official charged with the administration and enforcement of the Zoning Resolution.~~

215) **~~z~~oning map:**

Documents that are a part of this zoning code and that delineate the boundaries of all mapped ~~zoning~~ Zoning ~~districts~~ Districts within the physical boundary of Jefferson Township.

~~**Accessory Structures: Structures such as sheds, storage sheds, pool houses, unattached garages, and barns.**~~

~~**Anemometer: An instrument that measures the force and direction of the wind.**~~

~~**Clear Fall Zone:** An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose of the zone being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel.~~

~~**Cowling:** A streamlined removable cover that encloses the turbine's nacelle.~~

~~Decibel: A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.~~

~~**Nacelle: Sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.**~~

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**Megawatt (MW): A unit of power, equal to one million watts.**

**Small Wind Project:** Any wind project less than 5MW which includes the wind turbine generator and anemometer.

**Wind Power Turbine Owner.** The person or persons who own(s) the Wind Turbine structure.

**Wind Power Turbine Tower.** The support structure to which the turbine and rotor are attached.

**Wind Power Turbine Tower Height.** The distance from the rotor blade at its highest point to the top surface of the ground at the Wind Power Generating Facility (WPGF) foundation.

Amended by TA-2007-03; effective 11/26/2010

Effective Date: May 20, 1974

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