



**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

March 24, 2015  
1:30 p.m.

## 1. New Business

### A. Planning Commission

#### i. 671-PP&V – Matt Brown

<b>Applicant:</b>	Advanced Civil Design, Inc. – Tom Warner
<b>Owner:</b>	Romanelli & Hughes Building Company
<b>Township:</b>	Jefferson Township
<b>Subdivision</b>	Woodland Creek
<b>Site:</b>	0 Waggoner Road (PID #170-000074)
<b>Acreage:</b>	32.02- acres
<b>Request:</b>	Requesting a Variance from Sections 402.01, 405.07, and 502.15 of the Franklin County Subdivision Regulations and Preliminary Plan approval of a 29 lot single-family subdivision that will include homes with basements in poorly drained soils, fail to provide the required Riparian Setback Area and fail to provide the required right-of-way for an uncurbed street.

#### ii. 672-PP – Matt Brown

<b>Applicant/Owner:</b>	Rockford Homes, Inc.
<b>Engineer:</b>	EMH&T – Jeffrey Strung
<b>Township:</b>	Jefferson Township
<b>Subdivision</b>	Morrison Farms East
<b>Site:</b>	8211 Havens Corners Road (PID #170-000673)
<b>Acreage:</b>	80.4- acres
<b>Request:</b>	Requesting Preliminary Plan approval of a 190 lot single-family subdivision with 29.2 acres of open space.

#### iii. JEFF-15-01 – Matt Brown

<b>Applicant:</b>	Jefferson Township Zoning Commission
<b>Township:</b>	Jefferson Township
<b>Request:</b>	Requesting a comprehensive amendment to the Jefferson Township Zoning Resolution.

**iv. JACK-15-02 – Anthony Hray**

<b>Applicant/Owner:</b>	John & Debbie Guzzo
<b>Township:</b>	Jackson Township
<b>Site:</b>	1700 Dyer (PID #160-000860 and 160-000861)
<b>Acreage:</b>	12-acres
<b>Zoning:</b>	Suburban Residential (SR)
<b>Utilities:</b>	Public water and on-site wastewater
<b>Request:</b>	Requesting to rezone from the Suburban Residential District to the Exceptional Use District.

**v. JACK-15-03 – Anthony**

<b>Applicant:</b>	Jackson Township Rural Zoning Commission
<b>Township:</b>	Jackson Township
<b>Request:</b>	Requesting to add Chapters 204.21 and 306.09 and amend Chapter 102 of the Jackson Township Zoning Resolution to regulate yard/garage sales, dynamic message board signs, and include a definition of such signs.

**2. Adjournment of Meeting to April 21, 2015.**



Total Number of Lots Proposed: 29 Total Area: 32.02 acres

Average Lot Dimension: 100 feet by 150 feet Typical Lot Area: 0.34 acre(s)

Reserve Areas: 17.8 acres Streets: 2.86 acres Open Space: - acres

Current Zoning? Planned Suburban Residential Number of Proposed Final Plat Phases: 1

Type of Water Supply Proposed: Jefferson Township Sewer & Water District

Type of Wastewater Disposal Proposed: Jefferson Township Sewer & Water District

Will the Subdivision Have Sidewalks? Y Curb/gutter? Y

**Is a Variance to the Franklin County Subdivision Regulations requested? YES NO**  
**If YES, Variance application form must be attached with the Preliminary Plan application.**

Twenty (20) copies of the Preliminary Plan, including the E&S Plan, are submitted with this application.

The undersigned acknowledges this Preliminary Plan application does not constitute a Subdivision Plat application and understands the filing deadlines and meeting schedules associated with this request. Approval of a Preliminary Plan does not constitute acceptance of any public improvements shown. Such acceptance can only be made in conjunction with Final Plat requirements and procedures specified in the Franklin County Subdivision Regulations. The Subdivision Plat is not considered filed until a Final Plat application is submitted and accepted, in accordance with the Subdivision Regulations of Franklin County, Ohio.

To the best of my knowledge and belief, information and materials submitted as a part of this Preliminary Plan application are correct, complete and accurate. The Franklin County Technical Review Group members are hereby granted permission to enter the property for inspection and review purposes.

Property Owner's Signature *Vince Rossi*

Date: 02 / 16 / 15

Engineer's Signature *Thomas H. ...*

Date: 02 / 16 / 15

## **EROSION AND SEDIMENT CONTROL POLICY**

### Franklin County Subdivision Regulations

#### **General:**

Per the Franklin County Subdivision Regulations, an Erosion and Sediment Control Plan shall be required for major subdivisions, may be required for other development and shall conform with the *Ohio Department of Natural Resources, Division of Soil and Water Conservation manual, "Rainwater and Land Development."* Implementation of approved erosion control measures should precede earth-disturbing activities. The Ohio Environmental Protection Agency (OPEA) may also have jurisdiction over earth-disturbing activities.

#### **Purpose:**

The erosion and sediment (E&S) control plan is required for the purpose of reducing pollution to public and/or private water by sediment from accelerated soil erosion associated with construction activity.

#### **E&S Control Plan Requirements:**

The E&S plan shall be a separate sheet, be a part of subdivision improvement plans, provide information regarding the entire site and shall include the following:

1. **Vicinity Map** – Map locating the site in relation to the surrounding area. Indicate the location of receiving waters.
2. **Work Limits** – Indicate the limits of earth-disturbing activity; include borrow, spoil and stockpile areas.
3. **Existing Topography** – The existing contours of the entire site and adjacent land should be shown on the plan. Changes to the existing contours should also be shown on the plan. A topographic map should contain an appropriate scale and contour interval to clearly depict the topography of the site.
4. **Existing Vegetation** – Show existing tree lines, unique vegetation and areas that may affect erosion and sediment controls. Existing vegetation shall remain along waterways: minimum width of buffer strip on each side of the stream shall be two and one-half times the stream width measured from the top of the streambank or 50 feet, whichever is greater.
5. **Soils** – Show boundaries of the different soil types. A table relating relevant information concerning their limitations for the proposed use may be necessary. Information pertaining to the limitations of soil type can be determined from the Franklin County Soil Survey and Soil Potential Index.

Topsoil shall be segregated and stockpiled during grading of the site and be reapplied before the establishment of permanent vegetation.

6. **Existing Drainage Patterns** – Drainage patterns should be evident on the plan. Include off-site areas susceptible to sediment deposits or to erosion caused by accelerated runoff, as well as off-site areas affecting potential accelerated runoff and erosion. Indicate size of drainage area contributing to the site. Include any known

existing agriculture field tiles that may be present on the site. Any subsurface drainage tiles encountered during development shall be rerouted or connected into the subdivision's drainage system to ensure that these systems will continue drain upland properties.

7. Special Notes for Critical Areas – Give details and specifications for practices protecting streams, steep slopes, designated trees or stands of trees, etc.
8. Site Development – Show all planned locations of buildings, parking facilities, roads, utilities, easements, etc. Existing structures and facilities should also be shown.
9. Location of Practices – Show the location of all erosion and sediment control and stormwater management practices to be used on-site. Include measures that are to be utilized temporarily or permanently.

Temporary sediment basins and/or traps are to be utilized as the primary means of trapping sediment on site. They should be situated within the lowest points of elevation along the perimeter of the property and also adjacent to waterways whose headwaters originate upslope of the property. Enough land must be reserved to accommodate sediment basins and/or traps sized at 67 cubic yards of storage volume per acre of drainage area. (Note: this is not the same as per acre disturbed acre or per acre of the site). If permanent stormwater management ponds are proposed for the site, they must be retrofit to serve as sediment basins during active construction periods. Basins and traps shall be installed prior to any grading of the site.

Sediment barriers shall be installed to intercept sheet runoff from disturbed areas that do not drain into sediment basins or traps.

Vegetative practices shall be utilized on all disturbed areas within seven days if they are to remain dormant (undisturbed) for more than 45 days. Disturbed areas within 50 feet of any stream shall be stabilized within seven days.

10. Surface Water Locations - Show locations of springs, wetlands, streams, lakes, etc., on or within 200 feet of the site.
11. Detailed Drawings – Any structural practices used should be explained and illustrated with detailed drawings. Detailed drawings should be included for only those practices used on-site.
12. Specifications for Stabilization – Specifications for temporary and permanent seeding, mulching, construction entrances, etc., should be given. Include seeding mixtures and rates, lime and fertilizer application rates, and type and quantity of mulching for both temporary and permanent stabilization.
13. Construction Sequence – Provide a schedule relating the implementation of erosion and sediment control practices and stormwater management practices to major construction operations. By properly scheduling the construction, both the extent of exposed ground and the duration of exposure can be minimized.

#### Example of Construction Sequence:

1. Clearing and grubbing for those areas necessary for installation of sediment basins and traps and perimeter controls.
  2. Installation of sediment basin/traps and perimeter control.
  3. Continuation of clearing and grubbing within the areas designated to be disturbed.
  4. Road grading.
  5. Sewer and utility installation.
  6. Final grading.
  7. Application of permanent vegetative cover.
14. Maintenance and Inspection – Provide notes and information regarding maintenance for each practice to ensure continued performance.
15. Plan Reference Data – Title, scale, direction, legend and date shall be provided on all plans. The plan should also include name, address and telephone number of person(s) preparing the plan, as well as the owner of the property.

#### Plan Review and Enforcement:

1. Plan Review and Site Inspection – During and at the end of the construction of the subdivision street(s), utilities, etc., the erosion and sedimentation (E&S) control practices will be monitored by the Franklin Soil and Water Conservation District (FSWCD) personnel. The FSWCD personnel, based on a cooperative agreement with the Franklin County Commissioners and Franklin County Engineer, are responsible for plan review and approval will make periodic site inspections to ensure compliance. During inspections it may be determined that other erosion control practices, not already specified on this plan, may be necessary due to unforeseen environmental conditions and/or changes in drainage patterns caused by earth-moving activity.
2. Enforcement – Several milestones are reached at the end of the development process, which will be utilized to ensure proper placement of required conservation practices per the above.
  - A. Release of Surety – No surety, all or in part, will be released until the Franklin County Engineer's office is notified by FSWCD staff that the E&S practices, as previously approved, are in place and are properly functioning.
  - B. "Progress Letter" – The "progress letter" from the Franklin County Engineer to the Franklin County Development Department (providing assurance that street construction has been sufficiently and properly completed such that commencement of house construction is appropriate) will be forwarded only after assurance is received indicating all approved E&S practices are in place and are properly functioning.
  - C. Street Completion – The transfer and acceptance of any street for public purpose will occur only after assurance is received that all approved E&S practices are in place and are properly functioning.

- D. Building Permits and Inspections – The Franklin County Development Department, in cooperation with the FSWCD, reserves the right to withhold the issuance of building permits and inspections at any time during the homebuilding phase of the project until assurance is received that all approved erosion and sediment control practices are in place and are properly functioning.
- E. The Franklin County Planning Commission, in cooperation with the Franklin County Prosecuting Attorney’s office and the FSWCD, reserve the right to pursue necessary legal actions at any time during the construction phases of the project to ensure compliance with the approved E&S control plan.

**STATEMENT OF UNDERSTANDING**

I understand and accept the responsibility to plan for and complete the required erosion and sediment control practices and hereby recognize them as an integral part of the subdivision named Woodland Creek.

I will notify the FSWCD a minimum of three (3) work days prior to any land disturbance and will attend a preconstruction meeting with personnel from the FSWCD to review the implementation of the erosion control plan.

*Vincent Bonelli*

\_\_\_\_\_  
Signature of Subdivider/Developer

02 / 16 / 15  
Date

148 W. Schrock Road  
Address of Subdivider/Developer

Westerville, Ohio 43081

\_\_\_\_\_

614-891-2042  
Telephone Number

**VARIANCE or APPEAL APPLICATION**

for unincorporated Franklin County

Franklin County Development Department – Franklin County Planning Commission  
150 S. Front Street, FSL Suite 10 Columbus, OH 43215 Phone: (614) 525-3094

to be completed by FCPC Staff

Date Submitted: 3/17/15

Received By: Math Brown

Application No.: 671-AP+V Fee: \_\_\_\_\_

FCPC Date: 4/8/15

**Property Owner/Subdivider/or Agent**

Signature: 

Date: 03/16/15

Romanelli & Hughes Building Company c/o  
Name: Advanced Civil Design, Inc. Mr. Thomas Warner

Address: 148 Schrock Road

City, State, Zip: Westerville, Ohio 43081 Phone No: (614) 891 - 2042

Section numbers(s) of the county subdivision regulations and a brief description of variance(s) or appeal(s) requested:

VARIANCES TO THE FOLLOWING SECTIONS ARE BEING REQUESTED. SEE ATTACHED SHEET FOR BRIEF DESCRIPTION OF EACH VARIANCE REQUEST:  
402.01 POORLY DRAINED SOILS  
405.07 RIPARIAN SETBACK ESTABLISHED  
502.15 STREET CLASSIFICATION AND DESIGN

Use a separate sheet to present additional description or information explaining why you feel the FCPC should grant the requested variance(s) or appeal(s).

402.01 POORLY DRAINED SOILS

AN AREA OF POORLY DRAINED SOILS EXISTS ALONG THE EXISTING DITCH THAT TRAVERSES THROUGH THE PROPERTY. THE SOIL CLASSIFICATION IN THIS AREA IS DENOTED AS "Pm" AND IDENTIFIED AS PEWAMO SILTY CLAY LOAM. THE POORLY DRAINED SOIL AREA RESIDES ON AND AFFECTS SEVENTEEN OF THE PROPOSED TWENTY NINE LOTS FORMALLY IDENTIFIED AS LOTS 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 & 25. PER FRANKLIN COUNTY DEVELOPMENT SECTION 402.01, STRUCTURES BUILT IN AREAS WITH THE "Pm" (PEWAMO SILTY CLAY LOAM) SOIL CLASSIFICATION ARE PROHIBITED FROM CONSTRUCTING BASEMENTS OR LOWER LEVELS.

DUE TO THE INTENDED PRICE POINTS AND SQUARE FOOTAGES, THE PROPOSED HOMES WITHIN THIS DEVELOPMENT ARE PLANNED TO BUILD BASEMENTS/LOWER LEVELS. AS SUCH, A SPECIALIZED PERIMETER FOUNDATION DRAINAGE SYSTEM SHALL BE REQUIRED TO BE CONSTRUCTED AS PART OF THE BUILDING CONSTRUCTION ON THE IDENTIFIED LOTS AFFECTED BY THE POORLY DRAINING SOIL AREA. THE SPECIALIZED PERIMETER FOUNDATION DRAINAGE SYSTEM SHALL BE DESIGNED AND INSTALLED TO SUFFICIENTLY REMOVE ANY EXCESS DRAINAGE THAT MAY ADVERSELY AFFECT THE PROPOSED STRUCTURES FOUNDATION SYSTEM.

THIS VARIANCE REQUEST IS SUBMITTED TO ALLOW BASEMENTS TO BE CONSTRUCTED IN THE POORLY DRAINED SOIL AREAS AND AFFECTED LOTS, PUSUANT TO THE PERMITTED BUILDINGS MEETING THE REQUIREMENTS OF PROVIDING A FOUNDATION SYSTEM ADEQUATE TO CONTROL DRAINAGE WITHIN THE "Pm" SOIL CLASSIFICATION AREAS.

405.07 RIPARIAN SETBACK ESTABLISHED

PER SECTION 405.07 A TOTAL WIDTH OF 50 FEET IS THE REQUIRED SETBACK DISTANCE FOR THE EXISTING UNNAMED TRIBUTARY RUNNING THROUGH THIS PROJECT. FURTHER CLARIFICATION FROM THE COUNTY PLANNING COMMISSION INDICATES THAT "TOTAL WIDTH" MEANS 50 FEET AS MEASURED ON ONE SIDE OF THE TRIBUTARY FROM THE HIGH WATER MARK OR TOP OF BANK. THE RIPARIAN SETBACKS REQUIRED AT THAT TIME THIS PLAN WAS ORIGINALLY APPROVED (2012) WERE 25 FEET OR HALF THE DISTANCE OF THE NEW REQUIREMENTS THAT WERE PUBLISHED IN APRIL, 2012. THE INCREASED RIPARIAN SETBACK DISTANCE FROM 25 FEET TO 50 FEET NOW CREATES AN ENCROACHMENT CONDITION ON LOTS 7, 8, 14, 19, 20 & 21 AND AT BOTH OF THE STORMWATER MANAGEMENT BASINS.

TO ADDRESS THE INCREASED RIPARIAN SETBACK WIDTHS AND ENCROACHMENTS THE PROJECT IS NOW EXPERIENCING DUE TO THE LATEST COUNTY REQUIREMENTS, THE PROPOSED STORMWATER BASINS HAVE BEEN REPOSITIONED TO AVOID ANY ENCROACHMENTS IN THE RIPARIAN SETBACK. HOWEVER DUE TO REQUIRED LOT SIZES/DIMENSIONS, DEVELOPMENT STANDARDS AND OVERALL LAYOUT CONSTRAINTS, THE ACTUAL LOT LAYOUT AND STREEET ALIGNMENTS CANNOT BE REVISED WITHOUT REQUIRING REDUCTIONS IN BUILDABLE AREA. REDUCTION IN BUILDABLE AREA CANNOT BE ACCOMMODATED WITH THE DEVELOPMENT COSTS REQUIRED FOR THE PUBLIC IMPROVEMENTS.

WOODLAND CREEK SUB-DIVISION – WAGGONER ROAD  
JEFFERSON TOWNSHIP  
VARAIANCE REQUEST DESCRIPTIONS

03/17/2015

TO ADDRESS THE RIPARIAN SETBACK ENCROACHMENTS ON LOTS 7, 8, 14, 19, 20 & 21, WE ARE REQUESTING A VARIANCE TO ALLOW THE RIPARIAN SETBACK TO ENCROACH THE IDENTIFIED LOTS. A PROPOSED COMBINED DRAINAGE / CONSERVATION EASEMENT IS SHOWN TO BE ESTABLISHED ON THE AFFECTED LOTS TO FURTHER PROTECT THE RIPARIAN ZONE. THIS PROPOSED EASEMENT AREA WILL PROHIBIT ANY DISTURBANCES OR BUILDINGS BEING PERMITTED WITHIN THE EASEMENT AREA. THE COMBINED EASEMENT AREA WILL BOTH PRESERVE THE RIPARIAN SETBACK ZONE AND ALSO ADD AN ADDITIONAL TEN FOOT BUFFER ON THE LEADING EDGE WHERE REAR LOT DRAINAGE WILL BE COLLECTED AND ROUTED TO THE BASINS. THE EASEMENT AREAS ARE PLANNED TO BE TURNED OVER TO THE COUNTY FOR OWNERSHIP AND MAINTENANCE RESPONSIBILITIES.

502.15 STREET CLASSIFICATION AND DESIGN

PER SECTION 502.15, LOCAL UNCURBED STREET SECTIONS SHALL REQUIRE A 60 FOOT RIGHT-OF-WAY. THE PROJECT INCLUDES A SHORT SECTION OF UNCURBED ROADWAY PROPOSED IN A 50 FOOT RIGHT-OF-WAY WHICH OCCURS IN THE TRANSITION AREA FROM THE ENTRANCE BOULEVARD TO THE PROPOSED CULVERT CROSSING. WE ARE REQUESTING TO ALLOW THIS APPROXIMATE 200 LINEAL FOOT SECTION OF ROADWAY TO REMAIN IN THE 50 FOOT PROPOSED RIGHT-OF-WAY.

SINCE THIS SECTION OF STREET IS IN A TRANSITIONAL AREA, THERE IS LITTLE OPPORTUNITY FOR THE SECTION TO BE DEVELOPED AS A FULL DRAINAGE SECTION. A LARGE PERCENTAGE OF THIS STREET SECTION WILL HAVE TO TRANSITION SIDE SLOPES AROUND THE CULVERT CROSSING AND HEADWALLS. AS SUCH, WE FEEL THE 50 FOOT RIGHT-OF-WAY WIDTH IS ADEQUATE TO ADDRESS THE DRAINAGE CONDITION WITHIN THE 200 LINEAL FOOT TRANSITION SECTION AND AROUND THE PROPOSED CULVERT CROSSING.

# JEFFERSON TOWNSHIP PRELIMINARY DEVELOPMENT PLAN FOR WOODLAND CREEK 2015

**NOTE A. DEVELOPMENT STANDARDS.**

THE LAND IS ZONED PLANNED RESIDENTIAL DISTRICT (PRD). THERE ARE NUMEROUS ADVANTAGES TO PLANNED DISTRICT ZONING, INCLUDING THE PREDICTABILITY WHICH COMES FROM COMPAREMENTALLY PLANNING LARGE TRACTS OF LAND SUCH AS THIS. THIS APPROACH ALLOWS THE DEVELOPER TO PRESERVE SOME OF THE INHIBITING CHARACTERISTICS OF THE PROPERTY. THE PLAN CAN ALSO INCORPORATE SOME OF THE EXISTING INNOVATIVE FEATURES OF THE SITE. MOST IMPORTANTLY, THE PLANNED DISTRICT ZONING GIVES THE TOWNSHIP MORE CONTROL OF THE DESIGN AND BUILDING STANDARDS FOR THIS DEVELOPMENT, ENSURING THAT WHAT IS CONSTRUCTED WILL MEET THE STANDARDS OF THE TOWNSHIP. THE LEVEL OF QUALITY THE TOWNSHIP IS SEEKING FOR THIS SITE. THE FOLLOWING PROPOSED DEVELOPMENT STANDARDS GUIDE THE DEVELOPMENT ACTIVITIES OF THIS COMMUNITY.

**NOTE B. EXISTING SOIL CONDITIONS.**

THE EXISTING SITE AREA IS CURRENTLY COVERED BY EXISTING TREE STUMPS AND WOODLAND VEGETATION. AN AREA OF POORLY DRAINED SOILS EXISTS ALONG THE EXISTING DITCH THAT TRAVELERS THROUGH THE PROPERTY. THE SOIL CLASSIFICATION IN THIS AREA IS DESIGNATED AS TYPIC AND IDENTIFIED AS PINKISH SILTY CLAY LOAM. THE POORLY DRAINED SOIL AREA RESIDES ON AND AFFECTS SEVENTEEN OF THE PROPOSED TWENTY NINE LOTS FORMALLY IDENTIFIED AS LOTS 8, 9, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 & 25. FOR FRANKLIN COUNTY DEVELOPMENT SECTION 402.01, STRUCTURES BUILT IN AREAS WITH THE "P" (PINKISH SILTY CLAY LOAM) SOIL CLASSIFICATION ARE PROHIBITED FROM CONSTRUCTIVE BASEMENTS OR LOWER LEVELS.

THE PROPOSED HOMES WITHIN THIS DEVELOPMENT ARE PLANNED TO BUILD BASEMENTS/LOWER LEVELS AS SUCH, A SPECIALIZED PERIMETER FOUNDATION DRAINAGE SYSTEM SHALL BE CONSTRUCTED AS PART OF THE BUILDING CONSTRUCTION ON THE IDENTIFIED LOTS AFFECTED BY THE POORLY DRAINING SOIL AREA. THE SPECIALIZED PERIMETER FOUNDATION DRAINAGE SYSTEM SHALL BE DESIGNED AND INSTALLED TO PROMPTLY REMOVE ANY EXCESS GRASSHAWK THAT MAY ADVERSELY AFFECT THE PROPOSED STRUCTURES FOUNDATION SYSTEM. A WARRANTY AGREEMENT IS INCLUDED IN THIS APPLICATION TO ALLOW THE BASEMENTS TO BE CONSTRUCTED IN THE POORLY DRAINED SOIL AREAS AND AFFECTED LOTS.

**NOTE C. RIPARIAN SETBACKS.**

THE EXISTING DRAINAGE DITCH BISECTING THE PROPERTY IS A PROTECTED WATERWAY WHICH REQUIRES A 50 FOOT RIPARIAN SETBACK BE ESTABLISHED ON EACH SIDE OF THE WATERWAY. THE 50 FOOT RIPARIAN SETBACK ZONE AS ESTABLISHED SUBJECTS CHANGES TO THE LOTS 7, 8, 14, 15, 16, 17, 18, 19, 20 & 21. THE ENCROACHMENT DOORS AT THE REAR YARDS OF THE LOTS WHERE AN ESTABLISHED DRAINAGE EASEMENT IS ALSO REQUIRED FOR RIPARIAN SETBACKS SHALL BE STICK TO THE DRAINAGE EASEMENT IN THE REAR YARDS OF THE LOTS. THE SETBACKS REQUIRED BY THE RIPARIAN SETBACK HAVE BEEN CALIBRATED IN SIZE TO DISMISSE BOTH THE REQUIRED DRAINAGE WAY AND THE AREA OF SLOTT RIPARIAN AREA ENCROACHMENT. THESE RIPARIAN EASEMENT AREAS ARE IDENTIFIED ON THE DEVELOPMENT PLAN AS DRAINAGE AND CONSERVATION EASEMENT AREAS. THE EASEMENT LANGUAGE FOR THESE LOTS SHALL BE DEVELOPED WITH THE EXPRESS INTENT OF NOT ALLOWING ANY DISTURBANCE OF CONSTRUCTION TO OCCUR WITHIN THE RIPARIAN SETBACK AREAS.

**NOTE D. BUILDING DATA.**

NUMBER OF UNITS: NOT TO EXCEED 29 SINGLE FAMILY HOME SITES  
MINIMUM LOT SIZE: 15,000 SQ. FT.  
HOUSE SIZE: 1,500 SQ. FT. MINIMUM  
BUILDING HEIGHT: 33 FEET MAXIMUM  
FRONT LOT WIDTH: 100 FEET MINIMUM AT THE BUILDING LINE  
SETBACK FRONT YARDS: 25 MINIMUM  
SETBACK REAR YARDS: 30 MINIMUM  
SETBACK SIDE YARDS: 10 MINIMUM PER SIDE FOR BUILDINGS. PROVIDED, HOWEVER, DRIVEWAYS MAY BE BUILT NO CLOSER THAN 3' TO THE SIDE LOT LINE.  
ALL HOMES WILL BE CONSTRUCTED OF ALL NATURAL MATERIALS.

**NOTE E. STREET DESIGN.**

ALL STREETS SHALL BE DESIGNED TO THE FRANKLIN COUNTY SUBDIVISION REGULATIONS AND PER THE TYPICAL STREET SECTIONS SHOWN HEREIN.

**NOTE F. STREET TREES / PLANTING.**

NO STREET TREES WILL BE INSTALLED ALONG THE NEW PAVED STREET TO DRAINAGE THE LESS FORMAL WOODER NATURE OF THE DEVELOPMENT. AT LEAST TWO TREES WILL BE RANDOMLY INSTALLED IN THE FRONT YARDS, UNLESS EXISTING TREES GREATER THAN 3 INCH CALIPER ARE PRESERVED IN THE YARD. TREE TYPES WILL BE VARIED TO BE CONSISTENT WITH VARYING TREE TYPES IN THE AREA OF THE LOT.

**NOTE G. UTILITY INFRASTRUCTURE.**

ALL LOTS ARE TO BE SERVED BY CENTRAL SEWER AND WATER SERVICE FROM JEFFERSON TOWNSHIP SEWER AND WATER DISTRICT. NO WATER WELLS ARE TO BE INSTALLED ON THE PROPERTY. THE FRANKLIN COUNTY ENGINEER'S OFFICE HAS CONSIDERED THE EXISTING ROAD INTERSECTIONS AND THE FACT THAT NO TRAFFIC STUDY IS REQUIRED FOR THE DEVELOPMENT DUE TO THE CURRENT NARROW LAKE WIDTHS ON WAGONER ROAD. THE WEST SIDE OF WAGONER ROAD IS TO BE RECONSTRUCTED FOR THE LOCATION OF THE PROPERTY WITH AN ASPHALT OVERLAY AS SPECIFIED BY THE FRANKLIN COUNTY ENGINEER'S OFFICE.

**NOTE H. STORM DRAINAGE.**

STORMWATER MANAGEMENT WILL BE PROVIDED BY TWO RETENTION BASINS ON THE WESTERN EDGE OF THE PROPERTY. THE BASINS WILL CONTAIN AREAS OF RAIN GARDEN / BIO-RETENTION AND WETLAND STRUCTURES FOR WATER QUALITY TREATMENT IN ADDITION TO CONTROLLING POST CONSTRUCTION RUN-OFF VOLUMES. FINAL SIZES AND LOCATIONS REQUIRED WILL BE DETERMINED CONCURRENT WITH FINAL ENGINEERING.

THE TWO RETENTION BASINS AND ALL CONNECTING DRAINAGE WAYS INCLUDING THE STORM SEWER INFRASTRUCTURE WILL BE OWNED AND MAINTAINED BY THE FRANKLIN COUNTY ENGINEER'S OFFICE. DRAINAGE EASEMENTS FOR RIGHTS-OF-WAY ARE TO BE DRAINED FOR PERPETUAL ACCESS BY FRANKLIN COUNTY AS SHOWN ON THE APPLICABLE PLAN SHEETS OF THIS DEVELOPMENT PLAN.

SUBJECT TO APPROVAL OF THE FRANKLIN COUNTY ENGINEER'S OFFICE AND OHIO ENVIRONMENTAL PROTECTION AGENCY, THE DITCH RUNNING FROM WAGONER ROAD TO THE SOUTHWEST CORNER OF THE PROPERTY SHALL BE CLEARED UP TO IMPROVE FLOW CHARACTERISTICS OF THE CHANNEL. THE PROPOSED WORK WILL CONSIST SOLELY OF "HAND WORK" TO REMOVE ONLY WOODY LOOSE MATERIAL OR DEBRIS BELOW THE DITCH HIGH WATER MARK OR TOP OF BANK. NO DREDGING WITH LARGE EQUIPMENT SHALL BE PERMITTED. ADDITIONALLY, THE DITCH RUNNING FROM THE SOUTHWEST CORNER OF THE PROPERTY TO HAVENS CORNERS ROAD SHALL BE INCLUDED BY THE CHANNEL CLEARUP OPERATION. HOWEVER, GRANTS OF ACCESS BY ADJACENT PRIVATE LAND OWNERS WILL BE REQUIRED PRIOR TO WORKING IN THIS SECTION. THE FRANKLIN COUNTY ENGINEER'S OFFICE AND JEFFERSON TOWNSHIP WILL AID DEVELOPER IN OBTAINING ACCESS RIGHTS FROM THE ADJACENT PROPERTY OWNERS.

**NOTE I. OPEN SPACE/RESERVE AREAS.**

IT IS THE INTENT OF THIS DEVELOPMENT TO PRESERVE AND MAINTAIN THE NATURAL WOODED AREA ON THIS PROPERTY TO THE EXTENTS POSSIBLE. AS SUCH, THE ENTIRE AREA OUTSIDE OF THE PRIVATE LOTS AND PUBLIC ROAD RIGHTS-OF-WAY IS BEING PROPOSED AS COMMON OPEN SPACE / RESERVE AREAS. ALL RESERVE AREAS SHALL BE OWNED BY JEFFERSON TOWNSHIP AND MAINTAINED BY THE HOA. NO BUILDINGS OR PERMANENT ACTIVITIES SHALL BE ALLOWED WITHIN THE RESERVE AREAS WITHOUT PRIOR APPROVAL OF THE JEFFERSON TOWNSHIP AND THE HOA.

THE COMMON OPEN SPACE RESERVE AREAS WILL BE CONSIDERED "NO DISTURBANCE ZONES" AND EXIST ALONG THE SOUTH, WEST EAST AND NORTH PERIPHERY AND CENTRAL STREAM AS NOTED ON THE DEVELOPMENT PLAN. DEVELOPMENT ACTIVITY IS PROHIBITED WITHIN THE RESERVE AREAS EXCEPT FOR THE INITIAL CLEAN UP OF THE REMAINS OF FALLEN TREES. RESTORATION OF ANY DISTURBED AREAS ALONG THE EDGE OF THE RESERVE AREAS WILL BE UNDERTAKEN DURING THE INITIAL ROADWAY AND LOT CONSTRUCTION PHASE.

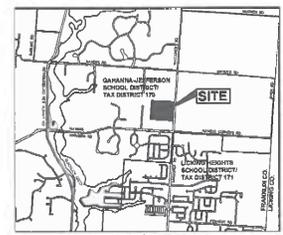
THE RESERVE AREAS WILL BE DELINEATED FROM THE LOT DEVELOPMENT AREAS WITH A 2-RAIL SPLIT RAIL FENCE CONSTRUCTED AT THE TIME THE DEVELOPMENT IS HEAVILY CONSTRUCTED THE LIMITS OF THE RESERVE AREA BOUNDARY FENCE IS SHOWN ON THE APPLICABLE SHEETS OF THIS DEVELOPMENT PLAN.

**NOTE J. SCHOOL DISTRICT.**

WOODLAND CREEK SUBDIVISION FALLS WITHIN THE GAYHANA-JEFFERSON SCHOOL DISTRICT.

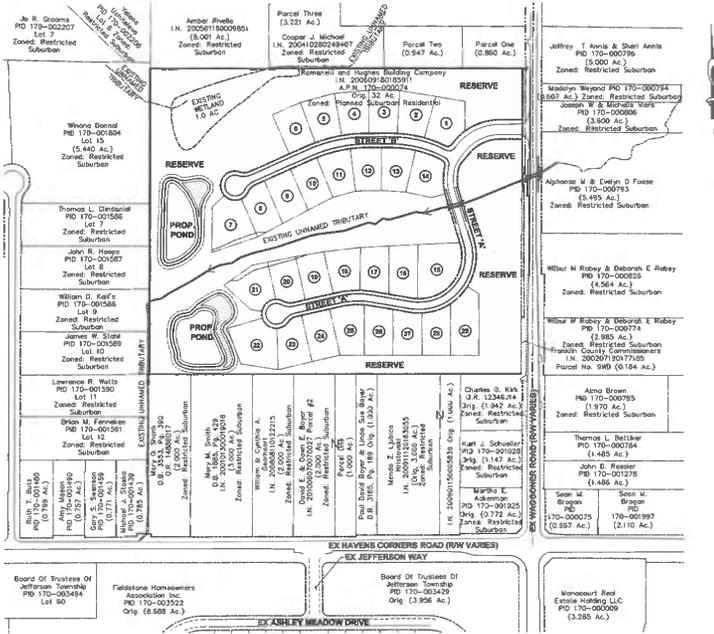
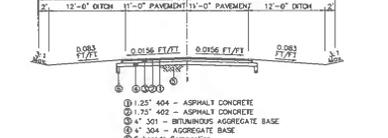
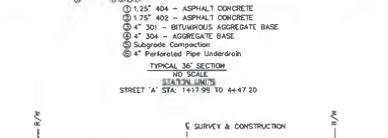
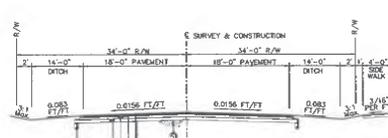
**NOTE K. SIDEWALK.**

NOTE TO FINAL PLAT APPROVAL, AN EASEMENT OR OTHER INSTRUMENT SHALL BE PLACED ON THE SIDEWALKS THAT FALL OUTSIDE THE RIGHTS-OF-WAY ONTO RESERVE AREAS, 8' AND LOTS 1 & 14 TO MAINTAIN PUBLIC ACCESS TO THE SIDEWALKS AND KEEP THE SIDEWALKS FREE AND CLEAR OF DEBRIS AND IN GOOD CONDITION. THE EASEMENT SHALL GIVE FRANKLIN COUNTY THE RIGHTS FOR MAINTENANCE OF THE WALKWAYS.



**INDEX OF DRAWINGS**

TITLE SHEET	1
EXISTING CONDITIONS PLAN	2
PRELIMINARY SITE PLAN	3
PRELIMINARY GRADING UTILITY PLAN	4-5
EPCON - A SEWAGE CONTROL PLAN	6
PRELIMINARY ADA SURVEY	7
	8



**GENERAL INFORMATION:**

PROPERTY OWNER / APPLICANT:	ROMANELLI & HUGHES BUILDING COMPANY 148 W SCHMIDT RD WESTERVILLE OH 43081-4915 PHONE: (614) 894-2042 ATTN: BRUCE ROMANELLI
CIVIL ENGINEER:	ADVANCED CIVIL DESIGN, INC. 422 BEECHER ROAD GAYHANA, OHIO 43230 PHONE: (614) 428-7750 ATTN: MR. TOM WARDNER, P.E.
LAND USE:	LOW DENSITY SINGLE FAMILY HOMES
GROSS LAND AREA:	32.62 ACRES
DEVELOPMENT AREA:	11.41 ACRES (LOTS) 17.71 ACRES (RESERVES) 2.90 ACRES (RIGHT-OF-WAY - SUBDIVISION STREETS) 0.20 ACRES (P/W TAKE - WAGONER ROAD)
WATERWAYS AREA:	0.00 ACRES (NO) EXISTING 5.90 ACRES (18) PROPOSED 1.99 ACRES - ROADS/WALKS 4.90 ACRES - 3.5% PER LOT AVE.

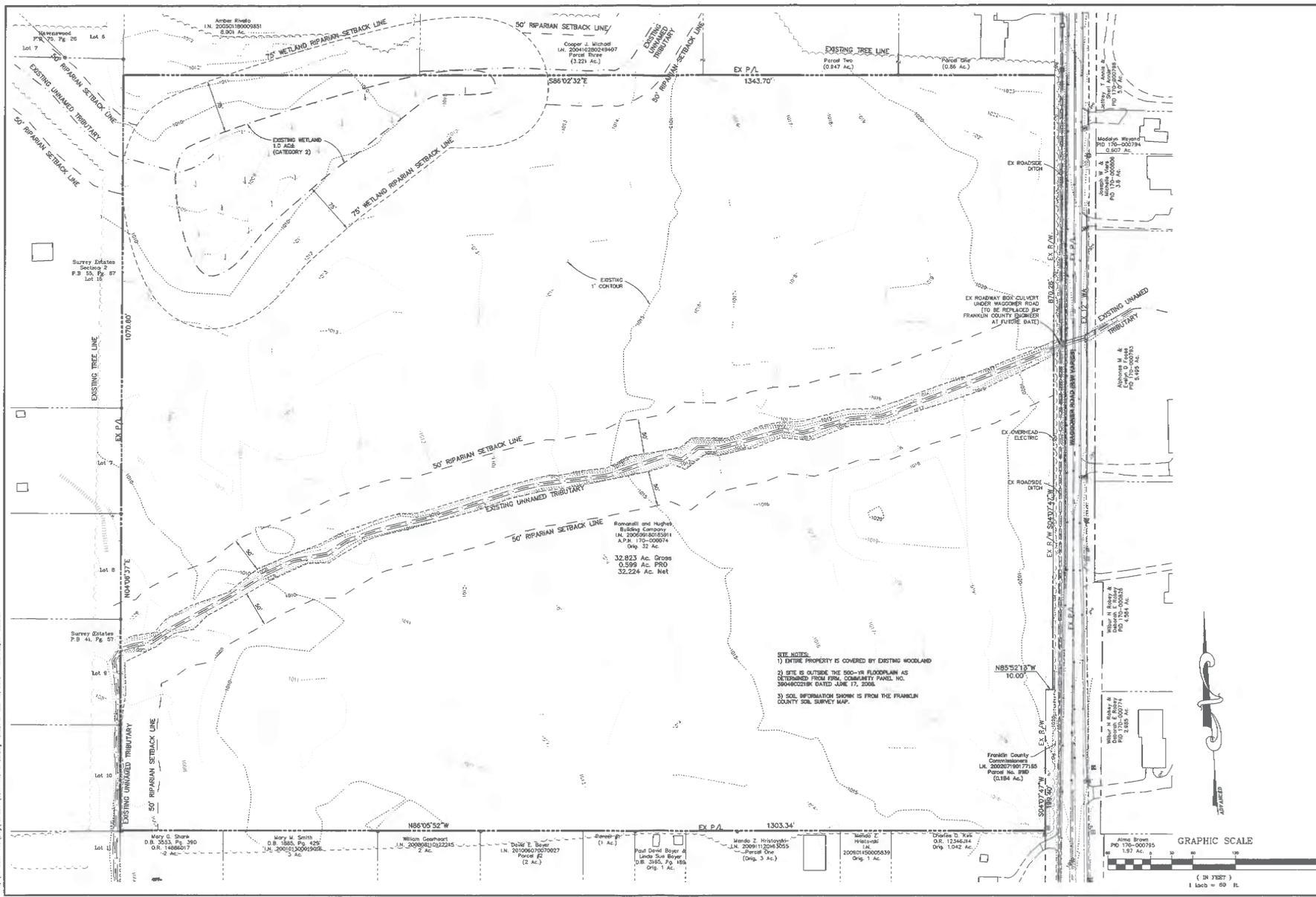
**RECEIVED**  
MAR 17 2015  
Franklin County Planning Department  
Franklin County, Ohio  
671-PP&V  
64513  
02/16/15 DATE  
REGISTERED ENGINEER

PLAN PREPARED BY: ADVANCED CIVIL DESIGN, INC.  
148 W. SCHMIDT RD., WESTERVILLE, OHIO 43081-4915  
PH: 614-894-2042  
WWW.ADCDESIGN.COM

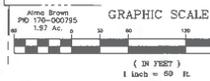
JEFFERSON TWP., FRANKLIN COUNTY, OHIO  
**WOODLAND CREEK**  
PRELIMINARY DEVELOPMENT PLAN  
FOR  
ROMANELLI & HUGHES BUILDING COMPANY  
TITLE SHEET

Issue Date: 02/16/15  
Plan No.: 671-PP&V  
City: Franklin County, Ohio  
Project Name: Woodland Creek Preliminary Development Plan  
Scale: As Shown  
Date: 01/23/2015  
Scale: As Shown  
Drawn By: [Signature]  
Checked By: [Signature]  
Project Number: 11-0017-149  
Drawing Number: 117

Z:\11-0017-149\Map\671-PP&V\11-0017-149-0017.dwg Sheet: 1 of 1 1:50 2/16/15

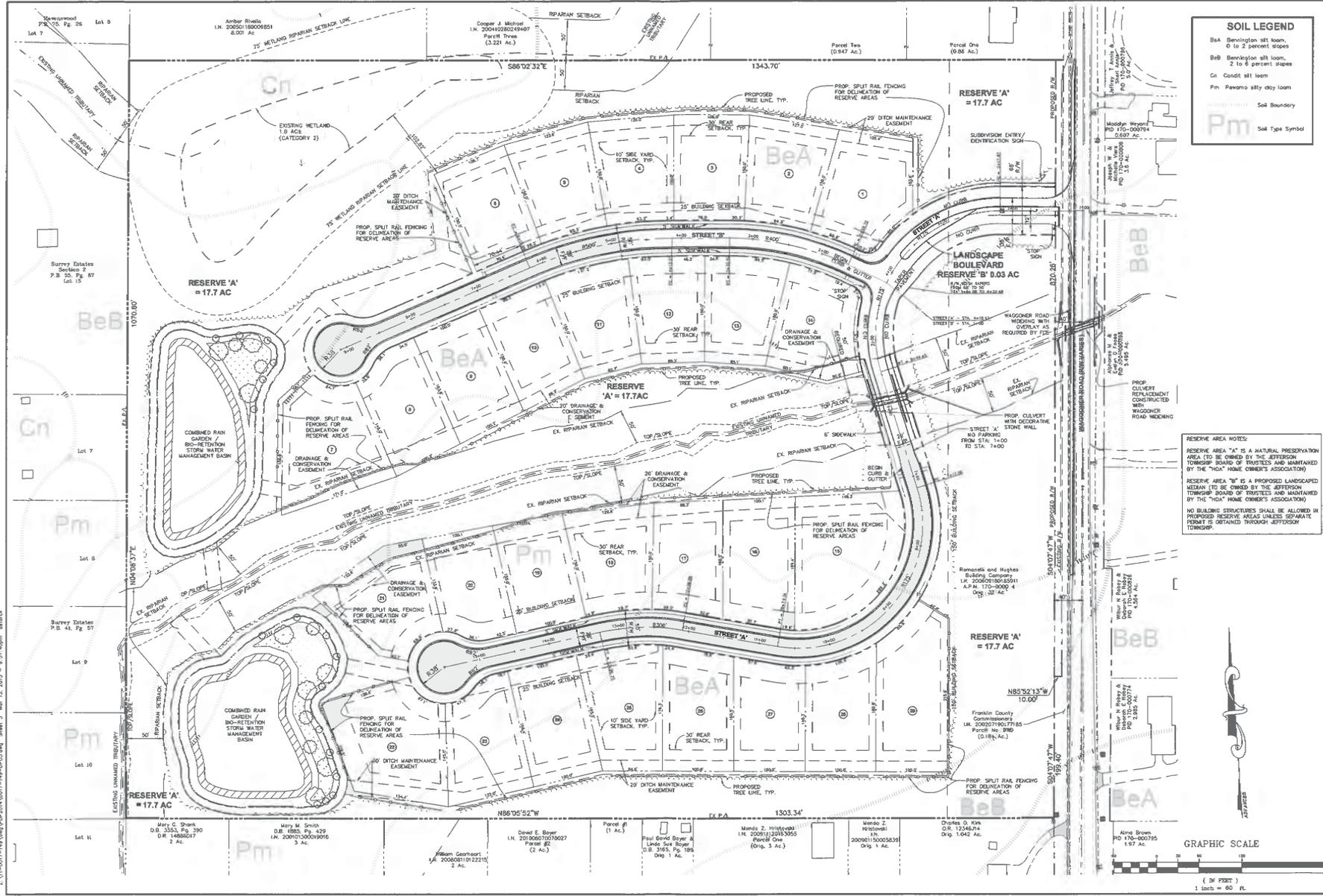


**SITE NOTES:**  
 1) ENTIRE PROPERTY IS COVERED BY EXISTING WOODLAND  
 2) SITE IS OUTSIDE THE 500'-IN FLOODPLAIN AS  
 DETERMINED FROM FRANKLIN COUNTY PANEL NO.  
 3904600218K DATED JUNE 17, 2008.  
 3) SOIL INFORMATION SHOWN IS FROM THE FRANKLIN  
 COUNTY SOIL SURVEY MAP.



<p>Plan prepared by:    <b>ADVANCED CIVIL DESIGN</b>                  12750 Woodland Creek                  Columbus, Ohio 43230                  Phone: 614-448-1700                  Fax: 614-448-1700</p>
<p>Plan prepared by:    <b>Romanelli &amp; Hughes Building Company</b>                  10000 Woodland Creek                  Columbus, Ohio 43230                  Phone: 614-448-1700                  Fax: 614-448-1700</p>
<p>JEFFERSON TWP./FRANKLIN COUNTY, OHIO  <b>WOODLAND CREEK</b>                  PRELIMINARY DEVELOPMENT PLAN                  FOR  <b>ROMANELLI &amp; HUGHES BUILDING COMPANY</b>                  EXISTING CONDITIONS PLAN</p>
<p>Issue Date: 05/23/2015                  Prepared by: Romanelli &amp; Hughes Building Company                  Checked by: Romanelli &amp; Hughes Building Company                  Date: 05/23/2015                  Scale: AS NOTED</p>
<p>Drawn By: DAS                  Checked By: tw</p>
<p>Project Number:  <b>11-0017-149</b></p>
<p>Drawing Number:  <b>217</b></p>

Z:\11-0017-149\11-0017-149-PP&V.dwg Sheet 2 of 2 Mar 13, 2015 4:24:00pm entec



SOIL LEGEND	
BeA	Berkeley silt loam, 0 to 2 percent slopes
BeB	Berkeley silt loam, 2 to 6 percent slopes
Cn	Condit silt loam
Pm	Pawnee silt clay loam
---	Soil Boundary
○	Soil Type Symbol

**RESERVE AREA NOTES:**  
 RESERVE AREA "A" IS A NATURAL PRESERVATION AREA (TO BE OWNED BY THE JEFFERSON TOWNSHIP BOARD OF TRUSTEES AND MAINTAINED BY THE "HQA" HOME OWNERS ASSOCIATION).  
 RESERVE AREA "B" IS A PROPOSED LANDSCAPED MEDIAN (TO BE OWNED BY THE JEFFERSON TOWNSHIP BOARD OF TRUSTEES AND MAINTAINED BY THE "HQA" HOME OWNERS ASSOCIATION).  
 NO BUILDING STRUCTURES SHALL BE ALLOWED IN PROPOSED RESERVE AREAS UNLESS SEPARATE PERMIT IS OBTAINED THROUGH JEFFERSON TOWNSHIP.

**GRAPHIC SCALE**  
 1" = 60' ft

**DATE:** 01/23/2015  
**SCALE:** AS NOTED

**Drawn By:** DAS  
**Checked By:** TSW

**Project Number:** 11-0017-149  
**Drawing Number:** 3/17

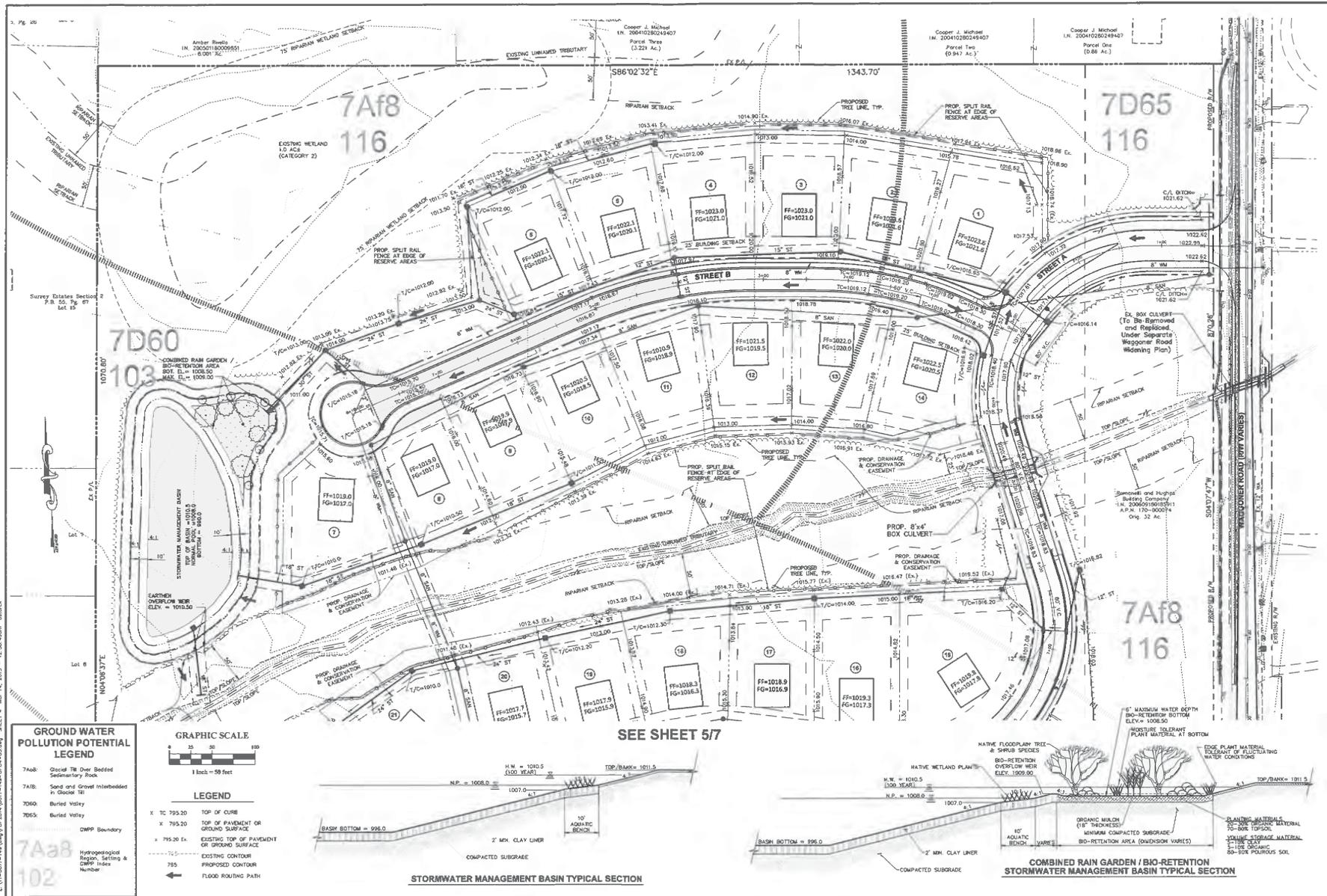
PLAN PREPARED BY:  
**ADVANCED CIVIL DESIGN**  
 10000 W. 11th St., Suite 100  
 Overland Park, KS 66204  
 Phone: 913-488-7700  
 Fax: 913-488-7709

PLAN PREPARED FOR:  
**ROMANELLI & HUGHES BUILDING COMPANY**  
 10000 W. 11th St., Suite 100  
 Overland Park, KS 66204  
 Phone: 913-488-7700  
 Fax: 913-488-7709

JEFFERSON TWP., FRANKLIN COUNTY, OHIO  
**WOODLAND CREEK**  
**PRELIMINARY DEVELOPMENT PLAN**  
 FOR  
**ROMANELLI & HUGHES BUILDING COMPANY**  
**PRELIMINARY SITE PLAN**

Issue Date: 03/17/15  
 03/20/15: Resubmittal to the PDC  
 03/20/15: Interim: Township zoning Commission  
 12/16/14: Franklin County Preliminary Development Plan  
 02/17/15: Resubmittal to the PDC  
 03/17/15: Resubmittal to the PDC

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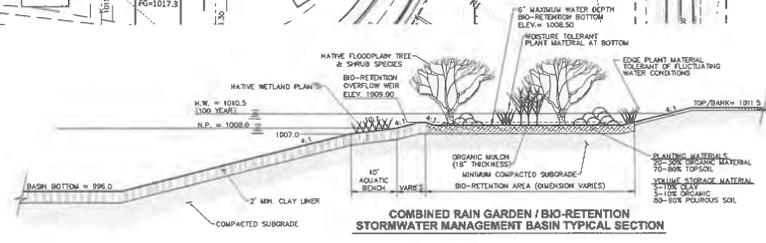
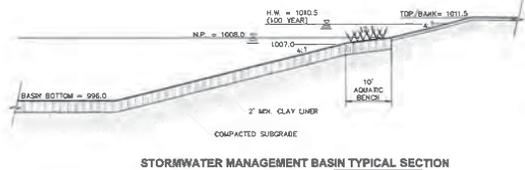


**GROUND WATER POLLUTION POTENTIAL LEGEND**

7Aa8: Class II Dune Bedded Sedimentary Rock  
 7A1B: Sand and Gravel Interbedded in Glacial Till  
 7060: Buried Valley  
 7065: Buried Valley  
 DWPP Boundary

**LEGEND**

X TO 795.20 TOP OF CURB  
 X 795.20 TOP OF PAVEMENT OR GROUND SURFACE  
 X 795.20 EX. EXISTING TOP OF PAVEMENT OR GROUND SURFACE  
 --- 795.00 EXISTING CONTOUR  
 --- 795.00 PROPOSED CONTOUR  
 --- FLOOD ROUTING PATH



PLAN PREPARED BY: [Signature]

102 River Road  
 Columbus, Ohio 43235  
 PH: 614-887-9790  
 FAX: 614-887-9799

**ADVANCED CIVIL DESIGN**

SECTION: TWP. TRAMUNG COUNTY, OHIO

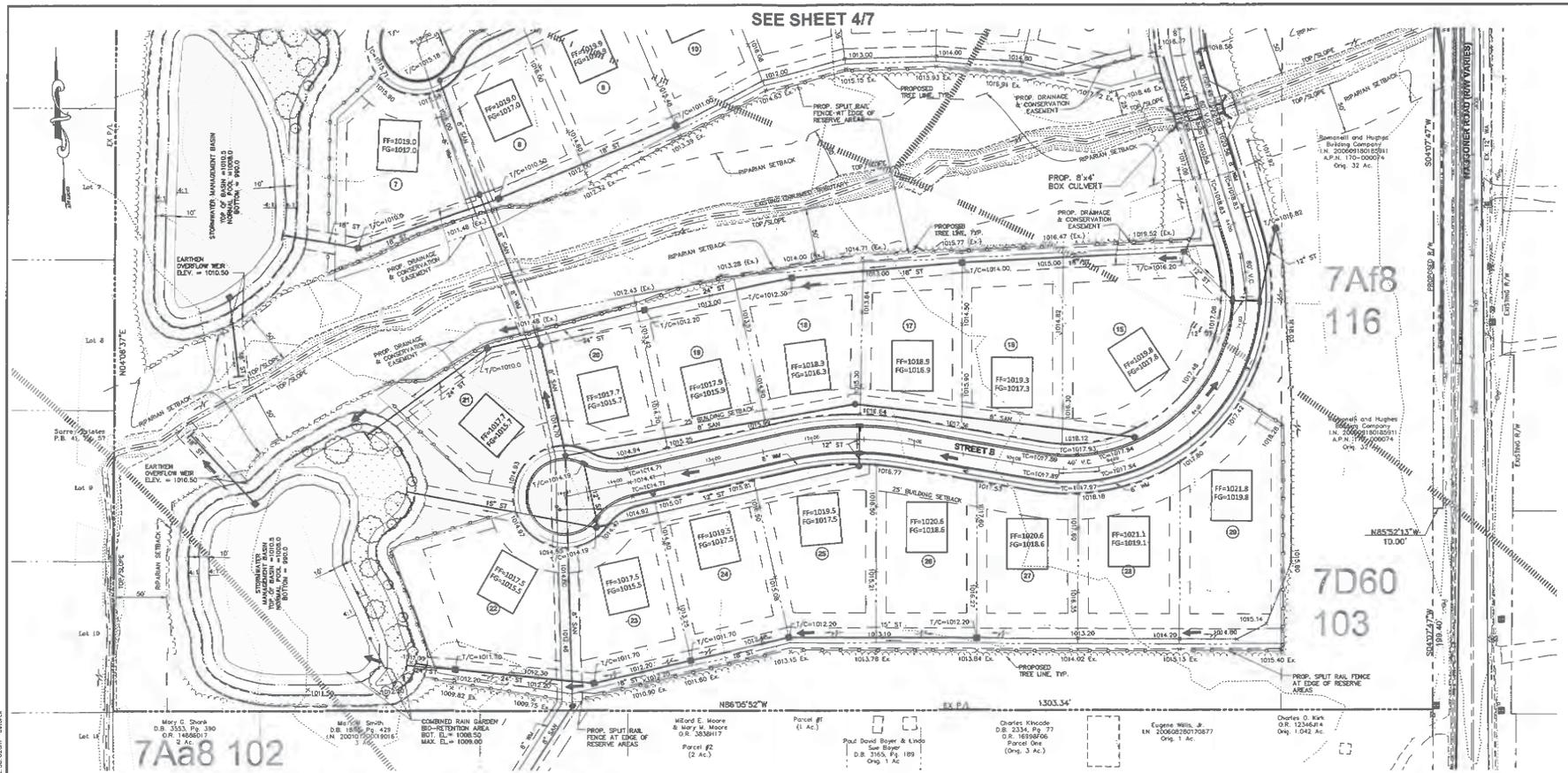
**WOODLAND CREEK  
 PRELIMINARY DEVELOPMENT PLAN  
 FOR  
 ROMANELLI & HUGHES BUILDING COMPANY  
 PRELIMINARY GRADING PLAN**

Date: 01/23/2015  
 Scale: AS NOTED

Drawn By: [Signature] Checked By: [Signature]

Project Number: 11-0017-149

Drawing Number: 417



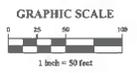
SEE SHEET 417

- LEGEND**
- x 795.20 TOP OF CURB
  - x 795.20 TOP OF PAVEMENT OR GROUND SURFACE
  - + 795.20 Ex EXISTING TOP OF PAVEMENT OR GROUND SURFACE
  - 795 EXISTING CONTOUR
  - 795 PROPOSED CONTOUR
  - ← FLOOD ROUTING PATH

**GROUND WATER POLLUTION POTENTIAL LEGEND**

- 7Aa8: Gravel Fill Over Bedded Secondary Rock
- 7A16: Sand and Gravel Interbedded in Good Fit
- 7D50: Buried Valley
- 7D55: Buried Valley
- ..... GWPP Boundary

7Aa8 102  
Hydrogeological Region, Sealing & GWPP Index Number



PLAN PREPARED BY: [Logo] ADVANCED CIVIL DESIGN

PLAN PREPARED FOR: WOODLAND CREEK PRELIMINARY DEVELOPMENT PLAN FOR ROMANELLI & HUGHES BUILDING COMPANY PRELIMINARY GRADING PLAN

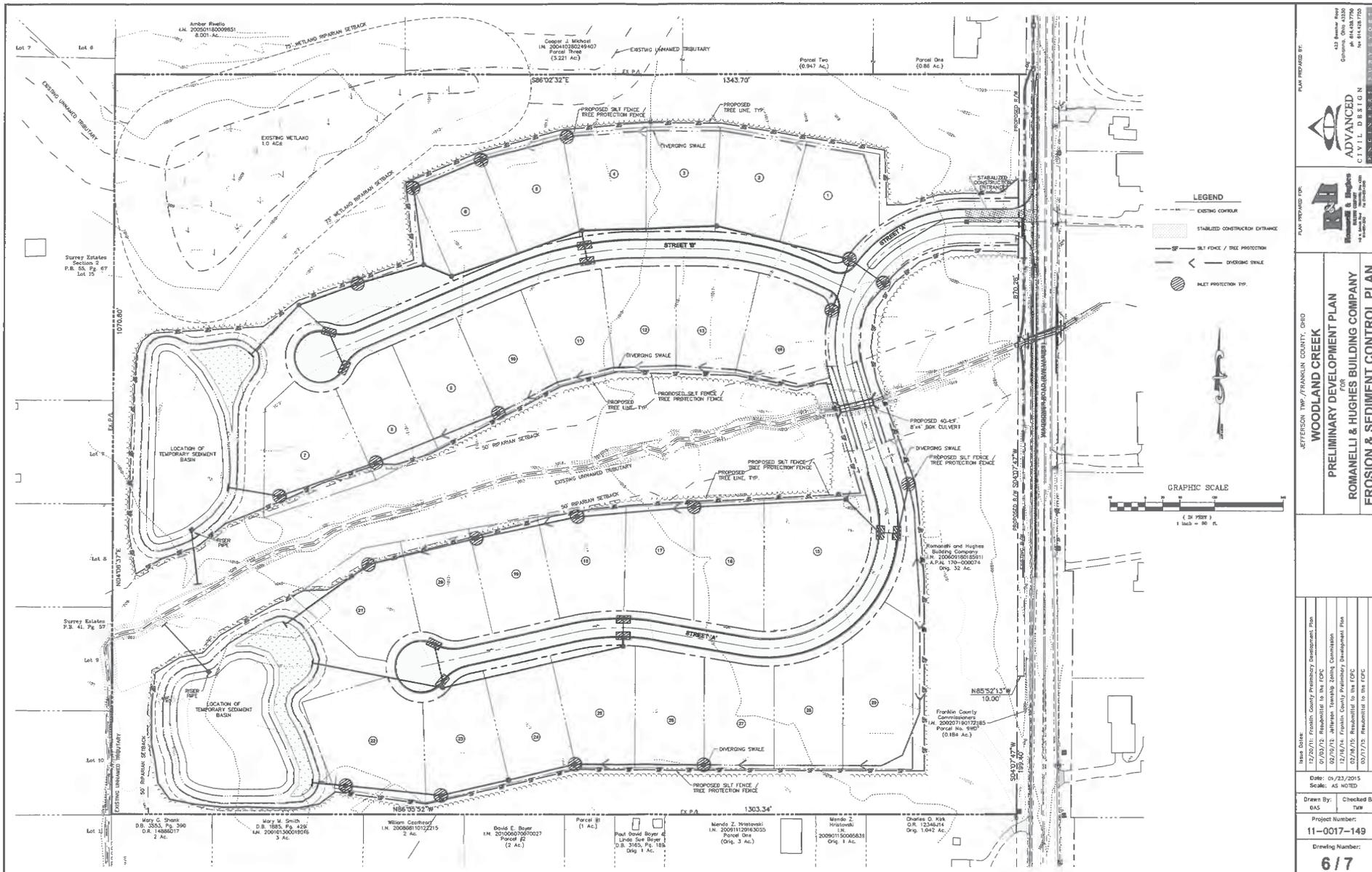
JEFFERSON TWP., TRANKELIN COUNTY, OHIO

DATE: 01/23/2015  
SCALE: AS NOTED

DRAWN BY: DAS  
CHECKED BY: [Signature]

PROJECT NUMBER: 11-0017-149  
DRAWING NUMBER: 5/7

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PLAN PREPARED BY:  
  
**ADVANCED CIVIL DESIGN**  
 422 West 4000  
 Cedar Rapids, IA 52408-3796  
 Phone: 319-381-1770  
 Fax: 319-381-1770

PLAN PREPARED FOR:  
  
**ROMANELLI & HUGHES BUILDING COMPANY**  
 1400 West 14th Street  
 Cedar Rapids, IA 52402

JEFFERSON TWP., FRANKLIN COUNTY, OHIO  
**WOODLAND CREEK**  
**PRELIMINARY DEVELOPMENT PLAN**  
 FOR  
**ROMANELLI & HUGHES BUILDING COMPANY**  
**EROSION & SEDIMENT CONTROL PLAN**

Issue Date:	07/20/11	Franklin County Preliminary Development Plan
	02/02/12	Franklin County Preliminary Development Plan
	02/02/12	Jefferson Township Zoning Ordinance
	12/04/14	Franklin County Preliminary Development Plan
	02/07/15	Revised to the EDC
	03/17/15	Revised to the EDC
Date:	03/23/2015	
Scale:	AS NOTED	
Drawn By:	BAS	Checked By: TAY
Project Number:	11-0017-149	
Drawing Number:	6/7	

**NOTES CORRESPONDING TO SCHEDULE B - SECTION II OF COMMITMENT NO. 66108-RH**

1. Easement to The North Western Ohio Natural Gas Company of record in Deed Book 323, Page 127, assigned to Columbia Gas of Ohio, Inc. in Deed Book 2245, Page 80, is located on the subject parcel. Easement is located and unable to be shown hereon.
  2. Easement to The Ohio Telephone and Telegraph Company of record in Deed Book 922, Page 222 is located on the subject parcel. Easement is located and unable to be shown hereon.
  3. Easement to The Columbus and Southern Ohio Electric Company of record in Deed Book 1279, Page 580 is located on the subject parcel as shown hereon; within the limits of highway (10335).
- References above are to the Recorder's Office, Franklin County, Ohio.

**STATEMENT OF ENCROACHMENTS**

As shown.

**MISCELLANEOUS NOTES**

Dimensions on this plot are expressed in feet and decimal parts thereof unless otherwise noted. Measurements were found at points where indicated.

There is no observable above ground evidence of this site being used as a solid waste dump, pump or any kind of sanitary land fill.

Any locations of underground utilities shown hereon are based upon visible above ground structures and/or record drawings provided to the surveyor. Locations of underground utility lines and structures may vary from locations shown hereon. Additional buried utility lines and structures may be encountered. No excavations were made during the progress of this survey to locate buried utility structures.

The land described hereon is all of the land as described in Schedule A of the site commitment, call issue and issued by The Tabor Group, Policy No. 60106-01, effective date 09/12/2006.

**FLOOD NOTE**

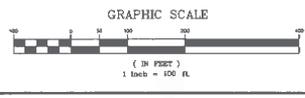
By graphic plotting only this property is located in Zone X (Area determined to be outside of the 500-year flood plain) by the Federal Emergency Management Agency on Flood Insurance Rate Map, Community Panel No. 300500020B with an effective date of June 17, 2006, in Franklin County, Ohio. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

**ALTA / ACSM CERTIFICATION**

To: Romanelli and Hughes Building Company  
R & H, LLC  
The Tabor Group

This is to certify, to the best of my knowledge and belief, that this map or plat and the survey on which it is based were made in accordance with the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and ACSM in 2005, and according to the Rules, Regulations and Standards of the Surveying Board of the State of Ohio, and I am duly licensed and qualified to practice as a Professional Land Surveyor in the State of Ohio. I am duly registered in the State of Ohio, and I am duly registered in the State of Ohio, and I am duly registered in the State of Ohio, and I am duly registered in the State of Ohio.

Iron pin set are 3/4" diameter iron pipe, 30" long with plastic top. Bearings hereon are based on the Ohio State Plane Coordinate System per NAD83 - South Zone (4888 Adj.).



**LEGAL DESCRIPTION**

The land referred to in this Policy is situated in the Township of Jefferson, County of Franklin, State of Ohio, and is described as follows:

Being part of the first section and sixteenth Range of the U.S. Military Lands, beginning at the northeast corner of Lot No. 23, which beginning point is the southeast corner of Lot No. 22, thence West along the north line of Lot No. 23, 40 rods more or less, to an iron pin in the west line of said 32 acre tract herein described, which point is at the southeast corner of land belonging to Frank E. and Rose Souder, thence south on a line parallel with the west line of the Wagoner Road, 64 rods more or less, to an iron stake at the north-west corner of an 18 acre tract of land belonging to David and Irene Loveland, thence east on a line parallel with the west line of said 18 acre tract, to an iron pin at the south east corner of Lot No. 23, which point is at the east line of the Wagoner Road, thence north on the east line of Lot No. 23, 64 rods more or less, to the place of beginning, containing 32 acres of land, more or less.

Enclosing therefrom, the following:

Beginning at F205 monument 6640 at the centerline intersection of Wagoner Rd and Havana Corners Rd., said monument being S 04 degrees 07' 47" W, a distance of 341.08 ft. from F205 Monument 6613.

Thence along the centerline of Wagoner Rd. N 04 degrees 07' 47" E, a distance of 1607.1 ft. to the northeast corner of said 32.000 acre tract and the northeast corner of a 1.042 acre tract conveyed to Charles O. Kirk by instrument No. 20030720022578, Recorder's Office, said corner also being the true place of beginning.

Thence along the grantor's southerly property line and the northerly property line of said 1.042 acre tract N 86 degrees 05' 46" W, a distance of 44.00 ft. to an iron pin set, passing a found iron monument at 25.95 ft.:

Thence N 04 degrees 07' 47" E across the grantor's tract and being parallel to the centerline of Wagoner Rd., a distance of 200.00 ft. to an iron pin set.

Thence S 85 degrees 52' 13" E, a distance of 46.00 ft. to the centerline of Wagoner Rd.:

Thence along said centerline S 04 degrees 07' 47" W, a distance of 199.83 ft. to the true place of beginning containing 3184 acres more or less and Auditor's Parcel number 170-000074, of which the present road occupies (P.R.S.) 0.136 acres more or less.

**LEGEND**

- Iron Rod Found
- ✕ PK Nail Found
- ▲ RR Spike Found
- Monument Box
- Concrete Post
- ⊕ Tacked Hub / Tree Pt
- ⊖ Post Sign / Lamp
- ⊙ Sign
- ⊙ Ellipsoid / OH Sign
- Deciduous Tree
- Pine Tree
- Shrub
- Sanitary Manhole
- Sanitary Manhole
- Storm Manhole
- ⊖ Catch Basin
- ⊖ Curb Inlet W / Grate
- ⊖ Gas Inlet
- ⊖ Gas Meter
- ⊖ Underground Line Marker
- ⊖ Speaker Valve Box
- Iron Pin Set
- PK Nail Set
- RR Spike Set
- Monument
- Electric Manhole
- Electric Transformer
- Conns. Manhole
- Tel. Pedestal
- Pole Disc
- Pole Disc Tel. Light
- Pole Tap
- Pole Tap Light
- Pole Light
- Pole Signal
- Traffic Box
- Guy Pole
- Guy Wire
- Fire Hydrant
- Water Valve
- Manhole
- Monitoring Well



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NEWKIRK

COPY

JEFFERSON TOWNSHIP BOARD OF TRUSTEES

RESOLUTION No. 06-07-03

TO REZONE PARCEL # 170-000074 FROM (RSR) TO (PSRD) TO ALLOW FOR THE DEVELOPMENT OF 29 NEW SINGLE FAMILY LOTS

WHEREAS, The Board of Trustees of Jefferson Township received a recommendation from the Jefferson Township Zoning Commissions to deny a request to rezone Parcel # 170-000074 from Restricted Suburban Residential to Planned Suburban Residential, and

WHEREAS, The Board desires to overturn the recommendation and to approve the rezoning request with stipulations,

Now, therefore, be it resolved by the Board of Trustees of Jefferson Township, Franklin County, Ohio, that:

Section 1. Following a public hearing on application #ZC 2005-09, the recommendation of the Jefferson Township Zoning Commission with respect to Application #ZC 2005-09 is hereby modified as follows: The recommendation of the Zoning Commission is denied and said application to rezone 31.8 +/- acres identified as parcel #170-000074 from RSR to PSRD to develop 29 new single family homes is hereby approved, with the following stipulations:

- A. The applicant shall meet all the recommendations from Franklin County Planning Commission.
B. The applicant shall to apply for a street width variance during the platting process.
C. The applicant shall provide a letter of authorization from Franklin County to maintain a 25-foot buffer zone around the wetlands.
D. The applicant shall revise the plan to reflect 100-ft lot widths at the building line on all proposed building sites.
E. The applicant shall deed free and clear of liens and encumbrances all open space to the Jefferson Township Board of Trustees with the exception that the open space may be restricted as to public access and shall remain in its natural state as a "no-touch, no disturb" area.
F. The applicant shall create a force funded homeowners association that will be responsible for maintenance of the open space.

Section 2. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Section 3. It is found and determined that all formal actions of this Board concerning and Pertaining to the adoption of this resolution were adopted in an open meeting of This Board, and that all deliberations of the Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including §121.22 of the O.R.C.

Motion for adoption by FLANAGAN, seconded by FINN, Plan changed via modification in April 2
this 25 day of JULY, 2006.

Voting Aye thereon:

Donna Finn, Chair

Mat Flanagan, Vice-Chair

Mike Rowan, Trustee

Attest: Ken Jones, Fiscal Officer

Voting Nay thereon:

Donna Finn, Chair

Mat Flanagan, Vice-Chair

Mike Rowan, Trustee

COPY

RECEIVED FEB 17 2015 BY: Matt Braun

671-PP+V

STATEMENT IN SUPPORT OF REZONING  
of  
NEWKIRK ESTATES

This 31.816-acre tract located on the west side of Waggoner Road approximately 600 feet north of Havens Corners Road (Tax Parcel No. 170-00074) is currently undeveloped. There are no structures on the property. The property is heavily wooded with higher quality hardwoods to the west and the north, and predominantly locust trees and low brushy plants to the east along Waggoner Road. An ephemeral stream runs east to west through the middle of the site, which stream exits the site and then flows in a narrow ditch running southerly to Havens Corners Road. The property is surrounded by single-family residences on lots ranging in size from one to five acres or larger, which are served by septic tank sanitary treatment systems. Surrounding developments are depicted on Exhibit C-3.

In order to maximize protection of the native trees, a 31-acre conservation zone development is proposed rather than one-acre lots as permitted by the underlying zoning. The proposal is to cluster 29 smaller lots with an minimum size of 15,000 square feet on either side of a "wishbone" road as shown on Exhibit C-2. This enables protection of the native trees to the maximum extent possible, reduces the amount of road surface, and allows development to occur further distant from the property lines. Homes shall be no closer than 200 feet west of the Waggoner Road right-of-way to allow maintenance of the wooded character of the site along Waggoner Road. This development is enabled as a result of the extension of central water and sewer services by the Jefferson Water & Sewer District, as evidenced by Exhibit E. A typical housing style is shown on Exhibit C-6 representing Romanelli & Hughes typical housing styles for upscale neighborhoods. Development standards for the project are set forth in the Zoning Text - Exhibit C-1.

This proposal addresses the goals set forth in the Township's Comprehensive Plan, as adopted on September 4, 1996. The Plan calls for the protection of the Township's open spaces and rural character while still allowing for case-by-case flexibility and reasonable growth in the area encompassing the subject property. The proposal incorporates many issues central to the Comprehensive Plan such as natural resource protection and a "clustered" design, thereby maintaining the area's rural character and minimizing "land use conflicts and environmental disruption". The proposal also utilizes the preferred zoning district, PSR, while maintaining a density well below the maximum allowed by PSR standards. Overall, the proposal will blend both the goals of the Comprehensive Plan and PSR requirements while establishing reasonable growth patterns in the area to protect the Township's identity and natural resources and simultaneously guard against excessive growth.

# NEWKIRK ESTATES DEVELOPMENT TEXT

## Table of Contents

### ~~I.~~ I. Project Goals and Development Standards

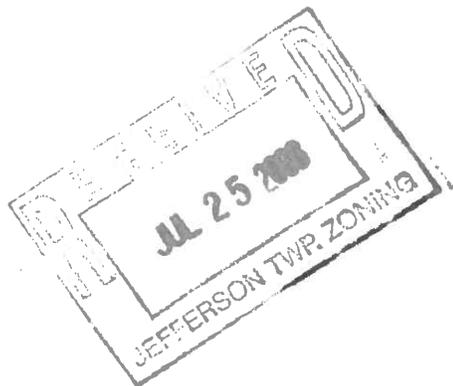
- Existing Conditions
- Project Goals
- The Design Process
- Development Standards

### ~~II.~~ II. Exhibits

- ~~1.~~ 1. Development Plan
- ~~2.~~ 2. Existing Conditions Plan
- ~~3.~~ 3. Regional Context Plan
- ~~4.~~ 4. Sample Building Elevations
- ~~5.~~ 5. Wagonner Road Improvement
- ~~6.~~ 6. Storm Water Management

Prepared for: Romanelli & Hughes Homes  
5000 Tuttle Crossing Blvd., Dublin, OH 43016

Based on Original Text Prepared by:  
POD Design  
330 West Spring Street, Columbus, OH 43215



# NEWKIRK ESTATES DEVELOPMENT TEXT

## INTRODUCTION

Over the last decade Jefferson Township has seen new growth and prosperity. Much of the residential development has been in the form of large upscale single-family homes. While some homes are built on large lots with significant private open space, other developments feature large homes on smaller lots with greater common open space for use by the entire neighborhood or community. This "conservation zone" style of development further promotes preservation of natural resources including streams, wetlands, and wooded areas consistent with the rural character of Jefferson Township east of Reynoldsburg New Albany Road. These "conservation zone" developments are enabled by the availability of central sewer service which was not available for the prior developments such as the one to the west of this property built circa 1975-80.

The proposed plan for the Newkirk property is based on the principles of open space conservation design. Through conservation development, the site is divided into areas of highest and lowest environmental sensitivity, which consequently identify development opportunity areas. Woods, wetlands and stream corridors will be conserved except where necessary for residential development, storm water management, and construction of supportive infrastructure. All new growth will be concentrated along the central "wishbone" road to maximize preservation of boundary areas and central stream area. Based on the arrangement of the existing features and the areas that are most desirable for development, a neighborhood plan can be created that respects the natural beauty of the site and maintains the rural character along this portion of Waggoner Road.

## EXISTING CONDITIONS

The site, approximately 31 acres, is located west of Waggoner Road just north of Havens Corners Road. An ephemeral stream bisects the property east to west, with wetlands to the northwest and mature trees dominating major portions of the site. The land is flat with little fall from east to west. Single family developments occur to the west, with older road frontage lots to the south and north.

## PROJECT GOALS

The plan has been designed to meet or exceed the requirements of the proposed Planned Suburban Residential District (PSRD). This planned residential neighborhood will preserve many of the natural site features while maintaining the rural fabric and character along Waggoner Road. To achieve this fit with the site and the existing community, the following goals have been established:

- Respecting the unique qualities of this site as a wooded area*
- Preserve and maintain key natural features of the site at a gross density of less than one home per acre*
- Locate the lots in the center of the north and south halves of the parcel to avoid the stream and preserve wooded areas along the periphery*
- Provide green space buffers along the edges of the development to minimize the visual impact of the development from the adjoining property owners*
- Provide large 100 foot single family lots of similar to those found in newer neighborhoods in the northeastern corner of Jefferson Township consistent with conservation planning designs*

## NEWKIRK ESTATES DEVELOPMENT TEXT

- Construct a public "wishbone" road with curbs, storm drains, and sidewalks, and with a boulevard entry to Waggoner Road
- Eliminate frontage house lots that facing Waggoner Road while by maintaining a 200 foot wooded setback

### THE DESIGN PROCESS

The design for the community is based on the principles of residential conservation development. Careful attention has been directed to the way that homes orient away from Waggoner Road beyond a 200 foot wooded setback, and internally to provide common area wooded open space to the rear of all lots. The street pattern has been carefully designed to minimize disruption of the central stream feature, reduce long sight lines, and provide connections to open space to reinforce the concept of homes being within a wooded area. Elevations of typical housing styles are shown on Exhibit C-6. All house styles will have "side load" garages.

This plan pays particular attention to the preservation of mature wooded space by committing approximately 16 acres (approximately 51% of the land area) for common open space areas. The open space will be owned and maintained by the homeowners association ("HOA"). Sample HOA regulations to be incorporated into the final plat are attached as Exhibit C-7. The open space will remain "undisturbed" once infrastructure construction is completed as shown on the site plan.

The sidewalks along the streets will function as pedestrian by-ways. The streets will be designed in the same manner as the area new residential communities with the exceptions noted in "Street Design" below. With the exception of trees removed from construction areas, trees larger than six inches will be preserved and additional trees will be randomly located in the front lawns to provide shade and scale where no original trees remain after construction. With the exception of offsite sewer and water lines which necessarily connect to adjacent properties, and internal storm drainage facilities connecting to the retention basins, all infrastructure will be constructed from the street side to minimize disruption of the rear yards or the buffering wooded areas. Mailboxes and directional signage throughout the community will be standardized to decrease the visual clutter that often results along a street.

### DEVELOPMENT STANDARDS

The land will be zoned Planned Residential District (PSRD). There are numerous advantages to planned district zoning, including the predictability which comes from comprehensively planning large tracts of land such as this. This approach allows the developer to preserve some of the unique characteristics of the property. The plan can also incorporate some of the existing unique features of the site. Most importantly, the Planned District zoning gives the Township more control of the design and building standards for this development, ensuring that what is committed to is what is built. These standards will ensure the level of quality the Township is seeking for this site. The following proposed Development Standards would guide the development activities of this community:

#### General Information:

Land Use:	Low density SF homes
Gross Land Area:	± 31.3 acres
Number of Units:	Not to exceed 29 SF home sites

## NEWKIRK ESTATES DEVELOPMENT TEXT

Minimum Lot Size:	15,000 sq. ft. ( <del>100' width min.</del> )
Minimum House Size:	2500 sq. ft. minimum
Building Height:	35 feet maximum
<u>Front Lot Width:</u>	<u>100 feet minimum at the building line</u>

*All homes will be constructed of all natural materials*

### Building Setbacks:

Front Yards:	25' minimum
Rear Yards:	30' minimum ✓ 20% of lot Depth
Side Yards:	10' minimum per side for buildings; provided, however, driveways may be built no closer than 3' to the side lot line.

Parking: A minimum of two off street spaces per dwelling minimum enclosed in a two-car garage, All garages will be "side loaded."

Signage: Permanent signage will be constructed for the entry to the subdivision on Wagonner Road. The sign face will be flanked by stone piers that will be surrounded by landscaping and maintained by the HOA.

Street Design: Although Exhibit C-2 shows road construction details consistent with the Franklin County Subdivision Regulations, with the support of Jefferson Township, the applicant will request the following divergences from the Regulations: 1) the entry road between the north and south "wishbones" will be paved only 19 feet wide, with open swale ditches to the stream and no curbs; and, 2) the "wishbones" will be paved only 21 feet wide (25 feet back to back of curbs) with parking restricted to one side.

Street Trees and Open Space: No street trees will be installed along the new public street. At least two trees will be randomly installed in the front yards, unless existing trees greater than 3 inch caliper are preserved in the yard, to enhance the less formal wooded nature of the development. Tree types will be varied to be consistent with varying tree types in the area of the lot. Existing tree lines along Wagonner Road will be maintained to the extent practicable. There will be "non disturb zones" around the south, west and north periphery and central stream as noted on the Development Plan; provided, however, that during initial development activity clean up of litter, removal of fallen trees, and restoration of disturbed areas will be undertaken. Bollards at every other rear lot corner will delineate individual lots from adjacent "non disturb" common areas. Larger trees will be maintained in the Wagonner Road frontage with the balance of the area grassed and maintained by the HOA.

Mailboxes: All homes shall have a standardized mailbox design, located along street frontages.

Lighting: Landscape and entry sign lighting is permitted; however all such illumination must be from concealed sources. All lighting shall be arranged to reflect light away from any street or adjacent property; direct or indirect glare into eyes of motorists or pedestrians shall be prohibited.

Drainage/Open Space: Sizes and locations of retention ponds, which will provide stormwater retention, as shown on Development Plan are schematic. Final sizes and locations required will be determined concurrent with final engineering. All common open space areas will be owned and maintained by the HOA.

## NEWKIRK ESTATES DEVELOPMENT TEXT

### ADDITIONAL INFORMATION

Infrastructure: All lots are to be served by central sewer and water service from Jefferson Township Sewer and Water District (see attached confirming correspondence - Exhibit E). **No water wells are to be installed on the property.** The Franklin County Engineer's office has confirmed the entry road intersections and the fact that no traffic study is required for the development due to its small size (see attached confirming correspondence - Exhibit F-1). The west side of Waggoner Road is to be widened for the length of the property as specified by the Franklin County Engineer's office. See Exhibit 5.

Storm Drainage: Subject to approval of the Franklin County Engineer's office and Ohio Environmental Protection Agency, and grants of access by adjacent owners, applicant will improve the flow characteristics of the ditch running from the southwest corner of the property to Havens Corners Road to reduce adjacent flooding. Such improvements will be consistent with information on Exhibit F-2.

Sales Model: One home may be used as a real estate sales office / model home within Newkirk Estates, only for sales of homes within Newkirk Estates. Such use shall be ended, and the model home transformed to a single family residence, after the sale of 25 homes. No resale of homes shall be permitted from the model home. **All prospective buyers and buyers shall be notified that active livestock husbandry, including horse and cattle raising, occurs on adjacent lands.**

Development Timetable: Subject to market conditions and timely approval of final plats and related plans, it is anticipated that development will be completed within 36 months for final rezoning.

Township and County Access: **Although public access will be prohibited in the non disturb areas, the Township and the County will be granted an access easement over all of the non disturb areas for the purposes of enforcement and ditch maintenance, respectively, the site being enrolled in the county ditch maintenance program.**

# JEFFER PRELIMINARY WOODL

## DEVELOPMENT STANDARDS:

THE LAND IS ZONED PLANNED RESIDENTIAL DISTRICT (PSRD) THERE ARE NUMEROUS ADVANTAGES TO PLANNED DISTRICT ZONING, INCLUDING THE PREDICTABILITY WHICH COMES FROM COMPREHENSIVELY PLANNING LARGE TRACTS OF LAND SUCH AS THIS. THIS APPROACH ALLOWS THE DEVELOPER TO PRESERVE SOME OF THE UNIQUE CHARACTERISTICS OF THE PROPERTY. THE PLAN CAN ALSO INCORPORATE SOME OF THE EXISTING UNIQUE FEATURES OF THE SITE. MOST IMPORTANTLY, THE PLANNED DISTRICT ZONING GIVES THE TOWNSHIP MORE CONTROL OF THE DESIGN AND BUILDING STANDARDS FOR THIS DEVELOPMENT, ENSURING THAT WHAT IS COMMITTED TO IS WHAT IS BUILT. THESE STANDARDS WILL ENSURE THE LEVEL OF QUALITY THE TOWNSHIP IS SEEKING FOR THIS SITE. THE FOLLOWING PROPOSED DEVELOPMENT STANDARDS GUIDE THE DEVELOPMENT ACTIVITIES OF THIS COMMUNITY:

## GENERAL INFORMATION:

LAND USE: LOW DENSITY SINGLE FAMILY HOMES  
 GROSS LAND AREA: ± 32.03 ACRES  
 NUMBER OF UNITS: NOT TO EXCEED 29 SINGLE FAMILY HOME SITES  
 MINIMUM LOT SIZE: 15,000 SQ. FT.  
 MINIMUM HOUSE SIZE: 2500 SQ. FT. MINIMUM  
 BUILDING HEIGHT: 35 FEET MAXIMUM  
 FRONT LOT WIDTH: 95 FEET MINIMUM AT THE BUILDING LINE

ALL HOMES WILL BE CONSTRUCTED OF ALL NATURAL MATERIALS

## BUILDING SETBACKS:

FRONT YARDS: 25' MINIMUM  
 REAR YARDS: 30' MINIMUM  
 SIDE YARDS: 10' MINIMUM PER SIDE FOR BUILDINGS. PROVIDED, HOWEVER, DRIVEWAYS MAY BE BUILT NO CLOSER THAN 3' TO THE SIDE LOT LINE.

## PARKING:

A MINIMUM OF TWO OFF STREET SPACES PER DWELLING MINIMUM ENCLOSED IN A TWO-CAR GARAGE. ALL GARAGES SHALL BE "SIDE LOADED."

## SIGNAGE:

PERMANENT SIGNAGE WILL BE CONSTRUCTED FOR THE ENTRY TO THE SUBDIVISION ON WAGGONER ROAD. THE SIGN FACE WILL BE FLANKED BY STONE PERS THAT WILL BE SURROUNDED BY LANDSCAPING AND MAINTAINED BY THE HOA. THE ENTRANCE SIGN SHALL BE LOCATED OUTSIDE THE RIGHT-OF-WAY AND SHALL NOT BE WITHIN THE SITE VISIBILITY TRIANGLE. A SIGN PERMIT WILL BE REQUIRED BY JEFFERSON TOWNSHIP.

## STREET DESIGN:

ALL STREETS SHALL BE DESIGNED TO THE FRANKLIN COUNTY SUBDIVISION REGULATIONS UNLESS A VARIANCE IS GRANTED BY FRANKLIN COUNTY PLANNING COMMISSION. THE APPLICANT IS REQUESTING THE FOLLOWING DIVERGENCES FROM THE REGULATIONS. 1) THE ENTRY ROAD BETWEEN THE NORTH AND SOUTH WISCONSIN WILL BE PAVED ONLY 10 FEET WIDE WITH OPEN SWALE SPACES TO THE STREAM AND NO CURBS AND 2) THE WISCONSIN WILL BE PAVED ONLY 24 FEET WIDE (20 FEET BACK TO EACH CURB) WITH PARKING RESTRICTED TO ONE SIDE. 3) THE ENTRY ROAD FROM WAGGONER ROAD WILL HAVE A GRASS MEDIAN.

FRANKLIN COUNTY PLANNING COMMISSION DENIED THE VARIANCE REQUESTS FOR ITEMS 1 AND 2 PERTAINING TO THE STREET WIDTH REDUCTIONS ON MAY 14, 2008. ALL STREETS SHALL BE DESIGNED PER THE FRANKLIN COUNTY SUBDIVISIONS. NOTES 1 AND 2 HAVE BEEN REMOVED FROM THE TEXT.

FRANKLIN COUNTY PLANNING COMMISSION GRANTED A VARIANCE TO ALLOW THE SINGLE ACCESS ROADWAY FROM WAGGONER ROAD ON MAY 14, 2008.

FRANKLIN COUNTY PLANNING COMMISSION GRANTED A VARIANCE TO ALLOW THE GRASS MEDIAN AT THE ENTRANCE FROM WAGGONER ROAD ON MAY 14, 2008.

## STREET TREES OPEN SPACE:

NO STREET TREES WILL BE INSTALLED ALONG THE NEW PUBLIC STREET. AT LEAST TWO TREES WILL BE RANDOMLY INSTALLED IN THE FRONT YARDS, UNLESS EXISTING TREES GREATER THAN 3 INCH CALIPER ARE PRESERVED IN THE YARD, TO ENHANCE THE LESS FORMAL WOODED NATURE OF THE DEVELOPMENT. TREE TYPES WILL BE VARIED TO BE CONSISTENT WITH VARYING TREE TYPES IN THE AREA OF THE LOT. EXISTING TREE LINES ALONG WAGGONER ROAD WILL BE MAINTAINED TO THE EXTENT PRACTICABLE. THERE WILL BE "NON DISTURB ZONES" AROUND THE SOUTH WEST AND NORTH PERIPHERY AND CENTRAL STREAM AS NOTED ON THE DEVELOPMENT PLAN. PROVIDED, HOWEVER, THAT DURING INITIAL DEVELOPMENT ACTIVITY CLEAN UP OF LITTER, REMOVAL OF FALLEN TREES, AND RESTORATION OF DISTURBED AREAS WILL BE UNDERTAKEN. BOLLARDS AT EVERY OTHER REAR LOT CORNER WILL DELINEATE INDIVIDUAL LOTS FROM ADJACENT "NON DISTURB" COMMON AREAS. LARGER TREES WILL BE MAINTAINED IN THE WAGGONER ROAD FRONTAGE WITH THE BALANCE OF THE AREA GRASSSED AND MAINTAINED BY THE HOA.

## MAILBOXES:

ALL HOMES SHALL HAVE A STANDARDIZED MAILBOX DESIGN, LOCATED ALONG STREET FRONTAGES.

## LIGHTING:

LANDSCAPE AND ENTRY SIGN LIGHTING IS PERMITTED; HOWEVER ALL SUCH ILLUMINATION MUST BE FROM CONCEALED SOURCES. ALL LIGHTING SHALL BE ARRANGED TO REFLECT LIGHT AWAY FROM ANY STREET OR ADJACENT PROPERTY. DIRECT OR INDIRECT GLARE INTO EYES OF MOTORISTS OR PEDESTRIANS SHALL BE PROHIBITED.

## DRAINAGE/OPEN SPACE:

STORMWATER MANAGEMENT WILL BE PROVIDED BY TWO RETENTION BASINS. THE BASINS WILL CONTAIN AREAS OF RAIN GARDEN / BIO-RETENTION AND WETLAND STRUCTURES FINAL SIZES AND LOCATIONS REQUIRED WILL BE DETERMINED CONCURRENT WITH FINAL ENGINEERING. ALL COMMON OPEN SPACE AREAS WILL BE OWNED AND MAINTAINED BY THE HOA.

## INFRASTRUCTURE:

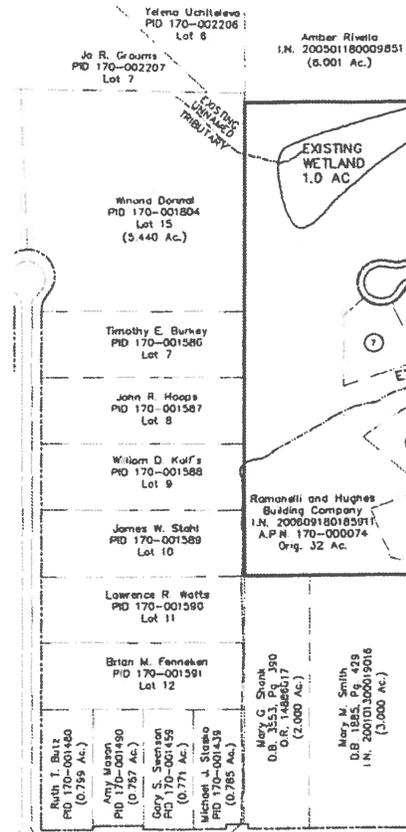
ALL LOTS ARE TO BE SERVED BY CENTRAL SEWER AND WATER SERVICE FROM JEFFERSON TOWNSHIP SEWER AND WATER DISTRICT. NO WATER WELLS ARE TO BE INSTALLED ON THE PROPERTY. THE FRANKLIN COUNTY ENGINEER'S OFFICE HAS CONFIRMED THE ENTRY ROAD INTERSECTIONS AND THE FACT THAT NO TRAFFIC STUDY IS REQUIRED FOR THE DEVELOPMENT DUE TO ITS SMALL SIZE. THE WEST SIDE OF WAGGONER ROAD IS TO BE WIDENED FOR THE LENGTH OF THE PROPERTY WITH AN ASPHALT OVERLAY AS SPECIFIED BY THE FRANKLIN COUNTY ENGINEER'S OFFICE.

## STORM DRAINAGE:

SUBJECT TO APPROVAL OF THE FRANKLIN COUNTY ENGINEER'S OFFICE AND OHIO ENVIRONMENTAL PROTECTION AGENCY, AND GRANTS OF ACCESS BY ADJACENT OWNERS, APPLICANT WILL IMPROVE THE FLOW CHARACTERISTICS OF THE DITCH RUNNING FROM THE SOUTHWEST CORNER OF THE PROPERTY TO HANDS CORNERS ROAD TO REDUCE ADJACENT FLOODING. JEFFERSON TOWNSHIP WILL AID DEVELOPER IN OBTAINING ACCESS EASEMENTS FROM THE ADJACENT PROPERTY OWNERS. THE PROPOSED WORK WILL CONSIST SOLELY OF "HAND WORK" TO REMOVE DEBRIS WHICH WILL IMPROVE THE FLOW CHARACTERISTICS. NO DREDGING WITH LARGE EQUIPMENT SHALL BE PERMITTED UNLESS AN INDIVIDUAL PERMIT IS OBTAINED FROM THE ARMY CORP OF ENGINEERS AND OHIO EPA.

## SALES MODEL:

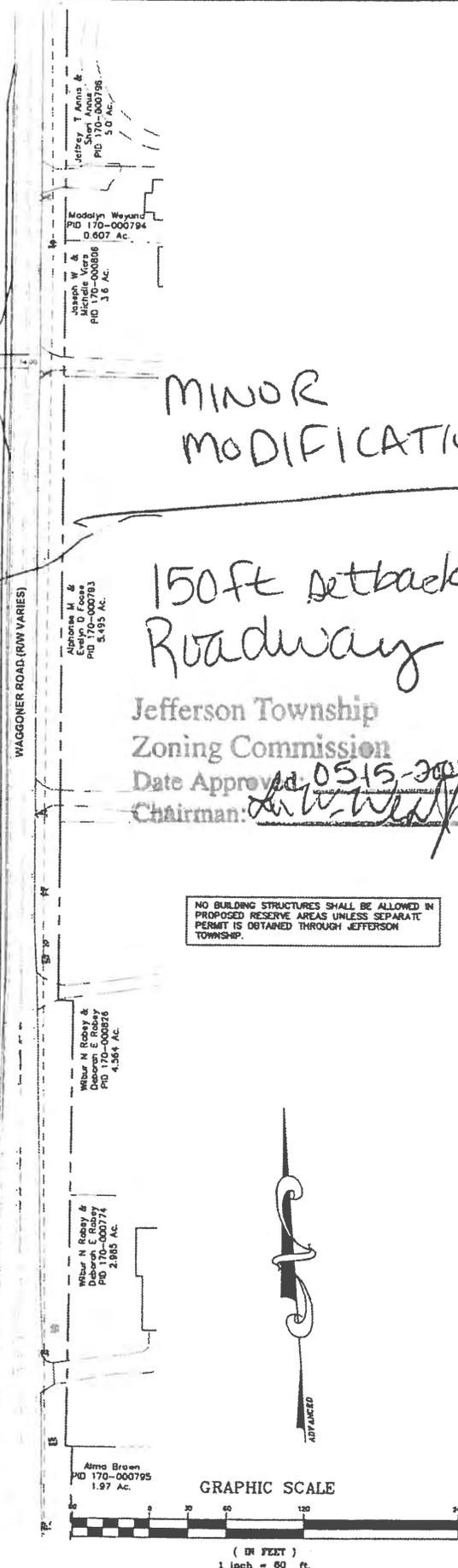
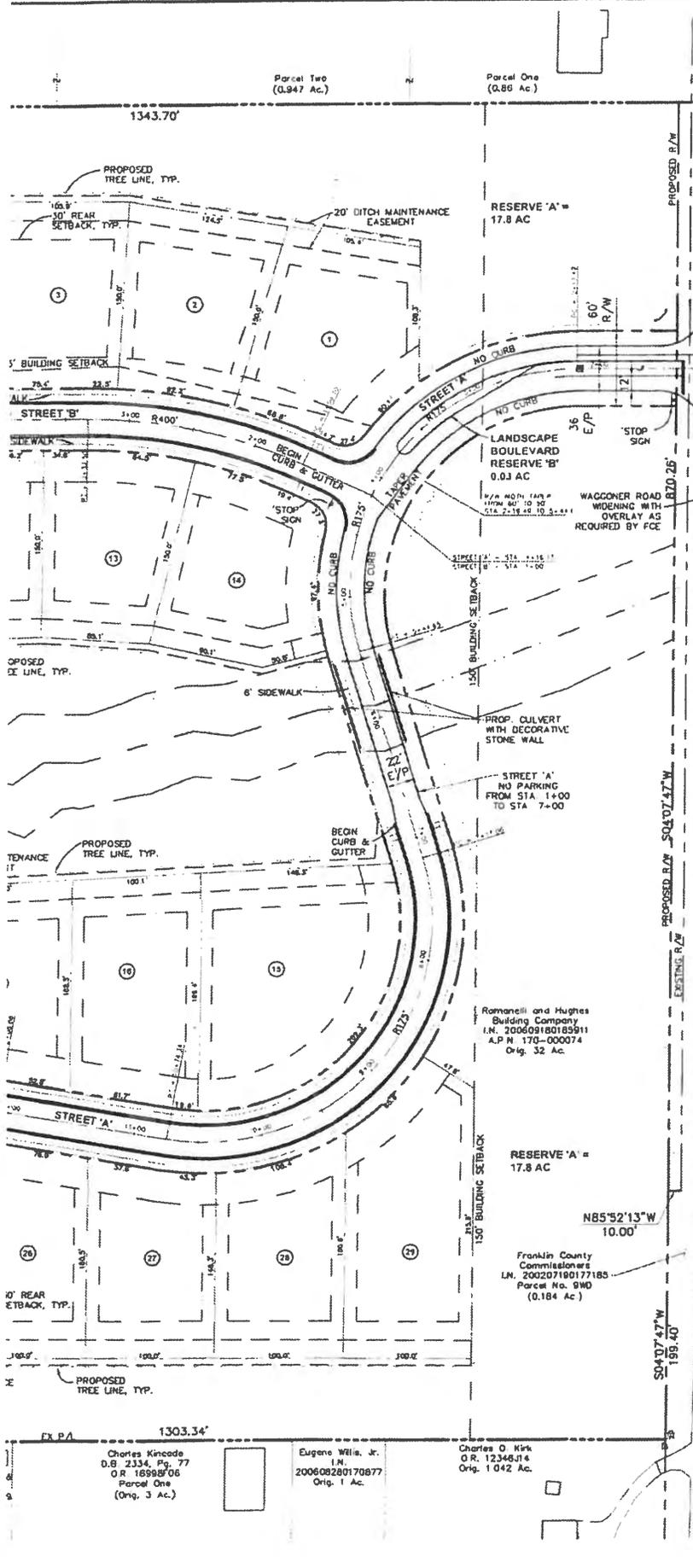
ONE HOME MAY BE USED AS A REAL ESTATE SALES OFFICE / MODEL HOME WITHIN WOODLAND CREEK. ONLY FOR SALES OF HOMES WITHIN WOODLAND CREEK. SUCH USE SHALL BE ENDED, AND THE MODEL HOME TRANSFERRED TO A SINGLE FAMILY RESIDENCE, AFTER THE SALE OF 25 HOMES. NO SALE OF HOMES SHALL BE PERMITTED FROM THE MODEL HOME. ALL PROSPECTIVE BUYERS AND BUYERS SHALL BE NOTIFIED THAT ACTIVE LIVESTOCK HUSBANDRY INCLUDING HORSE AND CATTLE RAISING OCCURS ON ADJACENT LANDS.



Board Of Trustees Of Jefferson Township  
 PID 170-003494  
 Lot 60

Fieldstone Homeowners Association Inc.  
 PID 170-003522  
 Orig. (8.688 Ac.)

Z:\07-0009-149\dwg\0009-149-01.dwg Sheet 1 May 15, 2008 - 4:46:56pm hgucker



MINOR MODIFICATION

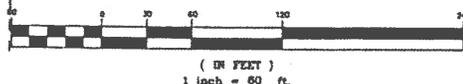
150ft setback Roadway

Jefferson Township Zoning Commission  
 Date Approved: 05/15/2008  
 Chairman: *[Signature]*

NO BUILDING STRUCTURES SHALL BE ALLOWED IN PROPOSED RESERVE AREAS UNLESS SEPARATE PERMIT IS OBTAINED THROUGH JEFFERSON TOWNSHIP.



GRAPHIC SCALE



PLAN PREPARED BY:

422 Reicher Road  
 Gahanna, Ohio 43130  
 PH 614.428.7700  
 FAX 614.428.7705

ADVANCED CIVIL DESIGN

PLAN PREPARED FOR:

RH Romanelli & Hughes BUILDING COMPANY  
 148 S. Newark Road  
 Columbus, Ohio 43204  
 PH 614.428.3647  
 FAX 614.428.3647

JEFFERSON TWP./FRANKLIN COUNTY, OHIO

WOODLAND CREEK  
 PRELIMINARY DEVELOPMENT PLAN  
 FOR  
 ROMANELLI & HUGHES BUILDING COMPANY  
 PRELIMINARY SITE PLAN

Issue Dates:

02/19/08: Franklin County Preliminary Development Plan
04/14/08: Jefferson Township Zoning Commission / FDC
05/01/08: Resubmitted to the FDC
05/14/08: Revised per FDC Approval

Date: 05/14/2008  
 Scale: 1" = 60'

Drawn By: NAB  
 Checked By: HGC

Project Number:  
 07-0009-149

Drawing Number:  
 3 / 7

## WOODLAND CREEK WETLAND EVALUATION

MARCH 11, 2015

RECEIVED

MAR 17 2015

Franklin County Planning Department  
Franklin County, Ohio

671-APW

**Advanced Civil Design Project No: 11-0017-149**

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### 1.0 BACKGROUND

The Woodland Creek site is located on the west side of Waggoner Road and north of Havens Corner Road in Franklin County, Ohio. Civil & Environmental Consultants, Inc. (CEC) delineated a wetland near the northwest corner of the site in November 2004. The CEC delineation determined that the wetland was a Category 2 according to Ohio EPA ORAM protocol. CEC determined the boundaries of the wetland (Appendix A) and the wetland delineation was approved by the U.S. Army Corps of Engineers. In February 2008, Advanced Civil Design (ACD) completed an Indiana Bat Habitat Survey of the site. As part of the survey, an ACD representative met with U.S. Fish & Wildlife personnel for an onsite inspection. As part of the inspection, U.S. Fish & Wildlife inspected the wetland area and confirmed its presence.

### 2.0 PURPOSE

The purpose of the March 11, 2015 Wetland Evaluation was examine the wetland to determine whether or not the boundary, as determined by CEC in 2004, has significantly changed.

### 3.0 EVALUATION

The evaluation process involved reviewing the CEC 2004 delineation report with special attention to the Figure 2 that shows the wetland location and boundary. The evaluation also included a review of the current National Wetland Inventory (NWI) Map that covers the subject property, a review of recent aerial photographs of the site, and an onsite inspection, including photographs. Due to winter conditions, exact boundary demarcation is not possible because determining

wetland boundaries requires an examination of herbaceous plant species that typically require wetland conditions. Most of these plants are dormant during winter months. However, remnants of some of the 2014 crop of wetland plants was easily observable; and together with identifiable changes in topography and areas with ponded water or ice, the approximate boundary of the wetland is relatively easy to determine.

#### 4.0 RESULTS

The current NWI Map does not show any wetlands on the subject property. This comports well with the 2004 CEC report. In 2004, the only NWI Map available covering the subject property was dated 1995. As noted in CEC's report, the 1995 NWI Map does not show any wetlands on the site.

A 2012 aerial photograph of the property shows an area near the northwest corner of the property that is darker than the surrounding area. The darker area comports well with the wetland delineated by CEC.

Site photographs taken on March 11, 2015 comport well with site photographs presented in the 2004 CEC report. Some of the same type of wetland plants typically present in forested wetland areas in Ohio are evident in both sets of photographs. The general area of the wetland comports well in both sets of photographs.

#### 5.0 CONCLUSION

The boundary of the previously delineated wetland on the subject property does not appear to have significantly changed. This conclusion is based on:

- The review of the 2004 CEC report,
- The 2012 aerial photograph of the property,
- The review and comparison of NWI Maps,
- The comparison of site photographs taken in 2004 and 2015,
- The 2008 Indiana Bat Habitat Survey, and
- The March 11, 2015 onsite evaluation.

  
Richard Kelly, M.S. Civil/Environmental Engineering  
Director, Environmental Services  
Advanced Civil Design

**APPENDIX A**

**2004 CEC WETLAND DELINEATION BOUNDARY  
CURRENT NATIONAL WETLAND INVENTORY MAP  
2012 AERIAL PHOTOGRPAHS**

WAGGON



NOVEMBER 2004  
 CEC WETLAND DELINEATION  
 APPROVED BY U.S. ARMY CORPS OF ENGINEERS

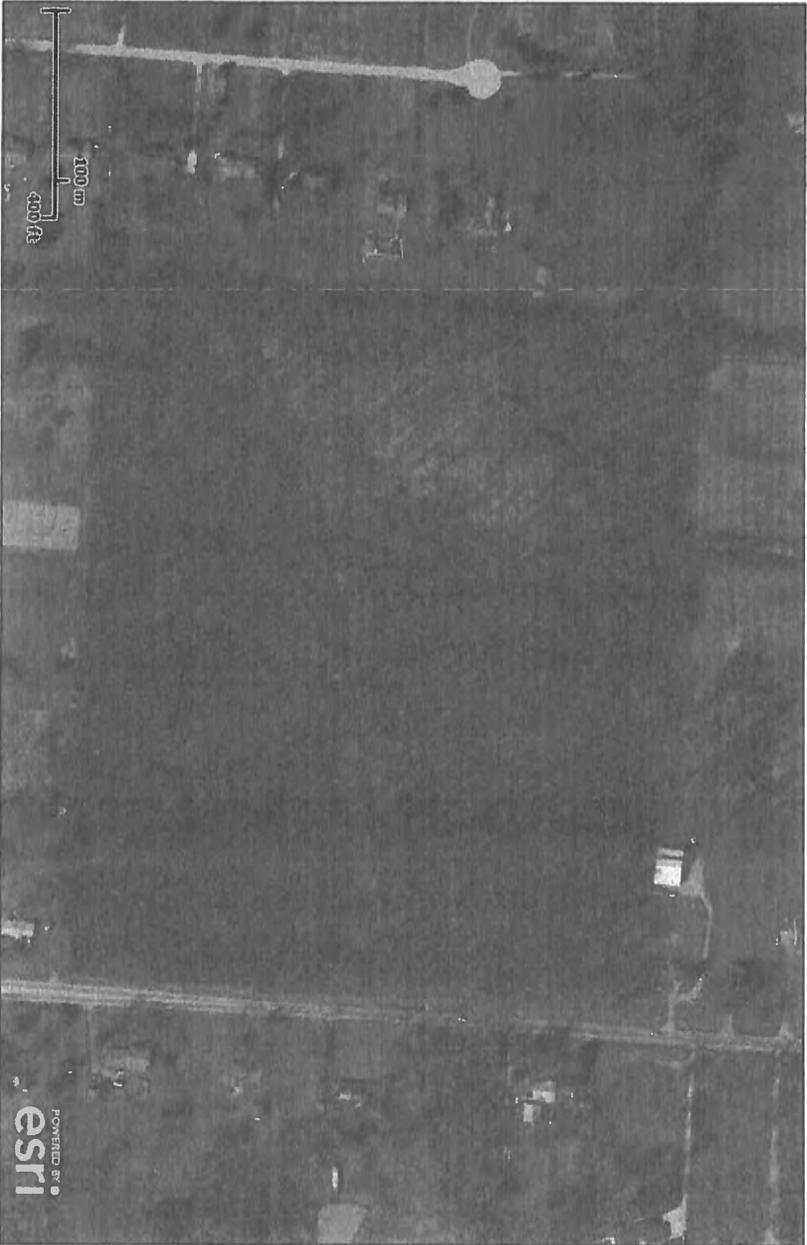


U.S. Fish and Wildlife Service

# National Wetlands Inventory

Woodland Creek

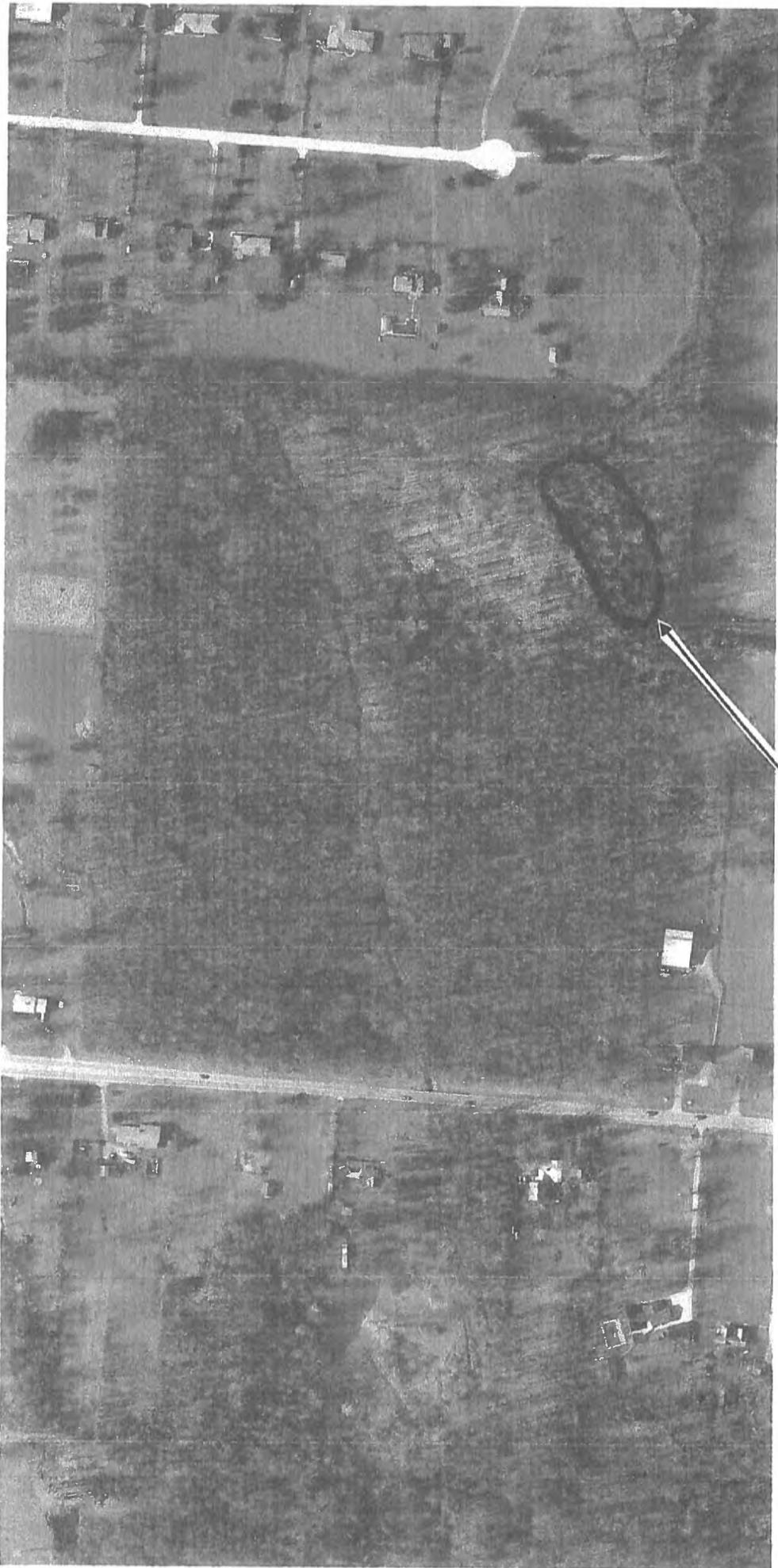
Mar 10, 2015



- Wetlands**
- Freshwater Emergent
  - Freshwater Forested/Shrub
  - Estuarine and Marine Deepwater
  - Estuarine and Marine
  - Freshwater Pond
  - Lake
  - Riverine
  - Other

User Remarks:

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy of the data shown on this map. All wetlands related data should be used in accordance with the legend provided on the Wetlands Mapper web site.

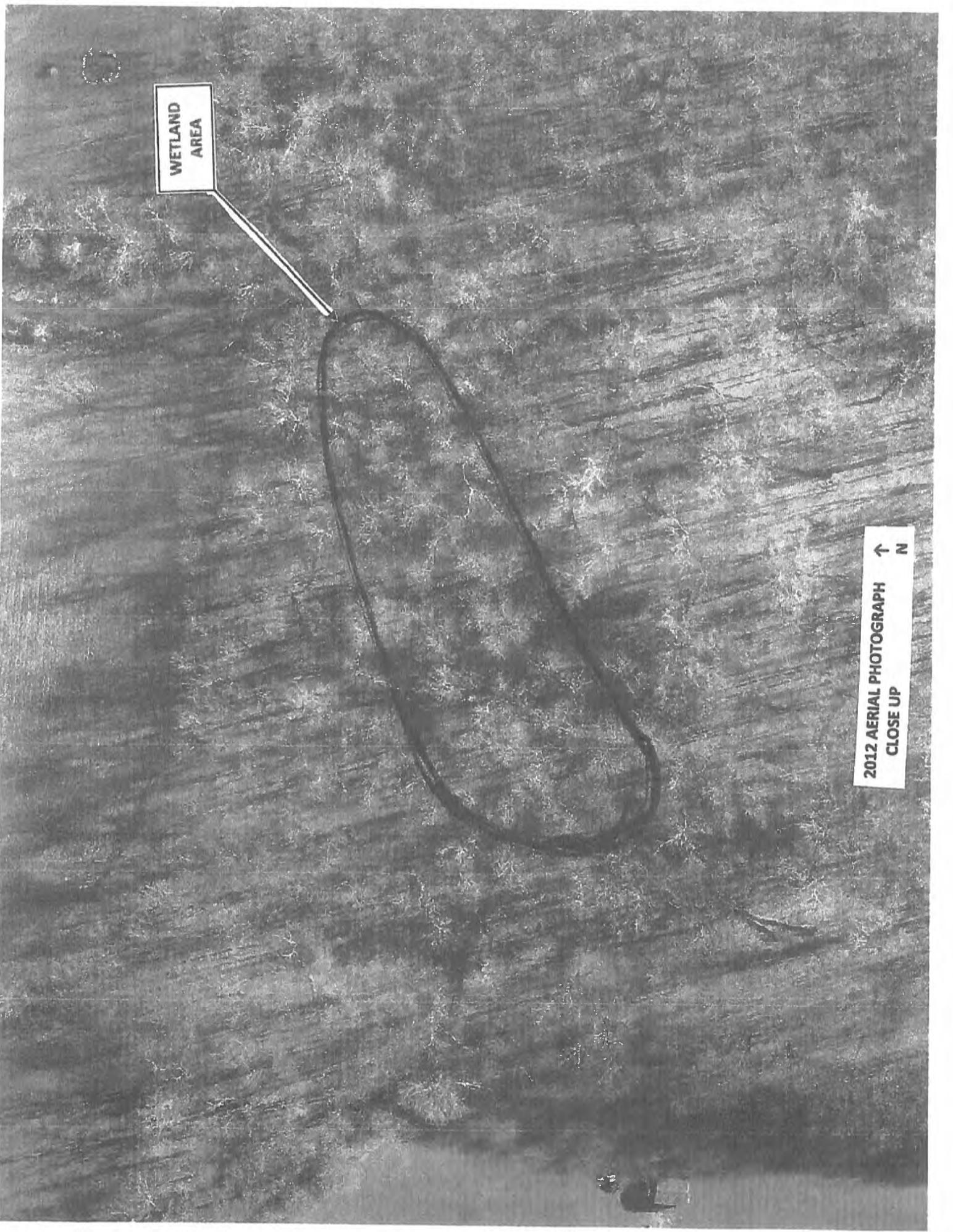


WETLAND  
AREA

2012 AERIAL PHOTOGRAPH  
↑  
N

WETLAND  
AREA

2012 AERIAL PHOTOGRAPH  
CLOSE UP  
↑ N



## **APPENDIX B**

### **SITE PHOTOGRAPHS**

**Woodland Creek Site: Wetland Area Photographs March 11, 2015**



**1. Northeast area of wetland. Remnants of 2014 sedge and rush species in foreground.**



**2. Center area of wetland. Remnants of 2014 sedge, rush, and Carex species.**

**Woodland Creek Site: Wetland Area Photographs March 11, 2015**



3. Southwest area of wetland. Remnants of 2014 sedge and rush species.

**DECLARATION OF COVENANTS, EASEMENTS, ASSESSMENTS,  
CONDITIONS AND RESTRICTIONS**

**FOR**

**WOODLAND CREEK**

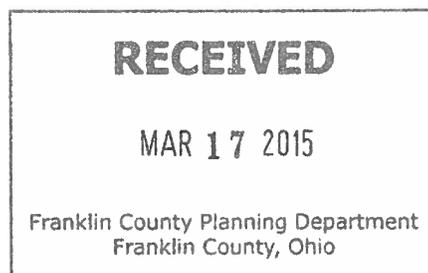
**(A Planned Community Under  
Chapter 5312 of the Ohio Revised Code)**

THIS DECLARATION OF COVENANTS, EASEMENTS, ASSESSMENTS, CONDITIONS AND RESTRICTIONS (the "Declaration") is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2015 by ROMANELLI AND HUGHES BUILDING COMPANY, an Ohio corporation, of 148 West Schrock Road, Westerville, Ohio 43081 ("Developer").

A. Developer is the owner of the real property more fully described in Exhibit A attached hereto and by this reference incorporated herein (the "Property" as defined hereinafter); and

B. Developer desires to develop the Property into a residential subdivision to be known as Woodland Creek, (the "Subdivision"), and to restrict the use and occupancy of the Property for the protection of the Property and the future owners of the Property and to provide for the preservation of the value of and amenities in the Subdivision for the benefit of the Owners of the Lots and the Improvements construction thereon; and

C. Developer declares that all of the Property shall be held, developed, encumbered, leased, occupied, improved, used and conveyed subject to the following covenants, easements, assessments, conditions and restrictions (the "Restrictive Covenants"), which shall run with the land and shall be binding on all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns, including the future Owners of any Lot (as hereinafter defined), the Developer, the Developer's successors and assigns, and any utility



671-PP+V

companies, whether public or private, or agencies or instrumentalities of local government providing utility services, who are granted rights herein; and

D. Developer deems it desirable for the accomplishment of these objectives to create an association to which is delegated and assigned the non-exclusive right and obligation to administer and enforce the provisions hereof, to own and/or maintain certain property, to have easements rights with respect to certain portions of the Property, to administer such property, and to collect and disburse funds necessary to accomplish these objectives. Accordingly, Developer shall cause to be incorporate a homeowners' association as a non-profit corporation under and pursuant to the laws of Ohio, whose Members are and will be all of the Owners of a Lot or Lots in the Subdivision.

NOW, THEREFORE, in pursuance of a general plan for the protection, benefit and mutual advantages of the property in the Subdivision, Developer, with respect to the property described on Exhibit A of this Declaration, hereby declares that all of the Property shall be held, sold, conveyed and occupied subject to the following covenants, easements, assessments, conditions and restrictions, which are for the purpose of protecting the values and desirability of, and which shall run with the title to, each part of the Subdivision, and be binding on all parties having any right, title or interest therein, and their respective heirs, successors and assigns, and shall inure to the benefit of and be enforceable by Developer, each owner of the property in the Subdivision, the homeowners association, and the respective personal representatives, heirs, successors and assigns of each.

## GENERAL PROVISIONS

### **I. APPLICABILITY**

This Declaration shall apply to the entire Property as described on the attached Exhibit A. If Developer owns, and/or acquires additional parcels adjacent to or near the Property, intended by Developer for future development, generally consistent with the development of the Property, Developer may annex said additional parcels to, and if so annexed, declare them to be, subsequent phases of the Subdivision. Upon such annexation, Developer shall have the right, but not the obligation, to subject such annexed parcels to the terms and conditions of this Declaration. Developer may subject annexed parcels to this Declaration without modification, or Developer may supplement and amend this Declaration as it applies to such additional phases of development. As to each development phase of the Subdivision, Developer may re-record this Declaration with an attached exhibit which modifies and/or supplements this Declaration with respect to such phase, or Developer may incorporate this Declaration by reference into a supplemental declaration or an amendment hereto which establishes the modifications and/or

supplemental provisions desired by Developer to be applicable to such phase. The modifications and/or supplemental provisions applicable to different phases of development at the Subdivision may be comparable to, more restrictive or less restrictive than the parallel provisions applicable to other development phases, as determined to be appropriate by Developer in the exercise of its sole discretion. In the event of any inconsistency between the provisions of this Declaration and the provisions of any phase-specific modifications and/or supplements hereto, the terms of the phase-specific document shall control.

## II. DEFINITIONS

A. “Additional Property” – property that may in the future be subjected to the plan for the Subdivision provided hereby, and consists of such other property as Developer, in its sole discretion, may from time to time determine and designate as Additional Property.

B. “Articles” and “Articles of Incorporation” – the Articles, when filed with the Secretary of State of Ohio, incorporating Woodland Creek Homeowners’ Association, Inc. as a non-profit corporation under the provisions of Chapter 1702 of the Ohio Revised Code (“ORC 1702”).

C. “Assessments” – charges levied by the Association on Lots and their Owners, consisting of Membership Transfer Assessments, Operating Assessments, Special Assessments and Individual Lot Assessments.

D. “Association” – an association of all of the Owners of Lots in the Subdivision, at any time, except Owners of Exempt Property with respect to that property. The Association is being incorporated as an Ohio non-profit corporation named Woodland Creek Homeowners’ Association, Inc., or similar, which Association is also an “Owners Association” as that term is defined in Chapter 5312 of the Ohio Revised Code.

E. “Association Governing Documents” – the formative documents of the Association, consisting of articles of incorporation, code of regulations, its rules and all amendments and/or supplements thereto, this Declaration and all amendments and/or supplements thereto, applicable building and zoning laws and ordinances, and any recorded plats.

F. “Board” and “Board of Directors” – the board of directors or other management body of the Association.

G. “Code of Regulations” and “Code” – the Code of Regulations of the Association created under and pursuant to the provisions of ORC 1702, providing certain operating rules and procedures for the Association. A true copy of the Code of Regulations is attached to this Declaration as Exhibit B and made a part hereof by this reference.

H. “Common Elements” – all real and personal property now or hereafter acquired pursuant to this Declaration or otherwise, and owned by the Association, or benefitted by easement to it, for the common use and the enjoyment of the Owners, or for the operation of the Association. The Common Elements may include open spaces, reserve areas, entranceway and community border features, detention areas, private drives, and other property designated by Developer or the Board to be Common Elements, and benefiting the Owners and Occupants of the Lots and Improvements in the Subdivision. The Common Elements shall include not only real or personal property owned by the Association, but also shall include real or personal property for the maintenance of which the Association has responsibility under this Declaration, pursuant to applicable zoning regulations, approved plat(s), and/or under any agreement entered into by the Developer or by the Association, the terms of which are binding on the Association. The Common Elements initially include, but are not limited to, ownership and maintenance of Reserves A and B as described in Exhibit A, the maintenance responsibilities for Reserves A and B as described in Exhibit A, and may include additional areas in the future as Additional Property is made part of the Subdivision.

I. “Common Expenses” – expenses incurred in maintaining the Common Elements and shall mean the projected expense of maintaining all Common Elements at the time that the Subdivision is completely developed and all Lots are resident occupied.

J. “Developer” – Romanelli and Hughes Building Company, an Ohio corporation, and any manager, officer, shareholder, successor or assignee thereof to which Developer specifically assigns any of its rights under this Declaration by a written instrument.

K. “Design Review Board” – the board or committee appointed by the Board to review, approve or disapprove and oversee construction of, and all subsequent modifications, additions or alterations to Improvements.

L. “Exempt Property” – any portion of the Property comprising the Subdivision (a) now or hereafter dedicated to common public use or owned by the United States, the State, the County, the City, the Township, any school board, or similar governmental body, or any instrumentality or agency or any such entity, for so long as any such entity, instrumentality or agency shall be the owner thereof, or (b) owned by the Association; provided in either such case, the same is not utilized as a residence.

M. “Improvements” – all man-made or man-installed alterations to the Property which cause the Property to deviate from its natural condition, including but not limited to single-family homes, dwellings, buildings, outbuildings and garages and other structures; overhead, aboveground and underground installations, including without limitation, utility facilities and systems, lines, pipes, wires, towers, cables, conduits, poles, antennae and satellite dishes; flagpoles; swimming pools, hot tubs, and spas, sport and recreational courts, fixtures and facilities, including recreational equipment, slope and drainage alterations; roads, driveways, uncovered parking areas and other paved areas; fences, trellises, walls, retaining walls, exterior stairs, mailboxes, decks, patios, porches and walkways, planted trees, hedges, shrubs and other forms of landscaping, and all other structures or improvements of every type.

N. “Individual Lot Assessment” – an Assessment that the Board may levy upon a Lot and its Owners to reimburse the Association for costs incurred solely on behalf of that Lot, or the Owners thereof, including without limitation, costs associated with making repairs that are the responsibility of the Owner of the Lot; costs of additional insurance premiums reasonably allocable to an Owner because of use of Improvements on that Lot; costs of any utility expenses chargeable to an Owner but not separately billed by the utility company; administrative charges for violations of the Association Governing Documents, late charges, and interest on delinquent Assessments, and costs of collection of delinquent obligations to the Association, including attorneys’ fees and court costs, and all other charges reasonably determined to be chargeable solely to a Lot and its Owners.

O. “Lot” – a discrete parcel of real property identified upon the recorded Subdivision plat of the Property, or recorded re-subdivision thereof and any other discrete parcel of real property designated by Developer, excluding the Common Elements and any portion of the Property dedicated for public use. Developer has and reserves the right to split and/or combine currently platted Lots into new platted Lots without the consent or approval of Owners of other Lots in the Subdivision, as Developer may deem such split or combination to be beneficial to the Property from time to time. Any and all references herein to a “Lot” shall include any such replatted Lots. Once a split/combination is completed, the former lots shall cease to be “Lots” for any and all purposes hereunder.

P. “Manager” – the person or entity retained by the Board to assist in the management of the Association.

Q. “Member” – any person entitled to membership in the Association, as provided for in Article VII.

R. “Membership Transfer Assessment” – an Assessment levied by the Association each time the fee simple interest in a Lot with a dwelling on it is transferred for value to a bona

vide home purchaser, or in the case of a sale under a land installment contract, each time a land installment contract, for value, for a Lot with a dwelling on it is recorded.

S. “Occupant” – a person residing in a dwelling on a Lot, regardless of whether that Person is an Owner.

T. “Operating Assessment” – an Assessment that the Board may levy from time to time upon all Lots, other than Exempt Property, and their Owners, pursuant to the terms of this Declaration, to provide funds to pay Common Expenses, that is, funds needed to meet cash requirements of the Association for its operations and reasonable revenues.

U. “Owner” – the record owner, whether one or more persons or entities, of fee simple title to a Lot, including contract sellers, but excluding those having an interest merely as security for performance of an obligation and also excluding the Developer.

V. “Person” – a natural individual, trustee, corporation, partnership, limited liability company, or other legal entity capable of holding title to real property.

W. “Planned Community Act” – Chapter 5312 of the Ohio Revised Code.

X. “Property” - all of the real property described in Exhibit A attached hereto and such Additional Property as may be annexed by amendment to this Declaration, or added to the Subdivision by a supplemental declaration or amendment to this Declaration from and after such time as the Additional Property is subject to the provisions hereof, or real property that is owned in fee simple by the Association, together with all easements and appurtenances.

Y. “Reserve Fund” – the fund established pursuant to Article IX.

Z. “Rules” – the rules and regulations governing (i) use of the Property and the Common Elements and (ii) the conduct of Members and their respective families, guests, licensees and invitees, as may be established by the Board from time to time, together with the architectural standards that may be adopted by the Design Review Board from time to time.

AA. “Special Assessment” – an Assessment that the Board may levy upon all Lots, except Exempt Property, to pay for unanticipated operating deficiencies, or to pay for capital expenditures not regularly budgeted and not to be paid out of monetary reserves, such as costs for major capital improvement replacements and for major new capital improvements, or any other similar purpose determined appropriate by the Board in furtherance of its functions hereunder.

BB. "State" – the State of Ohio, and, unless the context requires otherwise, any political subdivision thereof exercising jurisdiction over the Property.

CC. "Subdivision" – all property that at any time has been subjected to the provisions of this Declaration (which includes all of the Property) and the Common Elements and any subsequent additions thereto.

DD. "Turnover Date" – the date on which Developer relinquishes its exclusive right to appoint all members of the Board, which date shall be no later than the date when the Subdivision has been fully developed and all Lots have been deeded to bona fide purchasers unrelated to Developer; provided Developer reserves the right, in its sole and absolute discretion, to turn over control of the Association, or selected functions thereof, at such earlier time as it determines.

**III. GOALS**

The covenants, easements, conditions and restrictions contained in this Declaration are declared to be in furtherance of the following purposes:

- A. Compliance with all zoning and similar governmental regulations;
- B. Promotion of the health, safety and welfare of all Owners and residents of the Property;
- C. Preservation, beautification and maintenance of the Property and all Improvements; and
- D. Establishment of requirements for the development and use of the Property.
- E. Compliance with the provisions of the Planned Community Act.

**DEVELOPMENT & USE RESTRICTIONS**

**IV. USE RESTRICTIONS**

The following restrictions and covenants concerning the use and occupancy of the Property shall run with the land and be binding upon the Developer and every Owner or Occupant, their respective heirs, successors and assigns, as well as their family members, guests and invitees.

A. Use of Lots. Except as otherwise permitted herein, each Lot shall be occupied and used exclusively for single-family, residential purposes and purposes customarily incidental to a residence. No Improvements of any kind or nature may be constructed on any Lot until and unless the plans therefore have been approved by the Design Review Board (or Developer if no Design Review Board has been established), as provided for hereinafter.

B. Use of Common Elements. Any Common Element may be used only in accordance with the purposes for which it is intended and for any reasonable purposes incidental to the residential use of a Lot and shall be subject to the rules and regulations governing the use as promulgated by the owner or owner(s) of the property. All uses of the Common Elements shall benefit or promote the health, safety, welfare, convenience, comfort, recreation, and enjoyment of the Owners and Occupants, and shall comply with the provisions of this Declaration, the laws of the State and the Rules, and other Association Governing Documents. The Association, acting through its Board of Directors, shall possess all power and authority vested in it pursuant to the Articles of Incorporation for the Association, including, but not limited to, the right to (i) contract, lease, or assign interest in; (ii) initiate, defend, negotiate and settle claims arising from casualty, condemnation or other actions with respect to; and (iii) establish rules governing conduct upon, the Common Elements owned by the Association and all Improvements located thereon.

C. Hazardous Actions or Materials. Nothing shall be done or kept in or on any Lot or in or on any portion of the Common Elements that is unlawful or hazardous, that might reasonably be expected to increase the cost of casualty or public liability insurance covering the Common Elements or that might unreasonably disturb the quiet occupancy of any person residing on any other Lot. This paragraph shall not be construed so as to prohibit the Developer from construction activities consistent with its residential construction practices.

D. Signs. No signs of any character shall be erected, posted or displayed upon the Property, except: (i) marketing signs installed by the Developer while marketing the Lots and residences for sale; (ii) street and identification signs installed by the Association, the Developer; or a local governmental body having jurisdiction over the streets within the Subdivision; (iii) one temporary real estate sign on a Lot not to exceed six square feet in area advertising that such Lot is for sale; and (iv) for a reasonable period of time before, and not to exceed three days after, a public governmental election in which the Lot Owners are permitted to vote, up to three temporary political signs of not more than six square feet each, expressing support for or opposition against an individual candidate or issue which is the subject of the current election. Political signs containing information or expressing opinions other than simple support for or opposition against a specific candidate or issue may be removed by the Association, and not more than one sign for or against any specific candidate or issue may be posted or displayed on

any one Lot. No such signs may be posted in or on any portions of the Common Elements owned by the Association except signs authorized and approved by the Board.

E. Animals. No Person may keep, breed, board or raise any animal, livestock, reptile or poultry of any kind for breeding or other commercial purpose on any Lot, or in or upon any part of the Common Elements, unless expressly permitted by the Rules. All domestic pets shall be properly restrained and shall not be permitted to roam free or loose on the Property, other than on the Lot of the owner of such pet(s). No animal, including a domestic pet, shall be kept on the Property if the size, type or characteristics of such animal constitute a nuisance. Proper Lot maintenance as required elsewhere herein shall include the obligation to regularly remove pet waste from an Owner's Lot. Outdoor dog houses, animal cages, dog runs and other similar objects, whether or not affixed to the ground, are prohibited without the express prior review and approval of the Design Review Board, which may be withheld in the Design Review Board's sole discretion.

F. Nuisances. No noxious or offensive trade shall be permitted on the Property or within any building, dwelling or other structure located on the Property, nor shall any use be made nor condition allowed to exist on any Lot which unreasonably disturbs or interferes with the quiet occupancy of any Person residing on any other Lot.

G. Business. No industry, business, trade, occupation or profession of any kind may be conducted, operated or established on the Property, without the prior written approval of the Board. This provision shall not prohibit (i) a "home office" use, in connection with which no non-resident employees are working on the Property, and no customers, employees, subcontractors or other third parties park on the Property, or (ii) during the construction and initial sales period, the use of Lots, including dwellings and other Improvements constructed thereon, and Common Elements for construction and sales purposes, including the construction and operation of sales models and/or trailers by Developer and/or by builders as approved by Developer, in its sole discretion.

H. Storage. No open storage of any kind is permitted. No storage buildings of any kind are permitted, including without limitation, sheds or barns, unless approved by the Design Review Board.

I. Hotel/Transient Uses; Leases. No Lot may be used for hotel or transient or hotel uses, including without limitation, uses in which the Occupant is provided customary hotel services such as room service for food or beverage, maid service, furnishing laundry and linen or similar services, or leases to roomer or boarders. All leases shall be in writing and shall be subject to this Declaration and the other Association Governing Documents.

J. Vehicles. The Board shall be entitled to create and enforce reasonable rules concerning the parking of any vehicle permitted in the Property. In addition to its authority to levy Individual Lot Assessments as penalties for the violation of such rules, the Board shall be authorized to cause the removal of any vehicle violating such rules, including on Lots, unless such vehicles are located in permitted, enclosed structures shielded from view.

No commercial vehicles, watercraft, snowmobiles, trailers, campers, buses or mobile homes shall be parked or stored on the street in the Subdivision, or on any Lot (except in an enclosed permitted structure shielded from view). The Board may permit the occasional, non-recurring parking of vehicles otherwise prohibited by the foregoing sentence, and may require as a condition of such permission that the owner of the vehicle or the Lot on which it is parked substantiate that such parking is limited to less than forty-eight (48) consecutive hours, and not more than ninety-six (96) cumulative hours in any thirty (30) day period. Nothing contained herein shall prohibit the reasonable use of such vehicles as may be necessary during the construction of residences on the Lots. In addition, no automobile or other motorized vehicle of any type or description which is not functionally or legally operable on public highways shall be kept, stored, operated or maintained on or in front of any Lot within the Subdivision for a period longer than seven days, unless the same is entirely contained and shielded from view within a permitted structure. Any vehicle so kept, stored, operated or maintained shall be considered a nuisance, and the Board shall have the right and authority to have the same removed at the owner's expense.

As used herein, the word "trailer" shall include trailer coach, house trailer, mobile home, automobile trailer, camp car, camper or any other vehicle, whether or not self-propelled, constructed or existing in such a manner as would permit use and occupancy thereof, or the storage or conveyance of animals, machinery, tools or equipment, whether resting on wheels, jacks, tires or other foundation. The term "commercial vehicle" shall include and mean every type of vehicle, whether or not motorized, which is designed and used exclusively or primarily for anything other than personal transportation of ten or fewer persons at one time. Vehicles larger than ten person passenger vans are conclusively presumed to be commercial vehicles, whereas passenger cars, passenger vans (full-sized or mini-vans), pickup trucks, sports-utility vehicles, and motorcycles are presumed to be designed and used for personal transportation. Vehicles which are not conclusively presumed to be commercial by virtue of their size, and which are used by the operator thereof for both business and personal purposes, shall not be considered "commercial vehicles" merely by virtue of advertising information painted or otherwise affixed thereto.

K. Trash. Except for the reasonably necessary activities of the Developer during the original development of the Property, no burning or storage of trash of any kind shall be permitted on the Property. All trash shall be deposited in covered, sanitary containers, screened

from view, and stored either inside of a permitted structure, or to the side or rear of the home constructed on the Lot.

L. Antennae. To the extent such prohibition is permitted by federal legislation, no outside radio, satellite dish, television or other electronic antennae or aerial may be erected or maintained on any Lot or the exterior of any Improvement, without the prior written approval of the Design Review Board. Standard TV antennae and other over-the-air reception devices (including satellite dishes) of one meter (39 inches) in diameter or less shall be permitted to be erected or installed provided, however, that no exterior antenna, satellite dish or similar exterior improvement shall be installed upon any Lot without first providing written notice to the Design Review Board. Installation of standard TV antennae and over-the-air reception devices shall comply with any and all rules and guidelines adopted by the Design Review Board or the Board concerning location and general screening requirements and reasonable color blending requirements in order to minimize visual disturbance; provided, however, that such rules or regulations do not unreasonably increase the cost of installing, maintaining, or using such devices, or otherwise unreasonably delay an Owner's right to receive acceptable over-the-air signals.

M. Utility Lines. All utility lines on the Property shall be underground, subject to the requirements of relevant governmental authorities and utility companies.

N. Tanks. No tanks for the storage of propane gas or fuel oil shall be permitted to be located above or beneath the ground of any Lot except that propane gas grills are permitted.

O. Street Trees/Lot Trees. No street trees will be installed along the public street by Developer. Developer may designate two (2) or more trees as deemed necessary by Developer to be installed on each Lot, provided, however, if any existing trees located on any of the Lots are greater than three (3) inch caliper then Developer shall preserve two (2) or more of such existing tree(s) and shall not install any other trees on such Lot. Each Owner shall care for, and, if necessary, replace such trees at the Owner's expense with others of like type.

P. Mailbox. Developer may designate a curb side mailbox for each Lot with a design giving uniformity to the Subdivision. If the mailbox is damaged, destroyed or deteriorates, then each Owner, at such Owner's expense, shall repair or replace such mailbox with another of like kind, design, pattern and color as the initial mailbox.

Q. Yard Lighting and Lamp Posts. All yard lights and lamp posts shall conform to the standards set forth by the Design Review Board and Jefferson Township Code Section 850.02.

R. Fencing. The Design Review Board shall have the authority to establish standards according to which fencing and walls may be permitted in the Subdivision. Said authority shall include the power to prohibit fencing or walls, or both, entirely, to prohibit or require fencing or walls of certain types, and to prohibit or require fencing or walls of certain types (or entirely) in certain areas. All fencing and walls shall meet any applicable requirements (if any) in Paragraph T below, and shall conform to the standards set forth by the Design Review Board, and must be approved by the Board, in writing, prior to the installation thereof. By way of example, and not limitation, and subject to the provisions of Paragraph T below, compliance with the following standards shall be considered by the Design Review Board in reviewing fence applications:

i. Fences shall be split rail and in the style and color as set forth on Exhibit C, attached hereto;

ii. No fence or wall shall be constructed in excess of forty-eight inches (48”) above finished grade, provided however that if a governmental agency exercising jurisdiction over the property on which the fence or wall is to be constructed requires a minimum height in excess of forty-eight inches (48”) for safety reasons (i.e. swimming pool enclosure), such fence or wall may exceed forty-eight inches (48”) above finished grade, but only to the extent necessary to meet the governmentally required minimum;

iii. Fences or walls shall not be located closer to the street than a line parallel to the street and extending from the midpoint between the front and rear corners of the home, and in no event shall fences be located closer to any street than the building line shown on the recorded plat, except for ornamental railings, walls or fences not exceeding three feet (3’) in height which are located on or adjacent to entrance platforms or steps; and

iv. Fences shall be constructed parallel to property lines where possible, and shall be located either (i) immediately at the property line (so as to allow adjacent Owner to connect thereto with fencing), or (ii) set back not less than three feet (3’) from the property line. Fences shall not be erected in such a fashion as to ‘jog’ around utility junction boxes unless such boxes are physically located straddling the property line.

The Developer has the right to mandate the use of one or more specific fence styles by publishing a detail containing the construction specifications therefor. Such an election may be made by the attachment hereto of such a detail as Exhibit C, or by the later filing of an amendment or supplement to this Declaration containing the fence detail(s). If no Exhibit C is attached to this Declaration, the Developer has not elected to require specific fencing at this time. Nothing contained herein shall be interpreted or construed to permit the use of approved fencing materials to accomplish a purpose or use otherwise prohibited.

S. Swimming Pools. No above ground swimming pools shall be permitted. For purposes hereof, an “above ground swimming pool” shall be any pool extending twelve inches (12”) or more above the finished grade of the Lot and having (i) a water surface area in excess of thirty-six square feet; or (ii) a filtration system of any description. This paragraph shall not be intended to prohibit the installation of a hot tub or sauna.

T. Compliance with Zoning Requirements. Certain provisions of this Declaration may have been included herein as a result of governmental requirements established through the zoning and developmental plan approval processes in the State, County, City, Village, and/or Township in which the Property is located. Compliance with all such governmental requirements, for so long as such requirements are effective and binding, is required by this Declaration. However, in the event the governmental entity(ies) change or agree to a modification of such underlying obligation(s), or if such obligations lapse or for any reason whatsoever become legally unenforceable, this Declaration shall be deemed modified, ipso facto and without the need for further action on the part of the Developer or any Member, such that this Declaration requires compliance with the obligation as affected by such change or modification.

U. Clothes Lines. No clothing or any other household fabrics shall be hung in the open on any Lot, and no outside clothes dryer or airing facilities shall be permitted.

V. Holiday Displays. Any exterior holiday displays placed on any Lot, such as, but not limited to, exterior lights, holiday scenes, characters or music, shall be tasteful, not unduly large in size, not offensive to neighbors or other residents of the Subdivision, and of limited duration. The Board shall be permitted to establish Rules regarding holiday displays.

W. Hunting, Trapping, Fishing and Firearms. No hunting, trapping and fishing shall be permitted on any portion of the Property. No outdoor discharge of a firearm shall be permitted on any portion of the Property.

## V. ARCHITECTURAL STANDARDS

All Property at any time subject to this Declaration shall be governed and controlled by this Article.

A. Design Review Board. The Design Review Board shall be a board consisting of three (3) persons. Until the Turnover Date, Developer shall have the sole and exclusive right to appoint and remove all three members of the Design Review Board at will, and may elect in the exercise of its sole discretion, to act itself as the Design Review Board (or appoint an agent to act in its place) in lieu of appointing individuals. After the Turnover Date, the Board of Directors

(as set forth in Article VII, Paragraph B) shall have the right to appoint all three members to the Design Review Board, or to appoint an agent to act in the Design Review Board's place, at will.

The Design Review Board shall have the exclusive authority, at a private or public meeting by action of two or more of the members thereof (if Developer has not elected to act itself or appoint an agent to act, in which case such authority shall be exercised by Developer or its agent) to determine the architectural standards which shall govern the construction of Improvements on the Property. Each Owner covenants and agrees by acceptance of a deed to a Lot, to comply with, and to cause that Owner's Lot and any Occupant thereof to comply with the standards promulgated by the Design Review Board. No Improvement shall be placed, erected or installed on the Property, and no construction (which term shall include in its definition staking, clearing, excavation, grading and other site work), and no plantings or removal of plants, trees or shrubs, shall be permitted without, until and unless the Owner first obtains the written approval thereof from the Design Review Board and otherwise complies with the provisions of this Declaration.

B. Modifications. Except as otherwise provided in this Declaration, the Design Review Board shall have jurisdiction over all construction, modifications, additions or alterations of Improvements on or to the Property. No Person shall construct any Improvement or landscaping on any Lot, including without limitation, alter surfaces of existing Improvements or landscaping, change paint colors or roofing materials, construct or modify fencing, or install any recreational device, without the prior written consent of the Design Review Board. Owners shall submit plans and specifications showing the nature, kind, shape, color, size, materials and location of Improvements and alterations to the Design Review Board for its approval. The Design Review Board may charge a nominal fee in connection with processing applications submitted pursuant to this Paragraph. Nothing contained herein shall be construed to limit the right of an Owner to remodel or decorate the interior of that Owner's residence.

C. Variances. To avoid unnecessary hardship and/or to overcome practical difficulties in the application of the provisions of this Declaration, the Design Review Board shall have the authority to grant reasonable variances from the provisions of Article IV, and from the provisions of this Article and from the architectural standards established pursuant to this Article, provided that the activity or condition is not prohibited by applicable law and does not conflict with the standards set forth in the Development Text for the Property adopted by the Jefferson Township Trustees; and provided further that, in its judgment, the variance is in the best interest of the Subdivision and is within the spirit of the standards of the Design Review Board. No variance granted pursuant to this Paragraph shall constitute a waiver of any provision of this Declaration as applied to any other Person or any other part of the Property.

D. Improvements and Landscaping by Developer. Notwithstanding any of the foregoing to the contrary, all Improvements including, but not limited to dwellings, buildings and

landscaping constructed by the Developer or its agents, or designated assignees, or constructed by builders approved by Developer, shall be deemed to comply in all respects with the provisions of this Declaration, any design guidelines, and the requirements of the Design Review Board, and shall not require approval of the Association, the Board, the Owners or the Design Review Board; provided that such Improvements comply with the provisions of this Declaration and the required architectural standards for the Subdivision adopted by the Developer.

E. Compliance With Zoning Requirements. All Improvements shall comply at all times with all zoning requirements of applicable governmental authorities.

## VI. EASEMENTS AND LICENSES

A. Easement of Access and Enjoyment Over Common Elements. Every Owner shall have a right and easement (in common with all other Owners) of enjoyment in, over and upon the Common Elements (if any) owned by the Association, and a right of access to and from that Owner's Lot, which rights shall be appurtenant to, and shall pass with the title to, that Owner's Lot, subject to the terms and limitations set forth in this Declaration and subject to the Rules. An Owner may delegate that Owner's rights of access and enjoyment to family members, Occupants, guests and invitees. All such easements are limited by such restrictions as may apply to the Common Elements affected thereby, and no Person shall have the right by virtue of such easements to engage in activities on the Common Elements which are not permitted according to the provisions of this Declaration, pursuant to the provisions of any applicable plat(s) or under agreements with any governmental entities or other third parties.

B. Right of Entry for Repair. The duly authorized agents, officers, contractors and employees of the Association shall have a right of entry and access to the Property, including without limitation the Lots, for the purpose of performing the Association's rights or obligations set forth in this Declaration or other Association Governing Documents. The Association may enter any Lot to remove or correct any violation of this Declaration or the Rules, or to maintain, repair and replace the Common Elements, but only during reasonable hours and after providing seventy-two (72) hours advance notice to the Owner, except in cases of emergency.

C. Easement for Utilities and Other Purposes. The Board or Developer may convey easements over the Common Elements owned by the Association to any entity for the purpose of constructing, installing, maintaining and operating poles, pipes, conduit, wires, swales, land contours, ducts, cables and other equipment or conditions necessary to furnish electrical, gas, sanitary or storm sewer, water, telephone, cable television and other similar utility or security services, whether of public or private nature, to the Property and to any entity for such other purposes as the Board or Developer deems appropriate; provided that such equipment or condition(s), or the exercise of such easement rights shall not unreasonably interfere with the Owners' use and enjoyment of the Property. The Board or Developer may grant such easements

over all portions of the Property for the benefit of adjacent properties as the Board or Developer deems appropriate; provided that the grant of such easements imposes no undue, unreasonable or material burden or cost upon the Property; and further provided that the Board or Developer may not convey any easement over a Lot without the prior written consent of the Owner of such Lot (which consent shall not be unreasonably delayed or withheld). Developer shall have the absolute right within (i) areas designated as drainage courses on the recorded plat of the Subdivision; (ii) all areas encumbered by general utility or specific storm drainage easements; and (iii) areas determined by sound engineering practice to be necessary to the proper drainage of all or part of the Subdivision, to enter upon Lots and perform grading and other construction activities deemed appropriated in the exercise Developer's judgment to install, modify, alter, remove or otherwise work on storm water drainage facilities and conditions (including both surface grading and subsurface structures). If any such entry and/or work performed by Developer results in damage to other portions of a Lot, or to any Improvements or landscaping thereon, Developer shall be responsible for the restoration of such portions, Improvements or landscaping at Developer's sole cost.

D. Easement for Services. A non-exclusive easement is hereby granted to all police, firefighters, ambulance operators, mail carriers, delivery persons, garbage removal personnel and all other similar persons, and to the local governmental authorities and the Association (but not the public in general) to enter upon the Common Elements to perform their duties.

E. Easement for Maintenance. A non-exclusive easement is hereby granted to the Association to enter upon, over or through the Property for the purpose of performing maintenance responsibilities reserved to the Association in the recorded plats for the Subdivision or in this Declaration.

F. Reservation of Special Easements. Any areas marked by shading, cross-hatching or which are otherwise identified on Exhibit D, if an Exhibit D is attached to this Declaration, represent portions of the Property over, across, under and through which Developer reserves easements ("Special Easements") for the purpose of constructing Improvements or conveying rights deemed by Developer to be beneficial to the Property. Unless indicated otherwise on Exhibit D, if an Exhibit D is attached to this Declaration, the Special Easement areas are also No-Build Zones (as hereinafter defined). The Special Easement areas may be parts of individual Lots instead of on Common Elements. In such cases, the Owner(s) of the Lot(s) affected by the Special Easement(s) shall be and remain responsible for the ordinary care and maintenance of the Special Easement areas. If special fencing, landscaping, storm water detention/retention, or community safety or entry features are constructed in a Special Easement area by Developer, the State or the Association, the responsibilities of the Lot Owner on who Lot such Improvement has been constructed shall not exceed ordinary grass cutting, trimming and watering around such Improvements. Nothing contained in this Paragraph shall require that Developer reserve or establish Special Easements, and if no areas on Exhibit D, if an Exhibit D is attached to this

Declaration, have been shaded, cross-hatched or otherwise identified, Developer has not reserved any Special Easements.

G. No-Build Zones/No-Disturb/Buffer/Preservation.

1. Any areas designated on the recorded plat(s) or re-plat(s) of the Subdivision, in prior deed restrictions, or on Exhibit D, if an Exhibit D is attached to this Declaration, as “No-Build Zones” shall be areas in which no Owner shall have the right to construct or locate any Improvements, including but not limited to fencing. Landscaping may be located in No-Build Zones, provided that prior approval for such landscaping has been granted by the Design Review Board. In vegetated No-Build Zones, Owners may perform maintenance necessary for the safety of persons and property (i.e. removing noxious and poisonous plants, or removing dead trees which may fall and harm persons or other Improvements). Grassed No-Build Zones shall be mowed, trimmed and watered by the Person(s) responsible for the maintenance of the specific area in question according to the other terms hereof;

2. Any areas designated on the recorded plat(s) or re-plat(s) of the Subdivision, in prior deed restrictions, or on Exhibit D, if an Exhibit D is attached to this Declaration, as “No-Disturb Zones” are deemed to be No-Build Zones, except that within No-Disturb Zones, Owners may not disturb or perform any maintenance or locate any Improvements in such zones without the prior approval of the Developer.

3. Any areas designated on the recorded plat(s) or re-plat(s) of the Subdivision, in prior deed restrictions, or on Exhibit D, if an Exhibit D is attached to this Declaration, as “Buffer” areas are deemed to be No-Build Zones. The Developer may install landscaping within any Buffer area, and an easement for such installation is hereby expressly reserved. Unless otherwise provided on the plat or herein, the on-going maintenance of Developer-installed landscaping in Buffer areas shall be the responsibility of the Owner(s) on whose Lot(s) the landscaping is located. No Owner may remove or install any plant material in any designated Buffer area without the express written consent of the Association;

4. Any areas designated on the recorded plat(s) or re-plat(s) of the Subdivision, in prior deed restrictions, or on Exhibit D, if an Exhibit D is attached to this Declaration as “Preservation” zones, “Conservation” zones or the like are deemed to be No-Build Zones, except that no landscaping within such zone(s) (including noxious or ‘poisonous’ plants) shall be removed unless the same pose(s) an imminent danger or falling with a likely result of injury or damage to person or property, and no Improvements shall be constructed or activities conducted that could adversely affect the survival of such landscaping. Grassed Preservation zones may be (but are not required to be) mowed at the election of the Owner on whose Lot such zone is located, provided that no underbrush or vegetation other than grass shall be mowed or removed. Periodic

watering and/or fertilizing that is not deleterious or harmful to the landscaping in a Preservation zone is permitted. Debris from dead plant material may be removed from a Preservation zone;

5. Any areas designated on the recorded plat(s) or re-plat(s) of the Subdivision, in prior deed restrictions, or on Exhibit D, if an Exhibit D is attached to this Declaration, as “Tree Preservation Zones”, “Conservation Zones” or the like, are deemed to be no-build zones, and as such, no structure or building shall be placed upon, in or under such a designated area, except for storm water drainage facilities and underground utility systems. The natural state of said are, to include the trees, vegetation (including noxious or “poisonous plants”), and water drainage therein, shall not be disturbed, unless the same pose(s) an imminent danger of falling with a likely result of injury or damage to person or property, and no Improvements shall be constructed or activities conducted that could adversely affect the survival of such landscaping. Grassed Tree Preservation Zones may be (but are not required to be) mowed at the election of the Owner on whose Lot such zone is located, provided that no underbrush or vegetation other than grass shall be mowed or removed. Periodic watering and/or fertilizing that is not deleterious to the landscaping in a Tree Preservation Zone is permitted. Debris from dead plant material may be removed from a Tree Preservation Zone. The Owner of the Lot or Common Elements that includes a Tree Preservation Zone shall care for and maintain that portion of such zone as falls within that Owner’s property;

6. Any areas designated on the recorded plat(s) or re-plat(s) of the Subdivision, in prior deed restrictions, or on Exhibit D, if an Exhibit D is attached to this Declaration, as “Wetland Preservation Zones”, “Stream Buffer Zones” or the like, are deemed to be no-build zones, and as such, such zones shall forever be restricted from development of Improvements or related uses of any kind. Any activity or use which would, as a natural consequence, impede or make more difficult the accomplishment of the purpose or intent of these zones is expressly prohibited. Without limiting the foregoing, the following activities are expressly prohibited: (i) dumping or burning or refuse; (ii) hunting or trapping; (iii) disturbance, excavation or removal of natural resources, including, but not limited to, topsoil, sand, gravel, or rocks; (iv) any activity that may contribute to erosion of land; (v) cutting or removal of trees or vegetation, except that dead, diseased, noxious or decayed trees may be removed as required for conservation or scenic purposes, or for reasons of public safety; (vi) private encroachment, including but not limited to, planting of flowers, shrubs, garden material, dumping of trash or debris, or the installation of any type of recreation or other facility or convenience; and (vii) installation of new construction of roads or public utility facilities;

7. Any areas designated on the recorded plat(s) or re-plat(s) of the Subdivision, in prior deed restrictions, or on Exhibit D, if an Exhibit D is attached to this Declaration, as “Scenic Easement”, or the like, are deemed to be no-build zones, and as

such, no structure, building or accessory of any kind shall be placed upon, in or under such a designated area, except for storm water drainage facilities and underground utility systems. The natural state of said area, including but not limited to, the trees, vegetation and water drainage therein, shall not be disturbed, except that dead, diseased, noxious or decayed trees may be removed as required for conservation or scenic purposes, or for reasons of public safety. The Owner of the Lot or Common Elements that includes a Scenic Easement shall care for and maintain that portion of such zone as falls within that Owner's Lot; and

8. Any areas designated on the recorded plat(s) or re-plat(s) of the Subdivision, in prior deed restrictions, or on Exhibit D, if an Exhibit D is attached to this Declaration, as "Landscape/Maintenance Easement", or the like, are hereby reserved unto the Developer as non-exclusive easements for the purpose of constructing, installing, maintaining, enhancing, repairing and replacing landscaping and landscaping features. After sale of an affected Lot or parcel from Developer, the Owner of the Lot or Common Elements that includes a Landscape/Maintenance Easement shall care for and maintain that portion of such zone as falls within the Owner's Lot.

## HOMEOWNERS' ASSOCIATION

### **VII. MEMBERSHIP AND VOTING RIGHTS**

A. Membership. Every Owner shall be deemed to have a membership in the Association and, by acceptance of a deed to property in the Subdivision, every Owner agrees to and acknowledges being a Member of the Association. In the case of a Lot that is the subject of a recorded land installment contract, the vendee or vendees under that installment contract and not the vendor shall, while holding such interest, be a Member of the Association. Membership is a right appurtenant to and inseparable from an Owner's fee simple title in a Lot, and such right of membership shall automatically transfer to any transferee of fee simple title to a Lot at the time such title is conveyed or at such time as a land installment contract is entered for the conveyance of fee simple title. Initially those Lots to which these membership provisions apply shall be those Lots that are subjected hereby to the provisions of this Declaration, but as portions of the Additional Property are subdivided and platted into Lots, and the Lots therein subject to the plan hereof by the recording of supplemental declarations or amendments to this Declaration, membership in the Association shall extend to and encompass the holders of fee simple interests in those Lots, and holders of vendee interest under recorded land installment contracts with respect to those Lots, on the same basis as set forth herein for membership. The foregoing is not intended to include Persons who hold interest merely as security for the performance of an obligation, and the giving of a security interest or mortgage shall not terminate an Owner's

membership. No Owner, whether one or more Persons, shall have more than one membership per Lot owned. In the event an Owner consists of more than one person, such persons shall have one membership in the Association in common.

B. Governance. The Association shall be governed by a Board of Directors consisting of three (3) persons. Prior to the Turnover Date, the members of the Board shall be appointed by the Developer, or the Developer may elect to act as the Board, or it may appoint a managing agent to act as the Board on its behalf. No members, other than the Developer shall have voting rights in Association matters until the Turnover Date. The transfer of control on the Turnover Date shall take place at a meeting which shall occur no later than the date when the Subdivision has been fully developed and all Lots have been deeded to bona fide purchasers unrelated to Developer. Voting and all other matters regarding the governance and operation of the Association following the Turnover Date shall be set forth in the Association Governing Documents.

#### VIII. RIGHTS AND OBLIGATIONS OF THE ASSOCIATION

A. Common Elements. Developer may, from time to time, at Developer's option, obligate the Association to maintain property not owned by the Association and may convey to the Association for the use and benefit of the Association and the Members real or personal property, or any interest therein, as part of the Common Elements in the nature of an easement appurtenant to the Property. The Association shall accept title to any interest in any real or personal property transferred to it by Developer. The Association, subject to the rights of the Owners set forth in this Declaration and the Association Governing Documents, shall be responsible for the exclusive management and control of the Common Elements owned by the Association, if any, and all Improvements thereon, and shall keep it in good, clean, attractive and sanitary condition, order and repair, in accordance with the terms and conditions of this Declaration. The Developer and Association shall each have the right to grant easements to third parties over, across, under and/or through the Common Elements owned by the Association, including but not limited to easements for the construction, extension and/or expansion of utilities and conservation easements, all as the Developer and/or Association may be legally obligated or voluntarily disposed to grant. Regardless of whether Developer expressly conveys or assigns entry feature maintenance responsibilities to the Association, and irrespective of whether Exhibit D discloses the reservation of one or more easements over the entry(ies) to the Subdivision, the Association shall have the continuing right to maintain, modify and/or improve any and all entry features constructed by the Developer, and for such purpose all relevant easements that may be deemed necessary at any time for the Association's performance of work on or around the entry features are hereby deemed granted to the Association.

B. Personal Property and Real Property for Common Use. The Association may acquire, hold, mortgage and dispose of tangible and intangible personal property and real property in addition to that property conveyed to it by Developer.

C. Cost-Sharing Agreements. The Association may enter into cost-sharing agreements with other homeowners associations pursuant to which the Association agrees (i) to share in the cost of maintaining, repairing and replacing entranceway features, landscaping, storm water retention facilities, mounding, fencing and any other improvements that benefit the Property; and/or (ii) grants reciprocal rights, licenses and/or easements to members of each such associations to use and enjoy each other's common elements, subject to such rules and regulations, restrictions and fees as the Association may determine from time to time.

D. Rules and Regulations. The Board may make and enforce reasonable rules and regulations governing the use of the Property, which shall be consistent with this Declaration and the Association Governing Documents. The Board shall have the power to impose sanctions on Owners for violations of the provisions of this Declaration, the Rules or the other Association Governing Documents, including without limitation: (i) reasonable monetary fines, charges or penalties, as may be permitted by law, which shall be considered Individual Lot Assessments, (ii) suspension of the right to vote as a Member of the Association, and (iii) suspension of the right to use the Common Elements owned by the Association. In addition, the Board shall have the power to seek relief in any court for violations or to abate unreasonable disturbances. If the Board expends funds for attorneys' fees or litigation expenses in connection with enforcing the provisions of this Declaration, the Association Governing Documents or the Rules against any Owner, tenant, guest or invitee of any Owner, the amount shall be due and payable by such Owner and shall be a Lot Assessment against such Owner's Lot.

E. Implied Rights. The Association may exercise any other right or privilege given to it the laws of the State or any provision of the Association Governing Documents or given to it as an "owners association" by the Planned Community Act, and every other right or privilege reasonably implied from the existence of any right or privilege granted in this Declaration, or reasonably necessary to effect any such right or privilege, and unless otherwise expressly reserved to the membership or delegated to a Manager pursuant to Article VIII, Paragraph F below, the Board shall have the power and authority to act on behalf of the Association.

F. Managing Agent. The Board may retain and employ on behalf of the Association a Manager, which may be the Developer, and may delegate to the Manager such duties as the Board might otherwise be authorized or obligated to perform. The compensation of the Manager shall be a Common Expense. The term of any management agreement shall not exceed three years and shall allow for termination by either party, without cause, and without penalty, upon no more than ninety (90) days prior written notice. Part of the Manager's compensation may

include any miscellaneous fees payable in the event of transfers or other transactions involving the Lots.

G. Insurance.

i. Fire and Extended (Special Form) Coverage. The Association shall, with respect to insurable property or interests owned by it, obtain and maintain insurance for all buildings, structures, fixtures and equipment and common personal property, now or at any time hereafter constituting a part of the Common Elements, against loss or damage by fire, lightning, and such other perils as are ordinarily insured against by standard coverage endorsements, with such limits, deductibles, and coverage as is deemed appropriate by the Board. This insurance shall (i) be written in the name of the Association; (ii) provide that no assessment may be made against a first mortgage lender, or its insurer or guarantor, and that any assessment under such policy made against others may not become a lien on any Lot, or other property, and its appurtenant interest, superior to the lien of a first mortgage; (iii) be obtained from an insurance company authorized to write such insurance in the State which has a current rating of Class A-/VIII, or better, as determined by the then latest edition of Best's Insurance Reports or its successor guide; and (iv) provide that the insurance carrier shall notify the Association and all first mortgagees named at least thirty days in advance of the effective date of any cancellation of the policy; provided that in the case of the Association's failure to pay the insurance premium when due, the carrier shall only be required to provide ten (10) days advance notice to the Association and all first mortgagees.

ii. Liability Coverage. The Association shall obtain and maintain a Commercial General Liability policy of insurance covering all of the Common Elements and the functions of the Association insuring the Association, the officers and directors, and its Members, with such limits as the Board may determine, but no less than \$1,000,000 for each occurrence and \$2,000,000 in the aggregate, for bodily injury, including deaths of persons, and property damage, arising out of a single occurrence. This insurance shall contain a "severability of interest" endorsement which shall preclude the insurer from denying the claim of any Member because of negligent acts of the Association, the Board, or other Members, and shall include, without limitation, coverage for legal liability of the insured's for property damage, bodily injuries and deaths of persons in connection with the operation, maintenance or use of the Common Elements, and other legal liability, including liability under contractual indemnity clauses and liability arising out of lawsuits related to any employment contracts of the Association. Each such policy must provide that it may not be canceled by any party, without at least thirty (30) days prior written notice to the Association and eligible holders of first mortgage liens on a Lot or Lots.

iii. Directors' and Officers' Liability Insurance. To the extent reasonably available, the Board shall obtain, or cause to be obtained, directors' and officers' liability insurance in an amount of not less than \$1,000,000 for each claim and in the aggregate.

iv. Other. The Association may, in the Board's discretion, obtain and maintain the following insurance (i) fidelity bond coverage for all officers, directors, Board members and employees of the Association and all other persons handling or responsible for handling funds of the Association, (ii) workers' compensation insurance, (iii) additional insurance against such other hazards and casualties as is required by law, and (iv) any other insurance the Board deems necessary.

v. Use of Proceeds. In the event of damage or destruction of any portion of the Common Elements owned by the Association, the Association shall promptly repair or replace the same, to the extent that insurance proceeds are available. Each Member hereby appoints the Association as its attorney-in-fact for such purpose. If such proceeds are insufficient to cover the cost of the repair or replacement, then the Board may levy a Special Assessment pursuant to the provisions hereof to cover the additional costs.

H. Condemnation. The Association shall represent the Owners in any condemnation proceedings or in negotiations, settlements and agreements with the condemning authority for acquisition of the Common Elements, or any portion thereof. Each Owner hereby appoints the Association as its attorney-in-fact for such purpose. The awards or proceeds of any condemnation action shall be payable to the Association, to be held in trust for the benefit of the Owners.

I. Books, Records. Upon reasonable request of any Owner, the Association shall be required to make available for inspection by any Owner all books, records and financial statements of the Association, except for those items deemed privileged, protected, or confidential in accordance with applicable law, rules or regulations, including but not limited to: (i) information that pertains to personnel matters; (ii) communications with legal counsel or attorney work product pertaining to proposed or pending litigation; (iii) information that pertains to contracts or transactions currently under negotiation, or information that is contained in a contract or other agreement containing confidential requirements and that is subject to those requirements; (iv) information that relates to the enforcement of the Association Governing Documents against Owners; and (v) information the disclosure of which is prohibited by state or federal law. The Association may charge reasonable fee to cover the administrative costs of handling, copying, delivering, etc., the requested documents.

## IX. ASSESSMENTS

A. Operating Fund. The Board may establish an Operating Fund for financing the operation of the Association, for paying necessary costs and expenses of operating the Association and repairing and maintaining the Common Elements. The Board may also establish a Reserve Fund to which a portion of the Operating Assessments shall be credited to cover the costs of future capital expenditures and/or other non-recurring items not intended to be funded from the Operating Fund.

B. Types of Assessments. Each Owner, by accepting a deed to a Lot, is deemed to covenant and agrees to pay to the Association the following assessments: (i) Membership Transfer Assessment; (ii) Operating Assessments; (iii) Special Assessments; and (iv) Individual Lot Assessments. No Owner may gain exemption from liability for any Assessment by waiving or foregoing the use or enjoyment of any of the Common Elements or by abandoning his/her Lot. Operating and Special Assessments shall be fixed at a uniform rate for all Lots.

C. Membership Transfer Assessments. Each time that there is the transfer for value of the fee simple interest in a Lot with a dwelling on it to a bona fide home purchaser, or in the case of a sale under a land installment contract, each time a land installment contract, for value, for a Lot with a dwelling on it is recorded, the purchasers and that Lot shall be assessed and there shall immediately become due and payable to the Association upon conveyance of the Lot a Membership Transfer Assessment of One Hundred Dollars (\$100.00). The Membership Transfer Assessments may be utilized by the Association in furtherance of its purposes, is not in lieu of any other Assessments, and is not refundable when a Lot is transferred.

D. Operating Assessments.

1. The purpose of the Operating Assessments is to provide funds to pay the following:
  - i. the cost of the maintenance, repair, replacement, and other services to be provided by the Association;
  - ii. the costs for insurance and bond premiums to be provided and paid for by the Association;
  - iii. the cost of utility services, if any, charged to or otherwise properly payable by the Association;
  - iv. the costs associated with the construction of new capital improvements on Common Elements, not replacing capital improvements installed by Developer.

- v. the estimated amount required to be to maintain a general operating reserve to assure availability of funds for normal operations of the Association, in an amount deemed adequate by the Board;
- vi. an amount, deemed adequate by the Board, in its sole and absolute discretion, to maintain a reserve for the cost of unexpected repairs and replacements of capital improvements, and for the repair and replacement of major improvements for which cash reserves over a period of time in excess of one year should be maintained; and
- vii. the costs for the operation, management and administration of the Association, including, but not limited to, fees for the property management, landscaping, mowing, lighting, pavement maintenance, snow and ice removal, and mitigation for the Common Elements and other Improvements as set forth herein, real estate taxes and assessments for the Common Elements (but not individual Owner Lots), fees for legal and accounting services, costs of mailing, postage, supplies and materials for operating the Association, and the salaries, wages, payroll charges and any other costs to perform these services, and any costs of operations of the Association not otherwise specifically excluded;

the Board shall establish, levy and collect Operating Assessments against each Lot and its Owners subject to the same, an equal pro rata share of such costs, in accordance with the provisions of Article IX, Paragraph D.2 of this Declaration.

2. An equal pro rata share of the Operating Assessments shall be assessed and collected as follows:
  - i. Initial Period. Commencing on the date a Lot with a residential home constructed thereon is conveyed by Developer to a home purchaser, such Lot Owner shall be subject to and obligated to pay to the Association an Operating Assessment for the remainder of the calendar year, as determined by the Board, prorated through the date of closing and based on a 365 day year. This amount may have been prepaid by the Developer and if so, a credit back to the Developer will be collected at the closing on the Lot.
  - ii. Subsequent Calendar Year. For each full year following the year in which a Lot with a dwelling constructed thereon is first conveyed by the Developer to a home purchaser, the Lot Owner(s) of such Lot shall be obligated to pay to the Association the full Operating Assessment for each such year. For each calendar year, the Board shall establish an equal

Operating Assessment amount, to be charged to each such Lot for such year. The Assessment amount shall be determined by dividing among all Lots in the Subdivision that have a home constructed thereon and that has been conveyed to a home purchaser, the projected gross expenses anticipated to be incurred by the Association to operate the Association during that calendar year (including the payment of all costs to be incurred in maintaining all Common Elements, and appropriate reserve funds).

The Developer may pay, in its sole and absolute discretion, (a) an amount equal to the per Lot Operating Assessment multiplied by the number of Lots owned by Developer as of the first day of such year; or (b) an amount necessary to fund the actual difference between the Association's actual cost of operations for such year, and the amount of Operating Assessments assessed to Lot Owners for the year. If and to the extent funds provided by the Developer to the Association are necessary as a result of failure of Lot Owner(s) to pay all or any portion of the duly levied Assessments to the Association, such amounts provided by Developer may be characterized as non-interest bearing 'advances' or 'loans' by the Developer to the Association, which the Association shall be obligated to repay to the Developer upon demand, or which may be credited to the Developer's payment of deficit(s) in any future year(s).

- iii. Due Dates. The Operating Assessments issued to Lot Owners shall be payable in full within ten days of the date on which such Assessment is issued; provided, however that the Board may determine to allow payment in installments; monthly, quarterly or semi-annual. If payable in installments, the Assessment shall include a statement of the dates on which installments are due, and the Assessment shall be given to a Lot Owner not less than ten days prior to the due date of the first installment. Unless the Operating Assessment states that it is payable in installments, payment in full within ten days shall be required.

E. Special Assessments. The Board may levy against all Lots subject to Operating Assessments, and their Owners, Special Assessments to pay for capital expenditures, interest expense on indebtedness incurred for the purpose of making capital expenditures and not to be paid out of reserves, unanticipated operating deficiencies or any other purpose determined appropriate by the Board in furtherance of its functions hereunder. Those Special Assessments shall be allocated among Lots on the same basis as Operating Assessments are to be allocated, and shall be due and payable on such basis and at such times as the Board directs, provided that no such Special Assessment shall be due and payable on fewer than thirty days notice.

F. Individual Lot Assessments. The Board may levy an Individual Lot Assessment against any Lot Owner to reimburse the Association for costs incurred on behalf of that Lot, or as a consequence of any act or omission by any Owner, Occupant, or invitee thereof, including without limitation, costs associated with making repairs that are the responsibility of the Owner; costs of additional insurance premiums specially allocable to an Owner; costs of utility expenses chargeable to an Owner but not separately billed by the utility company; and all other costs associated with administrative and enforcement charges, including court costs and the Association's legal fees, (if any) reasonably determined to be an Individual Lot Assessment by the Board. By way of example, and not of limitation, the Board may levy an Individual Lot Assessment in the nature of an administrative charge reasonably determined by the Board against any Lot Owner who violates any provision of this Declaration, the Rules or the Association Governing Documents.

Except in the case of Individual Lot Assessments for utility charges, interest, late charges, returned check charges, court costs, arbitration costs, and/or attorney fees, prior to levying an Individual Lot Assessment, the Board shall give the Owner or Owners written notice of the proposed Individual Lot Assessment that includes: (i) the description of the violation of the restriction, rule or regulation allegedly violated; (ii) the amount of the Individual Lot Assessment; (iii) a statement that the Owner has a right to a hearing before the Board to contest the Individual Lot Assessment by delivering to the Board a written notice requesting a hearing within ten days after the Owner's receipt of notice of Individual Lot Assessment; and (iv) in the case of a charge for violation of a restriction, rule or regulation, a reasonable date by which the Owner must cure the alleged violation to avoid an Individual Lot Assessment.

The notice by the Board given pursuant to the foregoing may be delivered personally to the Owner or Occupant of the Lot to whom an Individual Lot Assessment is proposed to be charged, or by certified mail, return receipt requested, or by regular mail. In the event after such hearing the Board determines to levy the Individual Lot Assessment, the Board shall deliver to the Owner written notice thereof within thirty days of the date of that hearing.

G. Remedies.

1. Acceleration. If any Assessment, installment of an Assessment, or portion thereof, if not paid within ten days after the same has become due, the Board, at its option, without demand or notice, may call the entire balance of the Assessment due.

2. Interest; Late Charge. If any Assessment or portion of any Assessment remains unpaid for ten days after all or any part thereof shall become due and payable, the Board may charge interest on the entire unpaid balance from and after the date at the lesser of (i) twelve percent (12%), or (ii) the highest rate permitted by law. A reasonable administrative collection charge may also be assessed for any payment remaining unpaid

for ten days after it is due, which charge may be payable to the Association, or it Manager, as determined by the Board.

3. Application of Payment. Payments made by an Owner for Assessments shall be applied in the following priority: (i) to interest accrued on the delinquent Assessment(s), or installments or portions of installments thereof; (ii) to administrative late fees charged with respect to the delinquency; (iii) to reimburse the Association for enforcement charges and collection costs, including but not limited to, attorneys' fees and paralegal fees incurred by the Association in connection with the delinquency; and (iv) to the delinquent Assessment, or installment or portion thereof, applying to the oldest principal amounts first.

4. Liability for Unpaid Assessments. Each Assessment or installment of an Assessment, together with interest and late fees thereon, and any and all costs of collection, including reasonable attorneys' fees, shall become the joint and several personal obligations of the Owners of the Lot charged the same, beginning on the date the Assessment or installment thereof becomes due and payable. The Board may authorize the Association to institute and prosecute to completion an action at law on behalf of the Association against the Owner(s) personally obligated to pay any delinquent Assessment, and/or an action to foreclose the Association's lien or liens against a Lot or Lots for unpaid Assessments owed by that Lot and the Owner(s) thereof. If any such action, interests and costs of such action, including reasonable attorneys' fees, shall be added to the amounts owed by the Owner(s) and the Lot to the extent permitted by Ohio law. An Owner's personal obligation for a Lot's delinquent Assessments (including accrued interest, late fees and costs of collection shall also be the personal obligation of his/her successors in title who acquire an interest after any Assessment becomes due and payable, and both such Owner and his/her successor in title shall be jointly and severally liable therefor. Except as otherwise provided herein, the transfer of an interest in a Lot shall neither impair the Association's lien against that Lot for any delinquent Assessment nor prohibit the Association from foreclosing that lien.

5. Liens. All unpaid Assessments, or portions thereof, together with any interest and charges thereon or costs of collection, shall constitute a continuing charge in favor of the Association and a lien on the Lot against which the Assessment was levied. If any Assessment, or portion thereof, remains unpaid for ten (10) days after it is due, the Board may authorize any officer or appointed agent of the Association to file a certificate of lien for all or any part of the unpaid balance of that Assessment, together with interest and costs, with the appropriate governmental office containing a description of the Lot which the lien encumbers, the name(s) of the Owner(s) of that Lot, the amount of the unpaid portion of the Assessment, and such other information as the laws of the State may require. The certificate may be signed by any officer, authorized agent or Manager

of the Association. Upon the filing of the certificate, the subject Lot shall be encumbered by a continuing lien in favor of the Association. The Assessment lien shall remain valid for a period of five years from the date such certificate is duly filed, unless the lien is released earlier or satisfied in the same manner provided by the law of the State for the release and satisfaction of mortgages on real property, or unless the lien is discharge by the final judgment or order of any court having jurisdiction. Notwithstanding the foregoing, the lien for Assessments provided for in this Paragraph shall be subordinate to the lien of any bona fide first mortgage on a Lot.

6. Subordination of Lien. The lien of the Assessments provided for herein shall be subject and subordinate to the lien of any duly executed first mortgage on a Lot recorded prior to the date on which such lien of the Association is perfected by the recording of a certificate of lien, and any holder of such first mortgage which comes into possession of a Lot pursuant to the remedies provided in the mortgage, foreclosure of the mortgage, or deed or assignment in lieu of foreclosure, and any purchaser at a foreclosure sale, shall take the property free of any claims for unpaid Assessments against the mortgaged Lot which became due and payable prior, in the case of foreclosure, to the date of the sale, and, in all other cases, to the date legal title vested in the successor Owner.

7. Estoppel Certificate. The Board shall, within a reasonable time follow receipt of a written demand and for a reasonable charge, furnish a certificate signed by the President or other designated representative of the Association, setting forth whether the Assessments on a specified Lot have been paid. This certificate shall be conclusive evidence of payment of any Assessment therein stated to have been paid.

8. Vote on Association Matters; Use of Common Elements. If any Assessment, or portion thereof, remains unpaid for more than thirty (30) days after it becomes due, then the delinquent Owner's voting rights upon Association matters and privileges to use the Common Elements, except for necessary ingress and egress to his/her Lot, shall be suspended until such Assessment is paid.

## X. MAINTENANCE

A. Maintenance by Association. The Association shall maintain and keep in good repair the Common Elements as provided herein. This maintenance shall include, without limitation, maintenance, repair and replacement of (i) all landscaping and other flora, structures, and Improvements situated upon Reserves A and B as identified on Exhibit A together with all personal property used in connection with the operation of Reserves A & B identified on Exhibit A, (ii) all landscaping and other flora, structures and Improvements on Reserves A & B as identified on Exhibit A that are not maintained or to be maintained by Jefferson Township and

all personal property used in connection with the same, and (iii) all other Common Elements owned or to be maintained by the Association pursuant to the provisions of the Association Governing Documents, applicable zoning or other recorded instruments. Further, the Association may, in its discretion and to the extent determined by the Board, choose to maintain property that it does not own, the maintenance of which would, in the opinion of the Board, benefit the Subdivision.

B. Maintenance by Owner. Each Owner or Occupant shall repair, replace and maintain in good order and safe and sanitary condition, at that Owner's expense, that Owner's Lot, and all portions of, Improvements to, structures on, and, equipment and components used in connection with, that Owner's Lot, except to the extent the maintenance responsibility is otherwise expressly assumed by the Association pursuant to provisions of this Declaration or by a governmental authority. This maintenance responsibility includes, without limitation, promptly furnishing all necessary materials and performing or causing to be performed at that Owner's own expense all maintenance, repairs and replacements within such Lot that, if omitted, would adversely affect the safety and usefulness of the Common Elements. Each Owner shall maintain those portions of that Owner's Lot that are adjacent to any portion of the Common Elements in accordance with the Rules and the requirements set forth in this Declaration.

C. Right of Association to Repair Lot. If any Owner fails to maintain that Owner's Lot in the manner required herein, and if the Board determines that any maintenance of that Lot is necessary to ensure public safety, to permit reasonable use or enjoyment of the Common Elements by Owners, to prevent damage to or destruction of any part of the Common Elements or to comply with the Rules or the terms of this Declaration, then the Board may authorize its employees or agents to enter the Lot at any reasonable time to complete the necessary maintenance and the Board may levy an Individual Lot Assessment for all reasonable expenses incurred.

D. Damage to Common Elements by Owner or Occupant. If any portion of the Common Elements is damaged by any Owner or Occupant, his/her family, guests or invitees, then the Board may levy an Individual Lot Assessment against such Owner for the cost of repairing or replacing the damaged property. The Association shall be entitled to enter a Lot to repair or maintain any Common Elements adjacent to such Lot.

## XI. MISCELLANEOUS

A. Term. The provisions of this Declaration shall bind and run with the land for a term of forty (40) years from and after the date that this Declaration is filed for recording with the Recorder of Franklin County, Ohio and thereafter shall automatically renew forever for successive periods of ten (10) years each, unless terminated with the consent of Members exercising not less than one hundred percent (100%) of the voting power of all Members.

B. Enforcement; Waiver. The provisions of this Declaration and the provisions of the other Association Governing Documents may be enforced by any proceeding at law or in equity by the Developer, any Owner, the Association, the Board, the Design Review Board and each of their respective heirs, successors and assigns, against any Person(s) violating, or attempting to violate, any covenant or restriction, Rule or the provisions of the other Association Governing Documents, to restrain and/or enjoin any violation, to obtain a decree for specific performance as to removal of any nonconforming Improvement, and to recover all damages, costs of enforcement and any other costs incurred (including without limitation reasonable attorneys' fees) in connection with any violation.. Failure of Developer, the Association, the Board, or any Owner to enforce any provision of this Declaration, the Association Governing Documents or the Rules in any manner shall not constitute a waiver of any right to enforce any violation of such provision. By accepting a deed to a Lot, each Owner is deemed to waive the defenses of laches and statute of limitations in connection with the enforcement by the Association of the provisions hereof, the Rules, or any of the other Association Governing Documents.

C. Amendments. Until the Turnover Date, Developer may, in its sole and absolute discretion, unilaterally amend the provisions of this Declaration at any time and from time to time, without the consent of any other Owners or the Association. Any such amendment may impose covenants, conditions, restrictions and easements in addition to those set forth herein including, without limitation, restrictions on use and covenants to pay additional charges with respect to the maintenance and improvement of any property in the Subdivision. After the Turnover Date, Developer may unilaterally amend the provisions of this Declaration, without the consent of any other Owners, if such amendment is: (i) necessary to bring any provision hereof into compliance with any applicable governmental statute, rule, regulation or judicial order, (ii) necessary to enable any reputable title insurance company to issue title insurance coverage on the Lots, (iii) necessary to conform to the requirements of the United States Federal Housing Administration or the Veterans Administration, or (iv) necessary to correct errors; provided, however, any such amendment shall not materially adversely affect the title to any Lot unless the Owner or Owners have thereof consented to such amendment in writing.

Before or after the Turnover Date, Developer shall have the right and power, but neither the duty nor the obligation, in its sole and absolute discretion, to subject all or any part of the Additional Property to the provisions of this Declaration at any time and from time to time by executing and recording with the Recorder's office of Franklin County, Ohio, an amendment to this Declaration specifying that such Additional Property is part of the Subdivision. Such an amendment shall not require the joinder or signature of the Association, other Owners, mortgagees, or any other Person. In addition, such amendments to this Declaration may contain such supplementary, additional, different, new, varied, revised or amended provisions as may be

necessary or appropriate, as determined by Developer, to reflect and address the different character or intended development of any such Additional Property.

After the Turnover Date, this Declaration may be amended or modified with the approval of Owners holding not less than seventy-five percent (75%) of the voting power of all Owners in the Association either in writing or in a meeting called for that purpose; provided, however, that the consent of Developer shall be required for any amendment or modification which affects Developer's rights hereunder, and further provided that the consent of all Owners shall be required for any amendment which effects a change in the voting power of any Owner, the method of allocating Common Expenses among Owners, or the fundamental purpose for which the Association is organized, or to terminate the provisions of this Declaration. Any amendment to this Declaration adopted with the aforesaid consent shall be executed with the same formalities as to execution as observed in this Declaration by the president and the secretary of the Association, and shall contain their certifications that the amendment was duly adopted in accordance with the requirements of this paragraph. Any amendment so adopted and executed shall be effective upon the filing of the same with the Recorder's office Franklin County, Ohio. The Declaration may not be amended so as to eliminate the Association's responsibility to repair and maintain Common Elements in the Subdivision or to change or eliminate the requirement and obligation of the Lot Owners to be Members of and pay Assessments to the Association.

No amendment may remove, revoke, or modify any right or privilege of Developer without the written consent of Developer or the assignee of such right or privilege.

D. Developer's Right to Complete Development. Developer shall have the right to: (i) complete the development, construction, promotion, marketing, sale, resale and leasing of properties; (ii) construct or alter Improvements on any property owned by Developer; (iii) maintain model homes, offices for construction, sales or leasing purposes, storage areas, construction yards or similar facilities on any property owned by Developer or the Association; or (iv) post signs incidental to the development, construction, promotion, marketing, sale and leasing of property within the Property. Further, Developer or its assignee shall have the right of ingress and egress through the streets, paths and walkways located in the Property for any purpose whatsoever, including, but not limited to, purposes related to the construction, maintenance and operation of Improvements. Nothing contained in this Declaration shall limit the rights of Developer or require Developer or its assignee to obtain approval to: (a) excavate, cut, fill or grade any property owned by Developer, or to construct, alter, remodel, demolish or replace any Improvements on any Common Elements or any property owned by Developer as a construction office, model home or real estate sales or leasing office in connection with the sale of any property; or (b) require Developer to seek or obtain the approval of the Association or the Design Review Board for any such activity or Improvement on any Common Elements or any property owned by Developer. Nothing in this paragraph shall limit or impair the reserved rights of Developer as elsewhere provided in this Declaration.

E. Developer's Right to Replat Developer's Property. Developer reserves the right, at any time and from time to time, to amend, alter or replat any plat or development plan and to amend any zoning ordinance which affects all or any portion of the Property; provided, however, that only real property owned by Developer and Owners consenting to such amendment, alteration or replatting shall be the subject of any amendment, alteration or replatting. The Association and each Owner whose Lot is not altered by such amendment, alteration or replatting, for themselves and their successors and assigns, hereby consents to and approves any such amendment, alteration or replatting and shall be deemed to have joined in the same.

F. Mortgagee Rights. A holder or insurer of a first mortgage upon any Lot, upon written request to the Association (which request shall state the name and address of such holder or insurer and a description of the Lot) shall be entitled to timely written notice of:

- (a) any proposed amendment of this Declaration;
- (b) any proposed termination of the Association; and
- (c) any default under this Declaration which gives rise to a cause of action by the Association against the Owner of the Lot subject to the mortgage of such holder or insurer, where the default has not been cured in sixty (60) days.

Each holder and insurer of a first mortgage on any Lot shall be entitled, upon request and at such mortgagee's expense, to inspect the books and records of the Association during normal business hours.

G. Severability. If any Article, section, paragraph, sentence, clause or word in this Declaration is held by a court of competent jurisdiction to be in conflict with any law of the State, then the requirements of such law shall prevail and the conflicting provision or language shall be deemed void in such circumstance; provided that the remaining provisions or language of this Declaration shall continue in full force and effect.

H. Captions. The caption of each Article, section and paragraph of this Declaration is inserted only as a matter of reference and does not define, limit or describe the scope or intent of the provisions of this Declaration.

I. Notices. Notices to an Owner shall be given in writing, by personal delivery, at the Lot, if a residence has been constructed on such Lot, or by depositing such notice in the United States Mail, first class, postage prepaid, to the address of the Owner of the Lot as shown by the records of the Association, or as otherwise designated in writing by the Owner.

J. Exhibits. The Exhibits hereto are a part of this Declaration as if set forth in full herein.

K. Construction. In interpreting words and phrases herein, unless the context shall otherwise provide or require, the singular shall include the plural, the plural shall include the singular, and the use of any gender shall include all genders. Any rule of construction to the effect that any ambiguities are to be resolved against the party who drafted the document shall not be utilized in interpreting this Declaration and the Exhibits hereto.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the Developer has caused the execution of this Declaration as of the date first above written.

ROMANELLI & HUGHES BUILDING COMPANY,  
an Ohio corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF OHIO            )  
  ) SS:  
COUNTY OF FRANKLIN    )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2015, by \_\_\_\_\_, the \_\_\_\_\_ of Romanelli and Hughes Building Company, an Ohio corporation, on behalf of such limited liability company.

\_\_\_\_\_  
Notary Public

This document prepared by:

David W. Fisher, Esq.  
Kephart Fisher LLC  
207 N. Fourth Street  
Columbus, Ohio 43215  
(614)469-1882

EXHIBIT A

SUBDIVISION LEGAL DESCRIPTION

**EXHIBIT B**  
**SUBDIVISION PLAT**

**EXHIBIT C**

**APPROVED FENCE DETAIL**

**EXHIBIT D**  
**SPECIAL EASEMENT AREAS**



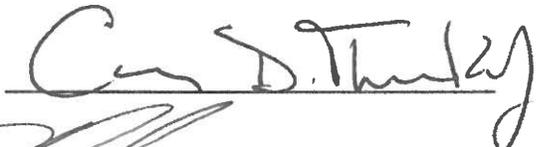
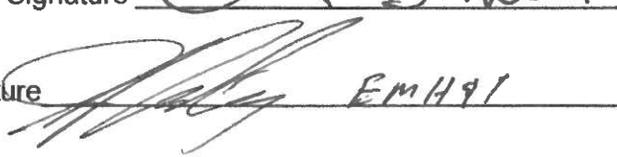
Total Number of Lots Proposed: 190 Total Area: 80.4 acres  
Average Lot Dimension: 60 feet by 120 feet Typical Lot Area: \_\_\_\_\_ acre(s)  
Reserve Areas: 29.2 acres Streets: 10.3 acres Open Space: 29.2 acres  
Current Zoning? PSR Number of Proposed Final Plat Phases: 5  
Type of Water Supply Proposed: Central Water  
Type of Wastewater Disposal Proposed: Central Sewer  
Will the Subdivision Have Sidewalks? Yes Curb/gutter? Yes

**Is a Variance to the Franklin County Subdivision Regulations requested? YES/NO**  
**If YES, Variance application form must be attached with the Preliminary Plan application.**

Twenty (20) copies of the Preliminary Plan, including the E&S Plan, are submitted with this application.

The undersigned acknowledges this Preliminary Plan application does not constitute a Subdivision Plat application and understands the filing deadlines and meeting schedules associated with this request. Approval of a Preliminary Plan does not constitute acceptance of any public improvements shown. Such acceptance can only be made in conjunction with Final Plat requirements and procedures specified in the Franklin County Subdivision Regulations. The Subdivision Plat is not considered filed until a Final Plat application is submitted and accepted, in accordance with the Subdivision Regulations of Franklin County, Ohio.

To the best of my knowledge and belief, information and materials submitted as a part of this Preliminary Plan application are correct, complete and accurate. The Franklin County Technical Review Group members are hereby granted permission to enter the property for inspection and review purposes.

Property Owner's Signature  Date: 3/13/15  
Engineer's Signature  Date: 3/13/15

## EROSION AND SEDIMENT CONTROL POLICY

### Franklin County Subdivision Regulations

#### **General:**

Per the Franklin County Subdivision Regulations, an Erosion and Sediment Control Plan shall be required for major subdivisions, may be required for other development and shall conform with the *Ohio Department of Natural Resources, Division of Soil and Water Conservation manual, "Rainwater and Land Development."* Implementation of approved erosion control measures should precede earth-disturbing activities. The Ohio Environmental Protection Agency (OPEA) may also have jurisdiction over earth-disturbing activities.

#### **Purpose:**

The erosion and sediment (E&S) control plan is required for the purpose of reducing pollution to public and/or private water by sediment from accelerated soil erosion associated with construction activity.

#### **E&S Control Plan Requirements:**

The E&S plan shall be a separate sheet, be a part of subdivision improvement plans, provide information regarding the entire site and shall include the following:

1. Vicinity Map – Map locating the site in relation to the surrounding area. Indicate the location of receiving waters.
2. Work Limits – Indicate the limits of earth-disturbing activity; include borrow, spoil and stockpile areas.
3. Existing Topography – The existing contours of the entire site and adjacent land should be shown on the plan. Changes to the existing contours should also be shown on the plan. A topographic map should contain an appropriate scale and contour interval to clearly depict the topography of the site.
4. Existing Vegetation – Show existing tree lines, unique vegetation and areas that may affect erosion and sediment controls. Existing vegetation shall remain along waterways: minimum width of buffer strip on each side of the stream shall be two and one-half times the stream width measured from the top of the streambank or 50 feet, whichever is greater.
5. Soils – Show boundaries of the different soil types. A table relating relevant information concerning their limitations for the proposed use may be necessary. Information pertaining to the limitations of soil type can be determined from the Franklin County Soil Survey and Soil Potential Index.

Topsoil shall be segregated and stockpiled during grading of the site and be reapplied before the establishment of permanent vegetation.

6. Existing Drainage Patterns – Drainage patterns should be evident on the plan. Include off-site areas susceptible to sediment deposits or to erosion caused by accelerated runoff, as well as off-site areas affecting potential accelerated runoff and erosion. Indicate size of drainage area contributing to the site. Include any known

existing agriculture field tiles that may be present on the site. Any subsurface drainage tiles encountered during development shall be rerouted or connected into the subdivision's drainage system to ensure that these systems will continue drain upland properties.

7. Special Notes for Critical Areas – Give details and specifications for practices protecting streams, steep slopes, designated trees or stands of trees, etc.
8. Site Development – Show all planned locations of buildings, parking facilities, roads, utilities, easements, etc. Existing structures and facilities should also be shown.
9. Location of Practices – Show the location of all erosion and sediment control and stormwater management practices to be used on-site. Include measures that are to be utilized temporarily or permanently.

Temporary sediment basins and/or traps are to be utilized as the primary means of trapping sediment on site. They should be situated within the lowest points of elevation along the perimeter of the property and also adjacent to waterways whose headwaters originate upslope of the property. Enough land must be reserved to accommodate sediment basins and/or traps sized at 67 cubic yards of storage volume per acre of drainage area. (Note: this is not the same as per acre disturbed acre or per acre of the site). If permanent stormwater management ponds are proposed for the site, they must be retrofit to serve as sediment basins during active construction periods. Basins and traps shall be installed prior to any grading of the site.

Sediment barriers shall be installed to intercept sheet runoff from disturbed areas that do not drain into sediment basins or traps.

Vegetative practices shall be utilized on all disturbed areas within seven days if they are to remain dormant (undisturbed) for more than 45 days. Disturbed areas within 50 feet of any stream shall be stabilized within seven days.

10. Surface Water Locations - Show locations of springs, wetlands, streams, lakes, etc., on or within 200 feet of the site.
11. Detailed Drawings – Any structural practices used should be explained and illustrated with detailed drawings. Detailed drawings should be included for only those practices used on-site.
12. Specifications for Stabilization – Specifications for temporary and permanent seeding, mulching, construction entrances, etc., should be given. Include seeding mixtures and rates, lime and fertilizer application rates, and type and quantity of mulching for both temporary and permanent stabilization.
13. Construction Sequence – Provide a schedule relating the implementation of erosion and sediment control practices and stormwater management practices to major construction operations. By properly scheduling the construction, both the extent of exposed ground and the duration of exposure can be minimized.

Example of Construction Sequence:

1. Clearing and grubbing for those areas necessary for installation of sediment basins and traps and perimeter controls.
  2. Installation of sediment basin/traps and perimeter control.
  3. Continuation of clearing and grubbing within the areas designated to be disturbed.
  4. Road grading.
  5. Sewer and utility installation.
  6. Final grading.
  7. Application of permanent vegetative cover.
14. Maintenance and Inspection – Provide notes and information regarding maintenance for each practice to ensure continued performance.
15. Plan Reference Data – Title, scale, direction, legend and date shall be provided on all plans. The plan should also include name, address and telephone number of person(s) preparing the plan, as well as the owner of the property.

**Plan Review and Enforcement:**

1. Plan Review and Site Inspection – During and at the end of the construction of the subdivision street(s), utilities, etc., the erosion and sedimentation (E&S) control practices will be monitored by the Franklin Soil and Water Conservation District (FSWCD) personnel. The FSWCD personnel, based on a cooperative agreement with the Franklin County Commissioners and Franklin County Engineer, are responsible for plan review and approval will make periodic site inspections to ensure compliance. During inspections it may be determined that other erosion control practices, not already specified on this plan, may be necessary due to unforeseen environmental conditions and/or changes in drainage patterns caused by earth-moving activity.
2. Enforcement – Several milestones are reached at the end of the development process, which will be utilized to ensure proper placement of required conservation practices per the above.
  - A. Release of Surety – No surety, all or in part, will be released until the Franklin County Engineer's office is notified by FSWCD staff that the E&S practices, as previously approved, are in place and are properly functioning.
  - B. "Progress Letter" – The "progress letter" from the Franklin County Engineer to the Franklin County Development Department (providing assurance that street construction has been sufficiently and properly completed such that commencement of house construction is appropriate) will be forwarded only after assurance is received indicating all approved E&S practices are in place and are properly functioning.
  - C. Street Completion – The transfer and acceptance of any street for public purpose will occur only after assurance is received that all approved E&S practices are in place and are properly functioning.

- D. Building Permits and Inspections – The Franklin County Development Department, in cooperation with the FSWCD, reserves the right to withhold the issuance of building permits and inspections at any time during the homebuilding phase of the project until assurance is received that all approved erosion and sediment control practices are in place and are properly functioning.
  
- E. The Franklin County Planning Commission, in cooperation with the Franklin County Prosecuting Attorney's office and the FSWCD, reserve the right to pursue necessary legal actions at any time during the construction phases of the project to ensure compliance with the approved E&S control plan.

**STATEMENT OF UNDERSTANDING**

I understand and accept the responsibility to plan for and complete the required erosion and sediment control practices and hereby recognize them as an integral part of the subdivision named Morrison Farms East.

I will notify the FSWCD a minimum of three (3) work days prior to any land disturbance and will attend a preconstruction meeting with personnel from the FSWCD to review the implementation of the erosion control plan.

Carl D. The Key  
 Signature of Subdivider/Developer

3/13/15  
 Date

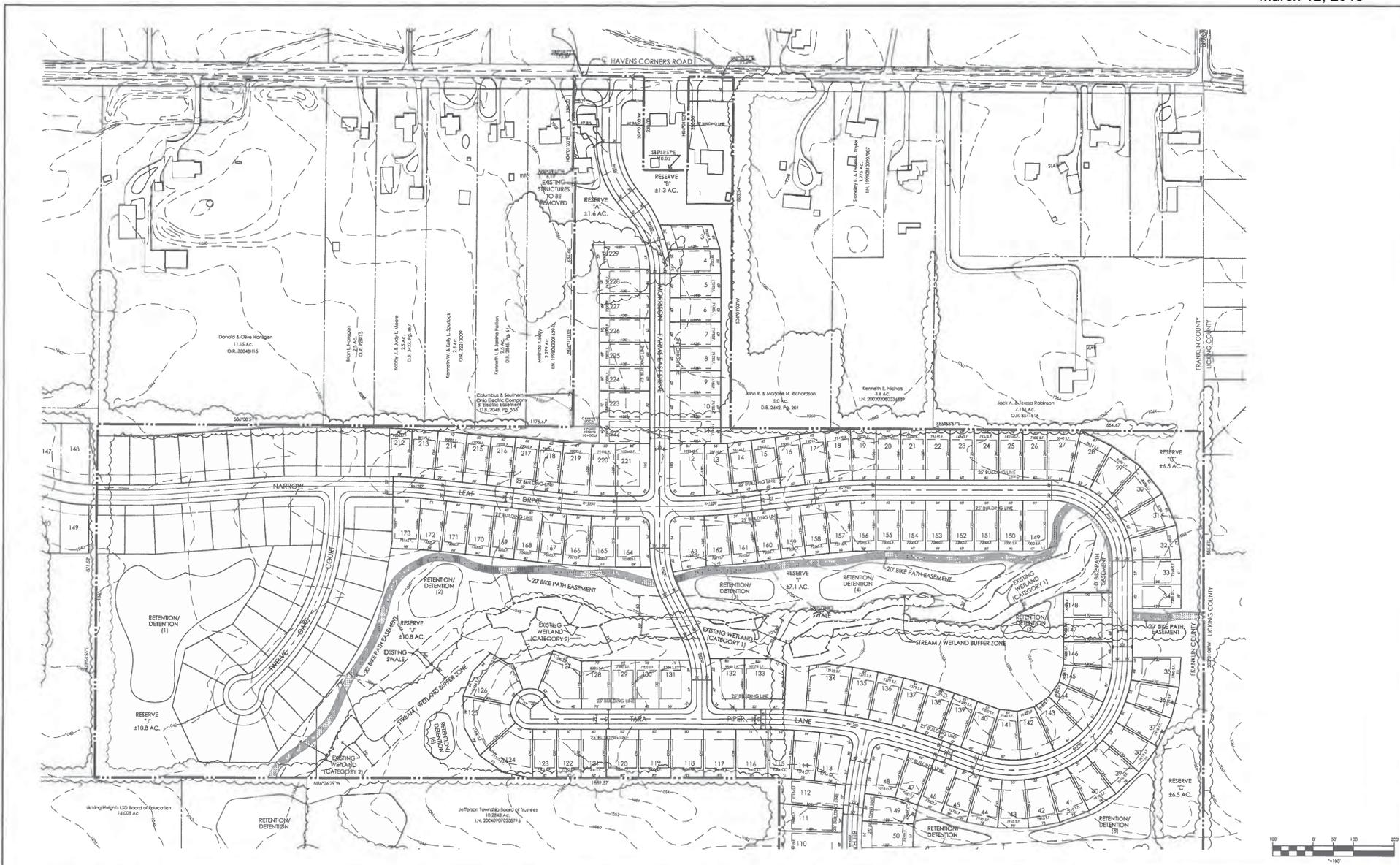
999 Polaris Parkway  
 Address of Subdivider/Developer

Columbus, Ohio 43240

\_\_\_\_\_

614-785-0015  
 Telephone Number





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REVISIONS	
DATE	DESCRIPTION
01-15-12	REVISED FOR FRANKLIN COUNTY COMMENTS
03-12-2015	REVISED FOR PRELIMINARY PLAN REAPPRAISAL

PREPARED BY:



**EMHT**  
 Bruce, Mechwart, Hordstall & Titus, Inc.  
 Engineers • Surveyors • Planners • Scientists  
 3300 New Albany Road, Columbus, OH 43254  
 Phone: 614-775-6200 Fax: 614-775-3446  
 emht.com

PREPARED FOR:

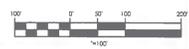


**Rockford Homes**  
 Quality Care for Water Living

JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO  
 PRELIMINARY PLAN  
 FOR  
**MORRISON FARMS EAST, PHASES II-VI**  
 PRELIMINARY PLAT

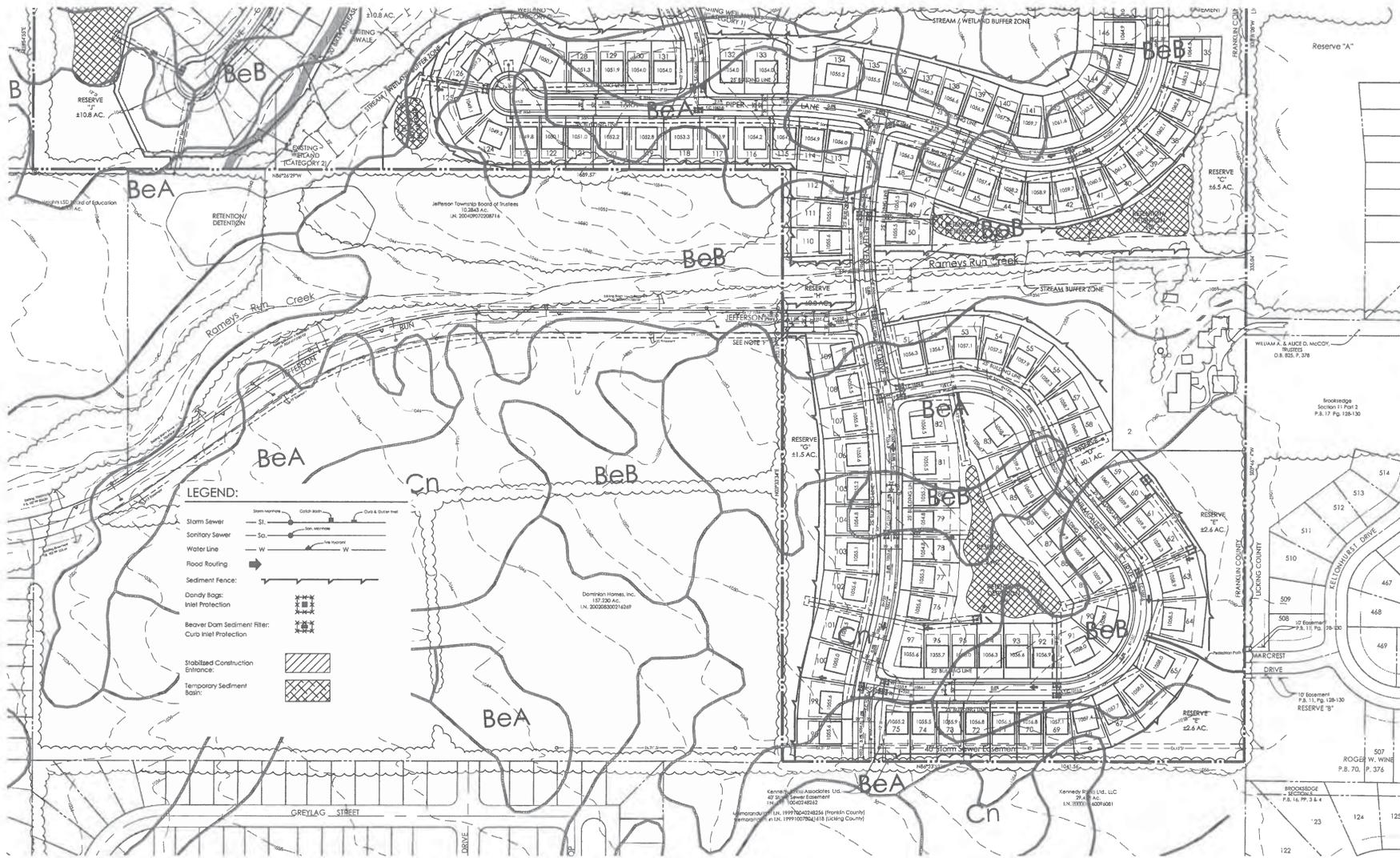
LOCATED IN:  
 QUARTER TOWNSHIPS 1 & 4, TOWNSHIP 1, RANGE 16  
 UNITED STATES MILITARY LANDS  
 TOWNSHIP OF JEFFERSON, FRANKLIN COUNTY, OHIO

Date	Job No.
SEPTEMBER 18, 2012	2012-0905
Scale	Sheet
1" = 100'	2/8









**LEGEND:**

- Storm Sewer: Storm main, Catch basin, Curb & Gutter trap
- Sanitary Sewer: San. sewer
- Water Line: W, V, W
- Road Routing: W
- Sediment Fence:
- Dandy Bag: Inlet Protection
- Beaver Dam Sediment Filter: Curb Inlet Protection
- Stabilized Construction Entrance:
- Temporary Sediment Basin:

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NO.	REVISIONS
01-18-13	REVISED FOR FRANKLIN COUNTY COMMENTS
07-26-13	REVISED FOR TECHNICAL REVIEW MEETING COMMENTS
03-12-14	REVISED FOR PRELIMINARY PLANNING MEETING

PREPARED BY:

EMHT  
Erosion, Mechanical, Hydrology & Flood, Inc.  
Engineers • Surveyors • Planners • Scientists  
300 New Albany Road, Columbus, OH 43204  
Phone: 614.775.4800 • Toll Free: 888.775.3448  
emht.com

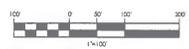
PREPARED FOR:

Rockford Homes  
Quality Crafted for better living

JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO  
PRELIMINARY PLAN FOR  
**MORRISON FARMS EAST, PHASES II-VI**  
EROSION AND SEDIMENT CONTROL PLAN

LOCATED IN:  
QUARTER TOWNSHIPS 1 & 4, TOWNSHIP 1, RANGE 16  
UNITED STATES MILITARY LANDS  
TOWNSHIP OF JEFFERSON, FRANKLIN COUNTY, OHIO

Date	Job No.
SEPTEMBER 18, 2012	2012-0905
Scale	Sheet
1" = 100'	7/8







Economic Development & Planning Department  
James Schimmer, Director

Request for

# Township Zoning Recommendation

Franklin County Planning Commission

Township	
<input type="checkbox"/> Blendon	<input type="checkbox"/> Plain
<input type="checkbox"/> Jackson	<input type="checkbox"/> Prairie
<input checked="" type="checkbox"/> Jefferson	<input type="checkbox"/> Washington
<input type="checkbox"/> Perry	

Case Number
JEFF-15-01

Meeting Dates	
Review Body	Date
Tech Review	March 24, 2015
Planning Commission	April 8, 2015

Amendment Type	
<input type="checkbox"/> Map amendment	
<input checked="" type="checkbox"/> Text amendment	
<input type="checkbox"/> Land use plan amendment	

Amendment information		
Amendment type	Information required	
Map amendment:	List all parcel IDs to be amended	Zoning district Current: Proposed:
Text amendment	Comprehensive amendment to zoning resolution.	
Plan amendment	Document type: <input type="checkbox"/> New plan <input type="checkbox"/> Existing Plan Plan name:	

Township Zoning Inspector Contact Information	
Name Charles McCroskey	
Address 6545 Havens Road Blacklick, OH 43004	
Phone # 614-855-4265	Fax #
Email cmccroskey@jeffersontownship.org	

~~11/20/91~~  
~~from~~  
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**ZONING RESOLUTION FOR  
-JEFFERSON TOWNSHIP  
-FRANKLIN COUNTY, OHIO**

*Certified May 20, 1974*

**TOWNSHIP TRUSTEES**

Richard P Courter  
~~Claire J Yoder~~ Michael A Rowan  
[Claire J Yoder](#)

**TOWNSHIP FISCAL OFFICER**

Kenneth E Jones

**TOWNSHIP ADMINISTRATOR**

[Tom](#)~~Thomas~~ E Spring

**ZONING COMMISSION**

(Ike) Lee W Westfall  
-Richard A Winnestaffer  
-Linda Mosbacher  
-Charley Wise  
Brian Sichel  
[Daniel Mefford, Alternate](#)

**~~ZONING~~ BOARD OF ZONING APPEALS**

Terry R Broas  
-David P Keseg  
-Bradley E Shull  
-Richard Hendrix  
-Karen Bokor  
[Katy Keane, Alternate](#)

**ZONING DEPARTMENT**

Charles C McCroskey, Zoning Administrator  
-Lorri J Coupland, Zoning/Building Clerk  
[Mike Anderson, Assistant Zoning Inspector/Planner](#)

*Amended:*  
*-March 30, 1978*  
*December 21, 1983*  
*June 6, 1995*

*November 25, 2003*  
, 2015

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# Article I

## Preface

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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.

1) \_\_\_\_\_

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

~~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 - 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.”

### **SECTION 110<sup>+20</sup> - NATURE OF ZONING**

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

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 Jefferson~~the~~

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 ~~Jefferson~~the 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 zoning district~~Zoning District~~ map shall be comprehensive ~~by their inclusion of all land similar~~ in nature. Where ambiguous, ~~or circumstance as is determined by the type and extent of existing land use and the desirability of conserving such use.~~ The zoning districts and the fixing of their boundaries ~~shall further be determined in accordance with~~ the ~~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 120 - ~~130~~ ORGANIZATION OF THE ZONING DISTRICT REGULATIONS

The zoning district regulations~~Zoning District Regulations~~ 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 120~~130~~.01 - Standard District Regulations

#### 1)A) Definition

The standard district regulations are

~~Standard District Regulations~~ is composed of the regulations of three (3) residential zoning districts~~Residential Zoning Districts~~ based on density and/or dwelling structure type; three (3) commercial zoning districts~~Commercial Zoning Districts~~ based on the types and nature of commercial uses and two (2) industrial zoning districts~~Industrial Zoning Districts~~ based on use activity and methods of site development.

#### 2)B) Intent

The intended use of the standard districts~~Standard Districts~~ is two-fold. The primary use is to delineate areas of existing land use and developmental character most nearly represented by the regulations of these zoning districts. ~~Each district will provide for one of these Zoning Districts so as to afford such areas~~ 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 standard districts~~Standard Districts~~ are intended to be used to make limited adjustments in the zoning district~~Zoning District~~ 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 120~~130~~.02 - Planned District Regulations

#### 1)A) Definition

The planned district regulations

~~Planned District Regulations~~ are composed of three (3) residential districts, ~~one (1) commercial district, and one (1) industrial district. Industrial District.~~ The intended use of the planned development districts~~Planned Development Districts~~ is to allow predetermined development in appropriate locations to provide for the highest possible degree of 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 ~~planned districts~~Planned Districts is intended to be designed to preserve unique natural features of the landscape or ~~manmade~~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 ~~the focus~~a centerpiece of the planned residential plan.

## Section ~~120~~130.03 - Special District Regulations

~~1)A)~~ Definition

The special districts provide

~~Special Districts provides~~ for the use or development of land under certain unique circumstances or developmental requirements. Included in the special districts~~Special Districts~~ 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 special districts~~Special Districts~~ 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 130~~-140~~ GENERAL DEVELOPMENT STANDARDS

The general development standards are

~~General Development Standards 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 general~~General Standards include requirements for platting and establishment of lots before development standards include and use;~~ the establishment of building lines along public right~~rights~~-of-way and/or approved private streets; definitions~~definition~~ 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~~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.~~

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

Each of the zoning districts~~Zoning Districts~~ 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 zoning districts~~Zoning Districts~~.

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# Article II

## General Provisions

### SECTION 200 - AUTHORITY AND PURPOSE FOR ZONING RESOLUTION

~~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 by ORC in 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 ~~prescribed~~described by ~~ORC~~Section 519.02, 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 and 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.

~~Ohio Revised Code.~~

1) \_\_\_\_\_

~~SECTION~~ 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~~ 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 general welfare ~~and morals~~ of Jefferson Township. ~~the township.~~ 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.

1) \_\_\_\_\_

~~SECTION~~ **SECTION 220 - SEVERABILITY CLAUSE** ~~SEPARABILITY~~  
~~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.

**SECTION 230 - SCOPE OF ZONING RESOLUTION** ~~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** ~~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 ~~agriculture~~ and uses ~~public utilities or railroads~~ as are ~~is~~ now specifically exempt by law or as may be hereafter amended by law or as are ~~is~~ exempted by Paragraph C ~~paragraphs 1 through 3~~ below.

4)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~~building or ~~structures~~structure incidental to the ~~use for~~ agricultural ~~use~~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 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, then 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~~be regulated 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 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*

Any local, state or federal governmental use 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.

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

D)

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~~ ~~of~~ ~~land,~~ ~~construction~~ ~~and~~ ~~the~~ ~~use~~ ~~of~~ land, construction and the use of land or structures shall conform to the regulations for the zoning district~~Zoning District~~ 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 zoning district~~Zoning District~~ in which such land is located nor shall lots be provided or intended for uses not allowed in the zoning district~~Zoning District~~.

### ~~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 ~~zoning district~~Zoning Districts in which such construction is proposed; ~~except as is otherwise provided for in Article IV.~~

3)C) *New Uses*

Any proposed or new use of land or a structure shall be a permitted use or an approved conditional use for the ~~zoning district~~Zoning District in which such use is to be located.

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

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

# 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 zoning districts~~Zoning Districts~~ as ~~is~~ shown on the Official Zoning District Map of Jefferson Township, Franklin County, Ohio, which is hereby adopted and incorporated by this reference and made~~declared to be~~ 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 zoning district~~Zoning District~~ status of land under the jurisdiction of this Zoning Resolution.

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

All land subject to~~under~~ this Zoning Resolution in accordance with Zoning Resolution Section 230 and not designated or otherwise included within a zoning district~~another Zoning District~~ 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 Map, map 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 ~~is or facsimile shall be made~~ available to the public in accordance with~~as provided by~~ ORC Chapter 519.

**SECTION 310 - DESIGNATION OF DESIGNATION OF ZONING DISTRICTS**

~~Section 310.01~~ **ZONING DISTRICTS**

**Section 310.01 - Zoning Districts**

The name and symbol for ~~zoning districts~~ **Zoning Districts** as shown on the Official Zoning District Map are:

<i>District Type</i>	<i>Name</i>	<i>Symbol</i>
<b>Standard Zoning Districts</b>		
	Countryside Residential	CSR
	<u>Restricted Suburban Residential District</u>	<u>RSR</u>
	<u>Suburban Office District</u>	<u>SO</u>
	<u>Neighborhood Commercial District</u>	<u>NC</u>
	<u>Community Service District</u>	<u>CS</u>
	<u>Restricted Industrial District</u>	<u>RI</u>
	<u>Limited Industrial District</u>	<u>LI</u>
<b><u>Planned Districts</u></b>		
	<u>Planned Residential District</u>	<u>PRD</u>
	<u>Planned Suburban Residential District</u>	<u>PSRD</u>
	<u>Suburban Periphery Residential District</u>	<u>SPRD</u>
	<u>Planned Commercial District</u>	<u>PC</u>
	<u>Planned Industrial Park District</u>	<u>PIP</u>
<b><u>Special Districts</u></b>		
	<u>Flood Plain District</u>	<u>FP</u>
	<u>Excavation and Quarry District</u>	<u>EQ</u>
	<u>Exceptional Use District</u>	<u>EU</u>

<del>Restricted Suburban Residential District</del>	<del>RSR</del>
<del>Suburban Office District</del>	<del>SO</del>
<del>Neighborhood Commercial District</del>	<del>NC</del>
<del>Community Service District</del>	<del>CS</del>
<del>Restricted Industrial District</del>	<del>RI</del>
<del>Limited Industrial District</del>	<del>LI</del>
<b>Planned Districts</b>	
<del>Planned Residential District</del>	<del>PRD</del>
<del>Planned Suburban Residential District</del>	<del>PSRD</del>
<del>Suburban Periphery Residential District</del>	<del>SPRD</del>
<del>Planned Commercial District</del>	<del>PC</del>
<del>Planned Industrial Park District</del>	<del>PIP</del>
<b>Special Districts</b>	
<del>Flood Plain District</del>	<del>FP</del>
<del>Excavation and Quarry District</del>	<del>EQ</del>
<del>Oil and Gas District</del>	<del>OG</del>
<del>Exceptional Use District</del>	<del>EU</del>

## **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)

## **Section 310.04 - Legend**

There shall be provided on the Official Zoning District Map a Legend, which shall list the name and symbol for each zoning district and differentiating Zoning Districts show the districts differentiated.

## **Section 310.~~05~~<sup>03</sup> 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 a zoning district ~~available zoning district.~~ 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 ~~zoning districts~~~~Zoning Districts~~ as shown on the Official Zoning District Map, the following rules shall apply:

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

Where ~~zoning district~~~~Zoning District~~ 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 ~~zoning district~~~~Zoning District~~ boundary.

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

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

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

Where zoning district ~~Zoning District~~ boundary lines are indicated as approximately being parallel to a center line or a lot~~property~~ line, such zoning district~~Zoning District~~ 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.

# Article IV

## Non-Conforming Lots, Structures or Uses

a) \_\_\_\_\_

### ~~SECTION~~ SECTION 400 - INTENT ~~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 zoning district ~~Zoning District~~ in which they are located shall be considered as non-conforming.

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

### SECTION 410 - NONCONFORMING LOTS ~~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 zoning district ~~Zoning District~~ in which the lot is located, so long as all applicable development standards can be met. 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 variance. ~~Variance~~ 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 provision~~ Article X.

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

### STRUCTURES AND DEVELOPMENT

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

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

## SECTION 430 - NONCONFORMING USES~~NON-CONFORMING USES~~

The nonconforming~~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 zoning district~~Zoning District~~ 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:

~~A.1)~~ Changed to a use found to be more nearly in character with the zoning district~~Zoning District~~ in which the non-conforming use is located.

~~B.~~ Expanded within the~~an~~ existing structure ~~arranged or developed for such purpose~~

~~C.2)~~ 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 ~~the nonconforming~~ 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 ~~nonconforming~~ non-conforming use may be re-established where such ~~nonconforming~~ non-conforming use has been discontinued for a period of at least two (2) years. ~~A nonconforming structure or~~ The non-conforming use of any structure damaged by fire, explosion, flood, riot, or act of God may be continued and used as before any 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 ~~nonconforming~~ non-conforming structure or portion of a structure containing a ~~nonconforming~~ non-conforming use, work may be done on ordinary repairs, or on repair or replacement of ~~nonbearing~~ non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became ~~nonconforming~~ 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~~ official charged with protecting the public safety ~~and welfare, and given the authority to make, upon order of~~ such ~~determinations by the Ohio Revised Code~~ official.

# Article V

## Standard District Regulations

1) \_\_\_\_\_

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

~~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 for each district, ~~and~~ as shown on the Official Zoning District Map are hereby established and adopted.

#### **Section 500.02 - Rules of Application**

The standard district regulations ~~Standard District Regulations~~ set forth in this section ~~Section~~ 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.~~

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 permitted use ~~Permitted Use~~ shall be allowed as a matter of right in a zoning district ~~Zoning District~~ and any use not so designated shall be prohibited. Additional ~~except, when in character with the Zoning District, such additional~~ uses may be added to the permitted ~~Permitted~~ uses of the zoning

district~~Zoning District~~ 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 conditional use~~Conditional Use~~ shall be allowed in a zoning district~~Zoning District~~ when such conditional use~~Conditional Use~~, its location, or its extent and method of development will not substantially alter the character of the vicinity or unduly interfere~~interferes~~ with the use of adjacent lots in the manner prescribed for the zoning district~~Zoning District~~. To this end the Board of Zoning Appeals may~~shall~~, in addition to the development standards~~Development Standards~~ for the zoning district~~Zoning District~~, set forth such additional requirements as will, in its judgment, render the conditional use~~Conditional Use~~ compatible with the existing and future use of adjacent lots and the vicinity.

4)D) Development Standards

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

# SECTION 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 development standards~~Development Standards~~ 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~~

1)

A) ~~One~~ Single Family Dwellings

~~-family dwelling structures~~

~~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

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

D) Guest House

Guest houses shall be permitted, 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 (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~~principal use.~~

5)E) Schools

Public or private ~~schools~~~~school~~ 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

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

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

G) Adult Family Homes

Residential Care Facility providing accommodations and person care services for one to five unrelated persons as a residential care facility that meets the criteria specified in division (A)(9)(b) of ORC section 5119.34.

H) Child Day Care Type B Home

Child Day Care Type B Home provided the day care is an accessory use to the principal use of the dwelling as a residence.

**Section 510.03 - Conditional Uses**

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

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

~~E)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:-

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

a) \_\_\_\_\_

~~E)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.

~~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.

4)

~~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 Countryside Residential District subject to approval in accordance with Article X.~~

#### ~~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:

F)

~~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.~~

A)

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.~~

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)B) Mobile Homes~~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

A) ~~Private school or college, with students in residence provided~~ the private school or college occupies a lot of not less than ten (10) acres plus an additional~~or more and there is~~ one (1)

~~(1) acre or more per twenty-five (25) day students, and one (1) acre or more per fifteen (15) students.~~

~~B)1) 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 residence 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.~~

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

~~Veterinary offices~~

~~Office of veterinarian and animal hospitals, kennels hospital, kennel, or other facilities for care and/or of boarding of animals provided those facilities occupy it occupies 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) \_\_\_\_\_~~

~~G) Parks~~

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

~~G) Child Day Care Type A Home~~

~~Child day care Type A Home may be permitted provided:~~

~~2) The child day care is an accessory use to the principal use of the dwelling as a residence.~~

~~State licenses have been granted, if necessary.~~

~~3) \_\_\_\_\_~~

~~4) Lot size is adequate to meet the sewage disposal and water supply needs.~~

~~5) Adequate buffering to adjacent residential uses is provided as needed in accordance with Article VIII.~~

~~6) Off-street parking and maneuvering is provided so no car will back into roadway upon entering or leaving.~~

~~7) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be placed on the structure, said sign not to exceed three (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.~~

~~8) 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.~~

- 9) 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.
- 3)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~~structure~~.

### 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) 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)~~

1) \_\_\_\_\_ 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 ~~in~~ 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 single family dwelling ~~dwelling or associated accessory buildings~~ there shall be a side yard on each side of the dwelling ~~building~~ of twenty-five (25) feet or more.

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

D) \_\_\_\_\_

~~B) \_\_\_\_\_ For 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.~~

4) Rear Yard

For all primary structures, including single family dwelling.

1) \_\_\_\_\_ ~~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.

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.~~

## Section 520.02 - Permitted Uses

~~Land and buildings in the Restricted Suburban Residential District shall be used only for the following purposes:~~

~~1) Dwelling Structures~~

1) \_\_\_\_\_

~~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:-~~

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

~~A) Single family dwelling structures~~

~~2) B) Home Occupation~~

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

3)C) 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)~~

4)D) Non-Commercial Guest House

Guest

~~Non-commercial~~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 principal use.

**~~Section 520.03 – Conditional Uses~~**

primary dwelling and located to the side or rear of

~~The following uses shall be allowed in the~~ primary family dwelling~~Restricted Suburban Residential District subject to approval in accordance with Article X.~~

E) Schools

1) ~~Public or private schools~~School

~~Public school~~ 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.

1) \_\_\_\_\_

2) ~~Private~~School

a) \_\_\_\_\_

~~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)F) Religious

Churches or other places of worship shall be permitted, provided that the

~~Church~~church or other place of worship ~~provided it~~ occupies a lot of not less than three (3) acres, plus an additional - and there is one (1)

(1) acre for every~~or more per~~ one hundred (100) seats or similar accommodations in the main assembly area. ~~4) Borrow Pit~~

<u>Main Assembly seats or similar accommodations</u>	<u>Acres Required</u>
<u>100 or less</u>	<u>Four (4)</u>

<u>200 or less</u>	<u>Five (5)</u>
<u>300 or less</u>	<u>Six (6)</u>
<u>400 or less</u>	<u>Seven (7)</u>
<u>500 or less</u>	<u>Eight (8)</u>

G) Adult Family Homes

Residential Care Facility providing accommodations and person care services for one to five unrelated persons as a residential care facility that meets the criteria specified in division (A)(9)(b) of ORC section 5119.34..

H) Child Day Care Type B Home

Child Day Care Type B Home provided the day care is an accessory use to the principal use of the dwelling as a residence.

**Section 520.03 - Conditional Uses**

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

A) -Borrow Pit

A borrow pit 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 Type A Home

Child Day Care Type A Home may be permitted provided:

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

3) State licenses have been granted, if necessary.

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

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

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

6) \_\_\_\_\_

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

- 8) 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.
- 9) 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)

+) Lot Area and Coverage

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

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

B) \_\_\_\_\_

2) ~~For each Permitted use and Conditional Use, the lot area shall be adequate~~ Lot Width

For a single-family dwelling, there shall be a minimum lot width of one hundred and fifty (150) feet 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.

3) C) 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.

4) D) 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.

E) Sanitary Water and Sewer

A)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~~such use~~.

~~B) — One (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty percent (20%) by structure.~~

5) Lot Width

3) \_\_\_\_\_

~~For a one family dwelling, there shall be a lot width of one hundred and fifty (150) feet or more at the front line of the dwelling, and such lot shall have access to and abut on a public right of way for a distance of sixty (60) feet or more.~~

6) Side Yards

~~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.~~

7) ~~Rear Yard~~

3) \_\_\_\_\_

~~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~~

## 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 on or before December 25, 2003, and is only applicable to~~the effective date of this Resolution for~~ the development or redevelopment of those properties.

### Section 530.01 - Purpose

The ~~LSR Limited Suburban Residential District~~ is provided for medium to high~~low~~ density residential areas which are served by community (“package”) waste water collection and treatment systems. \_The ~~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 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:

#### Single Family

~~Land and buildings in the Limited Suburban Residential Districts shall be used only for the following purposes:~~

4)A) Dwelling Structures

One family dwelling structures

2) B) Home Occupation

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

3) C) Accessory Structures/Uses

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

Adult

D) Family Homes

Residential Care Facility providing accommodations and person care services for one to five unrelated persons as a residential care facility that meets the criteria specified in division (A)(9)(b) of ORC section 5119.34.

E) Child Day Care Type B Home

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

4) F) 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.

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

G) 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) \_\_\_\_\_

2) Dwelling Structures

Two-family dwelling structures.

3) Child Day Care Type A Home

Child Day Care Type A Home may be permitted provided:

~~Kindergarten or childcare as~~

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 placed 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. ~~There~~ shall be allowed on the lot.

Adequate space indoors and outdoors is provided for recreation. Five ~~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.~~

8) 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.

4) Parks

Parks, playgrounds, and playfields shall be open to the public.

D) Schools

~~5) Public or private schools~~ School

~~Public school~~ 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.

1) \_\_\_\_\_

6) ~~Private School~~

a) \_\_\_\_\_

~~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.

7) 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.~~

8) ~~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.~~

9) Parks

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

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

2) \_\_\_\_\_ ~~unit~~. 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 ~~structure~~.

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

3) \_\_\_\_\_

2) B) 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 ~~or associated accessory buildings~~, there shall be a side yard on each side of the structure ~~a building~~ of at least twenty (20) feet ~~or more~~.

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

D) \_\_\_\_\_

4) Rear Yard

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

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

## SECTION 540 – SUBURBAN OFFICE DISTRICT (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 ~~compliment~~complement the predominantly residential and rural characteristics of ~~Jefferson~~the Township. No unrelated retail trade is permitted in the ~~Suburban Office (SO) District~~. Abutment on or suitable access to a major or minor arterial ~~roadway~~road is generally necessary for ~~(SO)~~ uses. ~~The SO District~~ can be used to provide a buffer between residential and commercial or industrial areas. Development ~~standards~~Standards to limit the intensity of (SO) uses are ~~therefore~~ provided to encourage smooth transitions between ~~the SO and other zoning districts~~zones.

### Section 540.02 - Permitted Uses

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

<a href="#"><u>52</u></a>	<a href="#"><u>Finance and Insurance</u></a>
<a href="#"><u>54</u></a>	<a href="#"><u>Professional, Scientific and Technical Services</u></a>
<a href="#"><u>55</u></a>	<a href="#"><u>Management of Companies and Enterprises</u></a>
<a href="#"><u>92</u></a>	<a href="#"><u>Public Administration</u></a>
<a href="#"><u>611</u></a>	<a href="#"><u>Schools and Educational Services</u></a>
<a href="#"><u>621</u></a>	<a href="#"><u>Health and Medical Services</u></a>
<a href="#"><u>115210</u></a>	<a href="#"><u>Support Activities for Animal Production</u></a>
<a href="#"><u>491110</u></a>	<a href="#"><u>Postal Service</u></a>
<a href="#"><u>515111</u></a>	<a href="#"><u>Radio Networks</u></a>
<a href="#"><u>515112</u></a>	<a href="#"><u>Radio Stations</u></a>
<a href="#"><u>515120</u></a>	<a href="#"><u>Television Broadcasting</u></a>
<a href="#"><u>517110</u></a>	<a href="#"><u>Wired Telecommunication Carriers</u></a>
<a href="#"><u>517210</u></a>	<a href="#"><u>Wireless Telecommunication Carriers (except Satellite)</u></a>
<a href="#"><u>517911</u></a>	<a href="#"><u>Telecommunications Resellers</u></a>
<a href="#"><u>519120</u></a>	<a href="#"><u>Libraries and Archives</u></a>
<a href="#"><u>541940</u></a>	<a href="#"><u>Veterinary Services</u></a>
<a href="#"><u>561510</u></a>	<a href="#"><u>Travel Agencies</u></a>
<a href="#"><u>711120</u></a>	<a href="#"><u>Dance Companies</u></a>
<a href="#"><u>711130</u></a>	<a href="#"><u>Musical Groups and Artists</u></a>
<a href="#"><u>711140</u></a>	<a href="#"><u>Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures</u></a>
<a href="#"><u>712110</u></a>	<a href="#"><u>Museums</u></a>
<a href="#"><u>812210</u></a>	<a href="#"><u>Funeral Homes and Funeral Services</u></a>

<a href="#"><u>812910</u></a>	<a href="#"><u>Pet Care (except veterinary) Services</u></a>
<a href="#"><u>813410</u></a>	<a href="#"><u>Civic and Social Organizations</u></a>
<a href="#"><u>813910</u></a>	<a href="#"><u>Business Associations</u></a>
<a href="#"><u>813920</u></a>	<a href="#"><u>Professional Organizations</u></a>

~~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) District~~ subject to ~~approval~~ [Approval](#) in accordance with Article X, ~~Sections 1001.06 and 1001.07:~~

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

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

A)

4) 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~~

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

B)

~~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.~~

4) Single-family ~~dwelling~~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 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 ~~Public Board of~~ Health shall be required.

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.

~~5) Food and lodging serving the occupants of the building, but not open to the general public.~~

## 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) Lot Area and Coverage

#### ~~1) Intensity of Use~~

~~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.~~

~~B)3) Impervious surfaces, including; however, ~~main and accessory~~ structures 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 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.~~

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

## ~~SECTION 550 - NEIGHBORHOOD COMMERCIAL DISTRICT (NC)~~

### ~~Section 550.01 - Purpose~~

~~The Neighborhood Commercial (NC) zone is intended to provide opportunity for development of small retail commercial and related uses. Neighborhood Commercial permitted uses are generally intended to serve neighborhood or local areas. Development standards of the 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. Neighborhood Commercial areas should generally be located at or near intersections on the Township arterial road system.~~

**~~Section 550.02 – Permitted Uses (Amended Resolution 02-03-09) 02/24/2009~~**

- ~~1) 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.~~
  
- ~~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.~~

~~No retail store in the (NC) District shall exceed five thousand (5,000) square feet in total retail sales area. (For larger stores, 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 be allowed in the Neighborhood Commercial (NC) District Subject to approval in accordance with Article X~~

~~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) 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.~~

~~2) Drive in facility developed in association with a permitted use. In addition to the standards of Article X, the following standards shall be met:~~

~~A)1) The Township Zoning Commission and/or Township Trustees may require that the applicant submit a traffic analysis and detailed plot plan performed by a registered 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.~~

~~4)~~

~~B) The proposed drive in facility and access drive shall conform to all building setback and other Development Standards and shall be screened by plantings or other appropriate methods when adjacent to residential areas.~~

~~B)~~

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

- 3) ~~Single~~ family residential 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 the Ohio EPA and the Franklin County Board 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 Neighborhood Commercial District.~~

### ~~1) A) Intensity of Use~~

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

### ~~2) Lot Width~~

~~A minimum lot width of 100 feet is required. All lots shall abut a street for a 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 all structures located in the SO, there~~

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

D) \_\_\_\_\_

4) Rear Yards~~Yard~~

For all structures located in the SO, the

~~Required~~ rear yard shall be not less than twenty percent (20%) ~~one fourth (1/4) the sum of the lot depth, or 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.~~

~~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.~~

## ~~SECTION 560 — COMMUNITY SERVICE DISTRICT (CS)~~

### ~~Section 560.01 — Purpose~~

~~. whichever~~

~~The Community Service (CS) District is greater intended to provide suitable areas for the location of large retail and commercial uses, which serve the needs of the Township and surrounding communities. Because of the size, scope and/or intensity of uses permitted, (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 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:~~

- ~~1) — All uses permitted in the Suburban Office (SO) and Neighborhood Commercial (NC) Districts.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~~

## ~~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.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 all outside storage—  
areas are totally screened from view from any Residential 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;~~

~~1) \_\_\_\_\_~~

~~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.~~

~~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.~~

~~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:~~

~~1) \_\_\_\_\_ Intensity of Use~~

~~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.~~

10)

2) ~~Lot Width~~

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

3) Side Yards

A) \_\_\_\_\_

~~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.~~

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) \_\_\_\_\_

~~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.~~

~~Section 560.05 Supplementary Development Standards~~

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

E) \_\_\_\_\_

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.~~

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

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

G) \_\_\_\_\_

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

H) \_\_\_\_\_

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.

D) \_\_\_\_\_

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

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

A) The following uses shall be permitted in the NC provided all the development requirements of this Section are met:

<u>451</u>	<u>Retail Trade Stores</u>
<u>448</u>	<u>Clothing and Accessory Stores</u>
<u>443142</u>	<u>Electronic Stores</u>
<u>445110</u>	<u>Supermarkets and Other Grocery (except convenience) Stores</u>
<u>445210</u>	<u>Meat Markets</u>
<u>445220</u>	<u>Fist and Seafood Markets</u>
<u>445230</u>	<u>Fruit and Vegetable Markets</u>
<u>445291</u>	<u>Baked Goods Stores</u>
<u>445299</u>	<u>All Other Specialty Food Stores</u>
<u>445310</u>	<u>Beer, Wine and Liquor Stores</u>
<u>446110</u>	<u>Pharmacies and Drug Stores</u>
<u>446120</u>	<u>Cosmetics, Beauty Supplies and Perfume Stores</u>

<a href="#">451221</a>	<a href="#">Book Stores</a>
<a href="#">453110</a>	<a href="#">Florists</a>
<a href="#">453220</a>	<a href="#">Gift, Novelty and Souvenir Stores</a>
<a href="#">453920</a>	<a href="#">Art Dealers</a>
<a href="#">811211</a>	<a href="#">Consumer Electronics Repair and Maintenance</a>
<a href="#">811212</a>	<a href="#">Computer and Office Machine Repair and Maintenance</a>
<a href="#">811430</a>	<a href="#">Footwear and Leather Goods Repair</a>
<a href="#">811490</a>	<a href="#">Other Personal and Household Goods Repair and Maintenance</a>

[No retail trade store in the NC 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 District or the Community Service District.](#)

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

[The following uses may be allowed in the NC subject to approval in accordance with Article X, Sections 1001.06 and 1001.07:](#)

<a href="#">444220</a>	<a href="#">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)</a>
<a href="#">512131</a>	<a href="#">Motion Picture Theatres (except Drive-Ins)</a>
<a href="#">711110</a>	<a href="#">Dinner Theatres only</a>
<a href="#">722410</a>	<a href="#">Drinking Places</a>
<a href="#">722511</a>	<a href="#">Full-Service Restaurants</a>
<a href="#">722513</a>	<a href="#">Limited-Service Restaurants</a>
<a href="#">722514</a>	<a href="#">Cafeterias, Grill Buffets and Buffets</a>
<a href="#">722515</a>	<a href="#">Snack and Nonalcoholic Beverage Bars</a>
<a href="#">812320</a>	<a href="#">Dry-cleaning and Laundry Services (except coin-operated)</a>

4) [The NC retail limit of 5,000 square foot 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) Drive-in facilities 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)2) 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.
  - 3) The proposed drive-in facility and access drive shall conform to all development standards in accordance with this Section, including side and rear yard setbacks.
  - 4) The proposed drive-in facility shall be screened by plantings or other appropriate methods when adjacent to residential zoning districts.
- B) Single-family dwellings in association with a permitted use. 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 Jefferson Water & Sewer District, the Ohio EPA and the Franklin County Public Health shall be required.

### **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 NC.

A) Lot Area/Coverage

- 1) A minimum lot size of one (1) acre is required. One (1) or more structures may be placed on a lot.
- 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) 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.

C) 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.

D) Rear Yard

- 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) 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.
- D) 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**

The Community Service District (CS) is intended to provide suitable areas for the location of large retail and commercial uses, which serve the needs of Jefferson Township and surrounding communities. Because of the size, scope and/or intensity of uses permitted, the CS 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.

### **Section 560.02 - Permitted Uses**

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

<u>444</u>	<u>Building Materials Dealers</u>
<u>511</u>	<u>Publishing</u>
<u>441110</u>	<u>New Car Sales</u>
<u>441120</u>	<u>Used Car Sales</u>
<u>441210</u>	<u>Recreational Vehicle Dealers</u>
<u>441228</u>	<u>Motorcycle, ATV and All Other Motor Vehicles Dealers</u>
<u>447110</u>	<u>Gasoline Stations with Convenience Stores</u>
<u>512131</u>	<u>Motion Picture Theatres (except Drive-Ins)</u>
<u>532299</u>	<u>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)</u>
<u>532310</u>	<u>General Rental Centers (provided all outside storage areas are totally screened from view from and Residential District, Planned Residential District or Suburban Office District)</u>
<u>721110</u>	<u>Hotels (except Casinos) and Motels</u>

**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; Section 550.02 (except adult entertainment retail 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 District, subject to approval in accordance with Article X, Sections 1001.06 and 1001.07.

<u>236</u>	<u>General Building Contractors</u>
<u>238140</u>	<u>Masonry Contractors</u>
<u>238210</u>	<u>Electrical Contractors and Other Wiring Installation Contractors</u>
<u>238220</u>	<u>Plumbing, Heating and Air-Conditioning Contractors</u>
<u>238350</u>	<u>Carpentry Work (except framing)</u>
<u>238990</u>	<u>All Other Specialty Trade Contractors</u>
<u>441110</u>	<u>New Car Dealers</u>
<u>441120</u>	<u>Used Care Dealers</u>
<u>441228</u>	<u>Motorcycle, ATV and all other motor vehicle dealers</u>
<u>561730</u>	<u>Landscaping Services</u>
<u>811192</u>	<u>Car Washes</u>

A) All outside storage areas for any of the above listed permitted uses, provided that such outdoor storage areas shall be totally screened from view from any Residential District, Planned Residential District or Suburban Office District.

B) Game rooms, pool rooms and associated uses, provided that:

- ⊖2) 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) 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 CS:

### A) Lot Area/Coverage

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) 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.

### ⊖ C) 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.

### ⊖ D) Rear Yard

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

3) A use to be serviced from the rear shall have a service court, alley 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:

B) 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.

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

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

E) 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.

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

~~7)G)~~ 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 ~~(RI)~~-District (RI) 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 ~~development standards~~Development Standards 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. Residential Districts~~rural~~ or Commercial Uses~~residential areas~~) 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 ~~, provided all District 1)~~  
~~permitted uses in the development requirements~~All  
~~Community Service (CS) District. (Resolution No. 93-6-1)~~

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

<u>311340</u>	<u>Non-chocolate Confectionery Manufacturing</u>
<u>311351</u>	<u>Chocolate and Confectionery Manufacturing from Cacao Beans</u>
<u>311423</u>	<u>Dried and Dehydrated Food Manufacturing</u>
<u>311812</u>	<u>Commercial Bakeries</u>
<u>311813</u>	<u>Frozen Cakes, Pies, and Other Pastries Manufacturing</u>
<u>311821</u>	<u>Cookie and Cracker Manufacturing</u>
<u>315280</u>	<u>Other Cut and Sew Apparel Manufacturing</u>

<a href="#"><u>316210</u></a>	<a href="#"><u>Footwear Manufacturing</u></a>
<a href="#"><u>316992</u></a>	<a href="#"><u>Women's Handbag and Purse Manufacturing</u></a>
<a href="#"><u>325411</u></a>	<a href="#"><u>Medicinal and Botanical Manufacturing</u></a>
<a href="#"><u>325412</u></a>	<a href="#"><u>Pharmaceutical Preparation Manufacturing</u></a>
<a href="#"><u>325992</u></a>	<a href="#"><u>Photographic Film, Paper, Plate, and Chemical Manufacturing</u></a>
<a href="#"><u>327211</u></a>	<a href="#"><u>Flat Glass Manufacturing</u></a>
<a href="#"><u>327213</u></a>	<a href="#"><u>Glass Container Manufacturing</u></a>
<a href="#"><u>333316</u></a>	<a href="#"><u>Photographic and Photocopying Equipment Manufacturing</u></a>
<a href="#"><u>334111</u></a>	<a href="#"><u>Electronic Computer Manufacturing</u></a>
<a href="#"><u>334310</u></a>	<a href="#"><u>Audio and Video Equipment Manufacturing</u></a>
<a href="#"><u>334417</u></a>	<a href="#"><u>Other Electronic Component Manufacturing</u></a>
<a href="#"><u>334514</u></a>	<a href="#"><u>Totalizing Fluid Meter and Counting Device Manufacturing</u></a>
<a href="#"><u>334515</u></a>	<a href="#"><u>Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals</u></a>
<a href="#"><u>339910</u></a>	<a href="#"><u>Jewelry and Silverware Manufacturing</u></a>

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](#).

- ↳ 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 ~~RI Restricted Industrial District~~.

### A) Lot Area/Coverage

#### ~~) — Intensity of Use~~

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

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

### 2)

- B) 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 ~~screened to~~ conceal service and loading operations from adjoining streets and from any Residential District or ~~a~~ Planned Residential ~~district~~ ~~District~~ as ~~defined~~ ~~listed~~ in Article III.

B) \_\_\_\_\_

⇒ 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 development standards ~~Development Standards~~.

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 defined ~~listed~~ 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 twenty percent (20%) ~~one third (1/3) the sum of the~~ lot depth ~~or height and width of the structure, but in no case shall be less than~~ fifty (50) feet, whichever is greater, from any interior lot line. ~~A minimum of~~ and 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.

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).

## **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~~.

### **Section 580.02 - Permitted Uses**

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

- ~~1) 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 (RI) District.~~
- ~~2) Manufacture of this Section are met: furniture, partitions, and wood prefabricated structural units, modular homes, and similar wood building components.~~

<a href="#"><u>238</u></a>	<a href="#"><u>Contractors</u></a>
<a href="#"><u>337</u></a>	<a href="#"><u>Manufacturing</u></a>
<a href="#"><u>444</u></a>	<a href="#"><u>Building Material Dealers</u></a>
<a href="#"><u>481</u></a>	<a href="#"><u>Air Transportation</u></a>
<a href="#"><u>482</u></a>	<a href="#"><u>Rail Transportation</u></a>
<a href="#"><u>484</u></a>	<a href="#"><u>General Freight Trucking Transportation</u></a>
<a href="#"><u>493</u></a>	<a href="#"><u>Warehousing (except Farm Product and Warehousing Storage)</u></a>
<a href="#"><u>531</u></a>	<a href="#"><u>Mini-warehouses and Self-Storage Units</u></a>
<a href="#"><u>3112</u></a>	<a href="#"><u>Grain Manufacturing</u></a>
<a href="#"><u>3115</u></a>	<a href="#"><u>Dairy Manufacturing</u></a>
<a href="#"><u>321992</u></a>	<a href="#"><u>Prefabricated Wood Building Manufacturing</u></a>
<a href="#"><u>335210</u></a>	<a href="#"><u>Small Electrical Appliance Manufacturing</u></a>
<a href="#"><u>337121</u></a>	<a href="#"><u>Upholstered Household Furniture Manufacturing</u></a>
<a href="#"><u>337122</u></a>	<a href="#"><u>Non-upholstered Wood Household Furniture Manufacturing</u></a>
<a href="#"><u>337211</u></a>	<a href="#"><u>Wood Office Furniture Manufacturing</u></a>
<a href="#"><u>337212</u></a>	<a href="#"><u>Custom Architectural Woodwork and Millwork Manufacturing</u></a>
<a href="#"><u>337214</u></a>	<a href="#"><u>Office Furniture (except wood) Manufacturing</u></a>
<a href="#"><u>339920</u></a>	<a href="#"><u>Sporting and Athletic Goods Manufacturing</u></a>
<a href="#"><u>339930</u></a>	<a href="#"><u>Doll, Toy and Game Manufacturing</u></a>
<a href="#"><u>339940</u></a>	<a href="#"><u>Office Supplies (except paper) Manufacturing</u></a>

<a href="#">423320</a>	<a href="#">Brick, Stone, and Related Construction Material Merchant Wholesalers</a>
<a href="#">423620</a>	<a href="#">Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers</a>

~~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:

~~1) — Manufacturing of hand tools, hardware, and 1001.07; similar products.~~

<u>327</u>	<u>Concrete Manufacturing</u>
<u>327</u>	<u>Glass Manufacturing</u>
<u>336</u>	<u>Transportation Equipment Manufacturing</u>
<u>332216</u>	<u>Saw Blade and Hand Tool Manufacturing</u>
<u>332710</u>	<u>Machine Shops</u>
<u>333517</u>	<u>Machine Tool Manufacturing</u>
<u>333991</u>	<u>Power-Driven Hand Tool Manufacturing</u>

~~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.~~

~~6) A) — Other industrial uses not permitted in any other zone;~~ which demonstrate they can meet the development standards~~Development Standards~~, nuisance provisions, and other applicable requirements of this Resolution.

All establishments selling forms of adult material provided that all development standards of this section and

B) Article VIII are met.

## 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 L~~Limited Industrial (LI) District~~:

A) \_\_\_\_\_

↳ 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 district~~District~~ 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 defined~~listed~~ in Article III.

B) \_\_\_\_\_

⇒ Lot Width

All lots shall abut a public street for a distance of one hundred (100) feet or more and have adequate lot width to provide the yard space required by these development standards~~Development Standards~~.

C) \_\_\_\_\_

3) Side Yards

For ~~main and accessory~~ structures, including open storage, service, and loading areas, the required side yards shall be ~~no~~not less than three hundred (300) feet from any Residential District or Planned Residential District, and ~~no~~not 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 ~~not~~be no less than three hundred (300) feet from any Residential District or Planned Residential District, and ~~no~~not 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).

# Article VI

## Planned Districts

### **SECTION 600 - PROCEDURES AND REGULATIONS FOR PLANNED DISTRICTS ADOPTED** ~~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 [this Article and Article IX and the district requested by each application](#) ~~Section VII and the requirements of "Procedure" of the Planned Development Zoning District petitioned.~~

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

##### Regulations

~~Regulation~~ pertaining to the use of land and/or structures, and the physical development thereof within each of the ~~zoning districts~~ ~~Zoning Districts~~ as adopted as a Planned ~~Development~~ Zoning District in [Article III Section II and VI of this Resolution, and shown as may be drawn](#) on the [Official Zoning District Map attached hereto](#) are hereby established [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](#) ~~and adopted.~~

#### **Section 600.03 - Rules of Application**

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

A) \_\_\_\_\_

~~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.~~

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 ~~permitted use~~Permitted Use shall be allowed as a matter of right in a Planned ~~Development~~-Zoning District and any ~~use~~ not so designated shall be prohibited, except, ~~an~~ ~~when in character with the proposed development such~~ additional ~~use~~uses may be approved as a part of the ~~development plan 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~~Development Plan.

C) Procedures

The procedures and conditions set forth for the determination of Planned ~~Zoning~~Development Districts and development therein shall be followed. ~~However, in exceptional cases, except that a~~ written statement by the applicant ~~may be attached to the application and~~ shall clearly show that such procedures or ~~conditions~~ do not apply ~~to that in the specific application.~~ ~~ease~~. Such statements ~~shall~~ accompany the application and ~~are~~is subject to approval by the Board of Trustees.

D) Development Standards

The ~~development standards~~Development Standards set forth shall be the minimum allowed for development in a Planned ~~Development~~-Zoning District.

## ~~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)~~

~~1) \_\_\_\_\_~~

~~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.~~

~~2) \_\_\_\_\_~~

~~6)3) 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).~~

4) \_\_\_\_\_

~~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:~~

B)

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

1)

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

1)

~~3) Increasing impervious cover~~

2)

~~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~~

2)

~~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~~

3)

~~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.~~

4)

~~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:~~

~~2) \_\_\_\_\_~~

~~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) \_\_\_\_\_~~

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

~~1) \_\_\_\_\_~~

~~4)2) Changing the location of approved uses when such change does not substantially alter the layout as shown on the approved development plan.~~

~~5) \_\_\_\_\_~~

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

~~4) \_\_\_\_\_~~

~~6)5) 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) \_\_\_\_\_

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

2) \_\_\_\_\_

~~3) Increasing the number of structures~~

3) \_\_\_\_\_

- 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) \_\_\_\_\_

- 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~~

3) \_\_\_\_\_

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

1) \_\_\_\_\_

- 8)2) ~~Changing the location of approved uses when such change substantially alters the layout as shown on the approved development plan.~~

6) \_\_\_\_\_

- 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.~~

~~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) \_\_\_\_\_~~

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

~~1) \_\_\_\_\_~~

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

~~2) \_\_\_\_\_~~

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

~~3) \_\_\_\_\_~~

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

~~6) \_\_\_\_\_~~

~~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.~~

3) \_\_\_\_\_

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

5) \_\_\_\_\_

~~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~~

3) \_\_\_\_\_

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

6) \_\_\_\_\_

~~8)7) Changing the location of approved uses when such change substantially alters the layout as shown on the approved development plan.~~

~~9)4) 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—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; opportunities. ~~Opportunities~~ to reduce development costs also may be provided by the PRD ~~(PR) District~~.

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

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

A)2) Flexibility in required yard areas immediately adjacent to structures.

- 1) ~~Flexibility in required yard areas immediately adjacent to structures.~~
- ~~2)3) Flexibility in structural types.~~
- ~~3)4) Flexibility in minimum lot frontage requirements.~~
- ~~4)5) Privately maintained streets, open space and other amenities or improvements.~~
- ~~5)6) Consideration of other unique design features.~~

C) Responsibilities of Applicant

The applicant

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

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

~~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.~~

A)

~~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.~~

~~B) \_\_\_\_\_~~

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

~~C) \_\_\_\_\_~~

~~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.~~

~~D) \_\_\_\_\_~~

~~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. 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.~~

~~E) \_\_\_\_\_~~

~~I) 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 and are adequately designed, located and otherwise provided for by the Development Plan and other required documents.~~

~~Section 610.03 Tract and Density Criteria~~

B) \_\_\_\_\_

~~The owner(s) of a tract of land ten (10) acres or more in area may request that the zoning district map be amended to include such tract in the Planned Residential (PR) District.~~

~~The density of development within the PR District shall not exceed a total of one (1) dwelling unit per acre.~~ **Section 610.04 Procedure**

A) ~~Sketch Plan~~

A) \_\_\_\_\_

~~In exchange for flexibility, the Planned Residential (PR) District 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 plans with County subdivision authorities (e.g. County or Regional Planning Commission, County Engineer, County Board of Health, etc.) and Township Zoning Commission prior to submitting a formal application. This sketch plan phase is mandatory if private streets are proposed.~~

B)A) Development Plan Submission

~~Eight (8) copies of a Development Plan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Zoning District Map. Such Development Plan 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 propose 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 Development Plan.~~

1) \_\_\_\_\_

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

2) \_\_\_\_\_

4)3) ~~Architectural design concepts to be utilized, landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.~~

~~5)4) 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)5) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, and easements.~~

1)

~~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)6) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan. Evidence of control includes property rights, and the engineering feasibility data, which may be necessary.~~

~~1) \_\_\_\_\_~~

~~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 Township Zoning Commission and/or the Township Trustees, in order to determine compliance with this Resolution.~~

~~7) \_\_\_\_\_~~

C) ~~Basis of Approval~~

~~The basis for approving a Planned Residential (PR) District application shall be:~~

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

~~1) \_\_\_\_\_~~

~~2) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;~~

~~2) \_\_\_\_\_~~

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

~~3) \_\_\_\_\_~~

~~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.~~

D) ~~Effect of Approval~~

~~5) \_\_\_\_\_~~

~~The Development Plan as approved by the Jefferson Township Trustees shall constitute an amendment to the Planned Residential (PR) District 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 50 acres and five (5) years for tracts more than 50 acres. This time period is to allow the preparation of the required Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required Subdivision Plat is submitted and recorded within the 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.~~

~~E) Extension of Time or Modification~~

~~B) \_\_\_\_\_~~

~~1) An extension of the time limit of the approved Development 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 Development Standards for the District.~~

~~2)C) 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;~~

1)

~~e) 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 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:~~

#### ~~1)A) Open Space~~

~~2) 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.~~

1)

#### ~~2)B) Lot and Yard Areas~~

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)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)a) 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)b) Private maintenance responsibilities are clearly indicated in legal documents.~~

~~4) Parking~~

~~D)~~

~~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~~

~~2) General~~

~~The Planned Suburban Residential (PSR) District is provided as an additional 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. Opportunities to reduce development costs also may be provided by the PSR District.~~

~~3) Benefits of PSR District~~

~~A)~~

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

~~A)7) Flexibility in required yard areas immediately adjacent to structures.~~

~~B) Flexibility in residential types.~~

~~C) Flexibility in minimum lot frontage requirements.~~

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

~~E) Consideration of other unique design features~~

~~4)B) Responsibilities of Applicant~~

~~F)~~

~~In order to be eligible for consideration under the provisions of the (PSR) District, the applicant is required to provide all information listed herein. 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 shall be limited to one or more of the following uses:~~

~~2)C) Detached single family residences.~~

- ~~3) 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.~~

- 4) ~~D~~ Home occupations in association with a permitted dwelling, and in accordance with the standards of Article VIII.
- 5) ~~E~~ Accessory buildings and uses in association with a permitted dwelling, in accordance with the standards of Article VIII.
- 6) ~~F~~ Public or private schools offering general educational courses and having no rooms used for housing or sleeping of students.
- 7) ~~G~~ Parks, playgrounds and playfields open to the public ~~without fee~~.
- 8) ~~H~~ 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.
- D 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.

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

- 9) ~~J~~ 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~~ Development Plan.
- 10) ~~K~~ Other residentially-oriented uses which, in the opinion of the ~~Township~~ Zoning Commission and the Township Trustees, meet the purpose and intent of the ~~PRD (PSR) District~~ and are adequately designed, located and otherwise provided for by the ~~development plan~~ Development Plan and other required documents.

**Section ~~610~~<sup>620</sup>.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 Map~~ zoning district map be amended to include such tract in the ~~PRD Planned Suburban Residential (PSR) District~~.

The density of ~~the~~ development within the ~~PRD (PSR) District~~ shall not exceed a total of ~~2.5 dwelling units per gross acre~~.

~~Section 620.04 Procedure~~

A) ~~C~~ Site Plan

~~In exchange for flexibility, the Planned Suburban Residential (PSR) District 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 plans with County subdivision authorities (e.g. County or Regional Planning Commission, County Engineer, County Board of Health, etc.) and Township Zoning Commission prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.~~

~~B)E) Development Plan Submission~~

~~Eight (8) copies of a Development Plan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Zoning District Map. Such Development Plan shall conform to the following:~~

~~A)2) 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.~~

~~one~~

~~(1)~~

~~B) The proposed location and size of areas of residential use, indicating dwelling unit per acre densities, dwelling unit types, the total number of dwelling units for each density area, and the total number of dwelling units proposed in the Development Plan.~~

~~C)3) The proposed size, location, and use of non residential portion 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) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan.~~

~~I) Evidence of control includes property rights, and the engineering feasibility data, which may be necessary.~~

~~J) 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.~~

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

~~L)8) 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) District application shall be the following, but not limited to the following:~~

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

~~D) 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.~~

~~D)E) Effect of Approval~~

~~The Development Plan as approved by Jefferson Township Trustees shall constitute an amendment to the Planned Suburban Residential (PSR) District Regulations 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 (10) and fifty (50) acres and five (5) years for property in excess of fifty (50) acres to allow the preparation of the required Subdivision Plat in accordance with the Subdivision Regulations of Franklin County, Ohio. Unless the required Subdivision Plat 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.~~

~~A) Extension of Time or Modification~~

~~B) An extension of the time limit of the approved Development 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 Development Standards for the District.~~

~~C)~~

~~D)~~

~~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.~~

A) \_\_\_\_\_

B) Approval of modification(s) whether major or minor in character, shall be given upon a finding that:

i.2) 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~~

**Section 610.04 - Development Standards**

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

The following standards for arrangement and development of land and buildings apply to the ~~PRD, 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 provisions of Article VIII – Development Plan, the~~ General Development Standards (Article VIII of ~~this the Jefferson Township Zoning Resolution~~) shall also apply:

~~5)A) Open Space~~

~~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. )~~

~~4)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 (20) percent (25%) of the gross area of the tract included in the ~~development plan~~ ~~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.~~

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:

2) \_\_\_\_\_

- 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%)~~ percent 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. ~~general health, safety and welfare of the Township.~~ Land set aside as open space shall not be included in the minimum yard space required for a dwelling.

6)B) *Lot and Yard Areas*

- 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).

7)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.
  - A)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.
  - B)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 610.05 - Application Requirements and Procedure**

B) *Site Plan*

In exchange for flexibility, the 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 the plans with 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, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on byway) and the Jefferson Water and Sewer District prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.

C) 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.

⊖F) Development Plan Submission

Ten (10) copies of a development plan, 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 development plan shall conform to the following:

- 4)8) 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.
- 9) 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 development plan.
- 10) 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.
- 2)11) Architectural design concepts to be utilized, landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.
- 3)12) 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.
- 4)13) 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.
- 14) 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.
- 5)15) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan. Evidence of control includes property rights, and the engineering feasibility data, which may be necessary.
- 16) 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.
- 17) 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.

~~F~~G) *Basis of Approval*

The basis for approving a PRD application shall be:

- 5) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution.
- 6) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.
- 7) That the proposed development advances the general welfare of Jefferson Township and the immediate vicinity.
- ~~H~~8) 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.
- 9) Any and all other considerations deemed appropriate by the Zoning Commission to protect and promote the interest of public health, safety, convenience, comfort, prosperity, and general welfare of the Township.

~~G~~H) *Effect of Approval*

The development plan as approved by the Jefferson Township Trustees shall constitute an amendment to the 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 subdivision plat, submitted in accordance with the subdivision regulations for Franklin County, Ohio. Unless the required subdivision plat 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.

G) *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.
- 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.

G) *Extension of Time*

- 2) An extension of the time limit of the approved development plan may be approved by the Zoning Commission. Such approval 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 development standards for the zoning district. 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.

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**

3)D) 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 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 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.

4)E) *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:

- 6) Lot line adjustments (no additional lots may be created).
- 7) 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;
- 8) Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.
- 9) 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.
- 4)10) Increasing the amount of open space when such increase benefits the general character of the approved development.
- 11) Minor relocation of public street(s) or entries (Relocation is less than one hundred (100) feet from original approved location).
- 12) 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.

F) *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:

- 7) Enlarging residential areas or increasing the number of lots.

- 8) Increasing impervious cover.
- 9) 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.
- 10) Relocating easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development.
- 11) 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.
- 12) 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 620 - PLANNED SUBURBAN RESIDENTIAL DISTRICT (PSR)**

### **Section 620.01 - Purpose**

#### C) *General*

The Planned Suburban Residential District (PSR) is provided as an option to 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.

#### D) *Benefits of the PSR*

To achieve these goals, the PSR provides the potential for the following:

- ~~H~~2) Flexibility in required yard areas immediately adjacent to structures.
- 3) Flexibility in residential types.
- 4) Flexibility in minimum lot frontage requirements.
- 5) Privately maintained streets, open space and other amenities or improvements.
- 6) Consideration of other unique design features.

#### ~~5~~E) *Responsibilities of Applicant*

The applicant shall provide all information 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 information required in accordance with this Section.

### **Section 620.02 - Permitted Uses**

Land and buildings in the PSR shall be limited to one or more of the following uses:

- F) Detached single-family residences.

- G) Single-family, attached twin singles, townhouses, or other innovative forms of suburban residential development, provided all density criteria and applicable requirements are met.
- H) 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.
- J) Public or private schools that offer general educational courses and have no rooms used for the housing or sleeping of students.
- K) Parks, playgrounds and playfields open to the public.
- L) 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.
- M) Churches or other places of worship provided each use occupies a lot of no less than three (3) acres and there is one (1) acre or more per one hundred (100) seats in the main assembly area.

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

- N) 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.
- O) 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 and are adequately designed, located and otherwise provided for by the development plan 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 Map be amended to include such tract in the PSR.

The density of the development within the PSR 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:

⇒B) Open Space

- 3) 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.
- 4) 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:
  - b) Private road and public road right-of-ways.
  - c) Parking areas, access ways and driveways.
  - d) Required setbacks between buildings, parking areas and project boundaries.
  - e) Required setbacks between buildings and streets.
  - f) Private yards.
  - g) Other small fragmented or isolated open space areas that have a dimension of less than seventy-five (75) feet in any direction.
- 5) 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~~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.

⇒C) 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~~Development Plan~~, provided that the overall density of the tract covered by the development plan~~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~~Development Plan~~.

~~4~~D) Private Roads

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

A)1) Preliminary ~~street~~Street plans and typical sections are submitted and approved with the ~~development plan~~Development Plan.

Jefferson

B)2) 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.

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

~~5~~E) 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.~~

~~6)F)~~ Buffer Area

The Zoning Commission shall have the discretion to require ~~the developer of (PSR) District to plan and develop~~ 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.

~~3)G)~~ 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:

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 620.05 ~~-06-~~ Natural Resource Protection**

Floodplains, ~~woodlands, steep slopes, mature and young forests,~~ wetlands, ~~and~~ drainage ~~ways~~ shall be protected as required by this Section in this Part. ~~The following are findings of fact:~~

~~4)A)~~ Wetlands

~~A)~~ Determination: -

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

~~i)a)~~        Wetland inventory maps prepared by Franklin County.

~~ii)b)~~        Field survey of ~~plan~~<sup>plant</sup> material by a botanist.

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

~~B)~~        Protection Levels:        -

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

~~i)a)~~        Where disturbance of filling is essential to provide access to the buildable portions of the property ~~and~~<sup>if</sup> no other alternative is feasible.

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

~~iii)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:

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

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

~~1)A)~~ 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~~

~~B)~~

~~3)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.

~~E)~~ Disruption and/or Modification: ~~-~~

3) All development proposals, which ~~disturb any will disrupt the wetlands, wetland areas~~ shall, in addition to the provisions of this ~~Zoning Resolution Ordinance~~, provide proof of approval by the U.S. Army Corp of Engineers.

~~2)B)~~ Drainageways

~~A)~~ Determination: ~~-~~

Drainageways are determined as follows:

1) \_\_\_\_\_

~~1)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 1/2 minute quadrangle sheets covering Franklin County.

ii)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.

ii)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.

~~Franklin County, Ohio dated February 1980 (or as amended) determined to be floodplain soils.~~

~~B)~~ Protection Levels: Drainage ways:-

~~2)~~ Drainageways shall be ~~provided with one hundred percent (100%) protection levels from all land uses. All such~~ protected areas as ~~shall be~~ permanent open space.

~~3)C)~~ Floodplains

~~A)~~ Determination: -

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

~~B)2)~~ Protection Levels:-

~~i)a)~~ For all developments, the level of protection provided for floodplains ~~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 determined by a required on-site survey). Floodways and one hundred (100) year recurrence interval floodplains shall be protected as permanent open space ~~provided with one hundred (100) percent protection.~~

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

4) ~~Steep Slopes~~

~~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)D) Woodlands~~

~~A) Determination.~~

~~1) \_\_\_\_\_~~

~~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.~~

~~2) \_\_\_\_\_~~

~~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.~~

e)3) 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 ~~have~~ **having** a ten\_

a) \_\_\_\_\_ (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.

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~~having a three (3) inch caliper or greater.

4) 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.

5) 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.

~~D)6)~~ 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 620.06 - Application Requirements and Procedure

~~D)F)~~ Site Plan

In exchange for flexibility, the 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 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, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on byway) and the Jefferson Water and Sewer District prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.

G) 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.

H) Development Plan Submission

Ten (10) copies of a development plan, 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 development plan shall conform to the following:

~~A)9)~~ 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.

- 10) 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 development plan.
- ~~B~~11) 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.
- ~~C~~12) Architectural design concepts to be utilized, landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.
- ~~D~~13) 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.
- ~~E~~14) 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.
- ~~F~~15) 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.
- 16) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan. Evidence of control includes property rights, and the engineering feasibility data, as may be necessary.
- 17) Deed restrictions, protective covenants, and other legal statements or devices 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.
- 18) 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.
- ~~M~~19) Evidence that sewer and water is available for the project from the Jefferson Water and Sewer District.

~~E~~I) *Basis of Approval*

Approval of an application requesting a rezoning to PSR shall provide, but not be limited to, the following:

- 1) That the proposed development plan is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution.
- 2) That the proposed development plan is in conformity with the comprehensive plan or portion thereof as it may apply.
- 3) That the proposed development plan advances the general welfare of 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 zoning district requirements included in this Zoning Resolution.
- 5) Any and all other considerations deemed appropriate by the Zoning Commission to protect and promote the interests of public convenience, comfort, prosperity, and general welfare of the Township.

~~F~~J) *Effect of Approval*

The development plan as approved by Jefferson Township Trustees shall constitute an amendment to the 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 subdivision plat in accordance with the subdivision regulations of Franklin County, Ohio. Unless the required subdivision plat 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.

K) *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.

L) *Extension of Time*

An extension of the time limit of the approved development plan may be approved by the Zoning Commission. Such approval 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 development standards for the zoning district. 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.

M) *Divergences*

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**

C) 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.

D) Approval of modification(s) whether major or minor in character, shall be given upon a finding that:

ii.3) A necessity exists requiring the modification;

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

5) 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.

E) 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:

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

8) 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.

9) 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.

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

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

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

~~14)~~13) 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.

F) 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:

Enlarging residential areas or increasing the number of lots.

4) \_\_\_\_\_

5) Increasing impervious cover.

6) 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.

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

8) 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.

9) 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 630 - SUBURBAN PERIPHERY RESIDENTIAL-  
~~SUBURBAN PERIPHERY RESIDENTIAL~~ DISTRICT (SPR~~SPRD~~)**

## Section 630.01 ~~-~~ Purpose

The Suburban Periphery Residential District (~~SPR~~~~SPRD~~) is provided for large-scale residential areas that are served by a centralized sanitary sewer and water system. The (~~SPR~~)~~District~~ is appropriate for peripheral areas of ~~Jefferson~~~~the~~ 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~~. The use of this zoning ~~district~~~~category~~ is limited to parcels or parts of parcels within ~~Jefferson~~~~the~~ 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~~

~~A)1) Single-family~~ ~~dwelling~~~~s.~~ ~~dwelling~~~~structures~~

~~B)2) Two-family~~ ~~dwelling~~~~s~~~~dwelling~~~~structures~~, condominiums and town homes.

~~C)3) Multi-family~~ ~~dwelling~~~~s.~~ ~~dwelling~~~~structures~~

### ~~2)B) Accessory Uses~~

Accessory buildings and uses in association with dwellings as specified in Article VIII.

~~3) ———~~ ~~Parks, Playgrounds and Playfields Open to the~~ ~~Conditional~~~~Uses~~

### ~~C) Public~~

### ~~D) Home Occupation~~

~~A) Home occupation in association with a permitted dwelling and in accordance with the provisions of Article VIII~~ ~~School~~.

### ~~E) Public or Private Schools~~

~~school operated by a~~ ~~Public or private schools~~ ~~School District~~ offering general educational ~~courses~~ ~~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.~~

~~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)F) Religious:~~

~~D) A church~~ Church or other place of worship provided it occupies a lot of not less than ~~three (3)~~ three (5) 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.~~ 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~~

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

**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 shall also apply: ~~not specific to this district are found in Article VIII, “General Development Standards”~~

~~1)A) 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 area ~~Area~~ standards in Table VI-1 shall be followed.

**TABLE VI-1**

**Detached Single-Family Variable Lot Size Standards**

<i>Minimum</i>	<i>Small Lot</i>	<i>Average Lot</i>	<i>Large Lot</i>
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%	<del>15%</del> <u>30</u>
Street Setback (with alley)	15 ft.	15 ft.	15 ft.
<u>Street Setback</u> <u>(Collector*)</u>	<u>35 ft.</u>	<u>35 ft.</u>	<u>35 ft.</u>
<u>Side Yard</u>	<u>5 ft.</u>	<u>5 ft.</u>	<u>5 ft.</u>
<u>Rear Yard</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>
<u>Rear Yard (with alley)</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>20 ft.</u>

<del>Street Setback (Collector*)</del>	<del>40 ft.</del>	<del>40 ft.</del>	<del>40 ft.</del>
<del>Side Yard</del>	<del>5 ft.</del>	<del>5 ft.</del>	<del>5 ft.</del>
<del>Rear Yard</del>	<del>25 ft.</del>	<del>25 ft.</del>	<del>25 ft.</del>
<del>Rear Yard (with alley)</del>	<del>20 ft.</del>	<del>20 ft.</del>	<del>20 ft.</del>

\*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**

<i>Minimum</i>	<i>Two-Family</i>	<i>Attached Single-Family</i>
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.
<u>Side Yard Setback</u>	<u>5 ft.</u>	<u>20 ft. separation between buildings</u> <u>(may be common open space)</u>
<u>Rear Yard Setback</u>	<u>20 ft.</u>	<u>20 ft.</u>

	<del>5 ft. or 10% of width</del>	<del>20 ft. separation between buildings</del>
Side Yard Setback	<i>whichever is greater</i>	(may be common open space)
	<del>20 ft. or 20% of depth</del>	<del>20 ft. or 20% of depth</del>
Rear Yard Setback	<i>whichever is greater</i>	<i>whichever is greater</i>

\*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”

~~C)3)~~ 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~~ ~~feet~~ ~~for~~ ~~the~~ ~~primary~~ ~~structure~~.

~~iii)c)~~ Lot width minimum shall be thirty-six (36) feet at street and at building setback.

~~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.

~~D)4)~~ Multi-family dwelling structures:

For each dwelling unit, there shall be a lot area of not less than 3,300 square feet.

~~2)B)~~ Tract and Development Density Criteria

~~A)1)~~ To be designated as ~~SPR~~ ~~Suburban Periphery Residential District~~, 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 ~~Jefferson~~ ~~the~~ 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 SPR~~Suburban Periphery Residential District~~ shall not exceed four point five (4.5) dwelling units (d.u.) per acre.

4)C) Lot Width and Frontage on a Public Right-of-Way

A)1) For detached single-family dwelling structures on separate platted lots, refer to [Table VI-1](#). Each lot shall have access to and abut on a public right-of-way.

~~Table 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.

5)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 ~~smaller than a~~ ~~rated below~~ collector street shall be twenty ~~(20)~~ ~~five (25)~~ feet measured from the edge of the public right-of-way.

6)E) Side Yards

~~A) For detached single-family dwelling structures, see standards listed in [Table 1](#).~~

~~B) For two family, townhomes and other attached single family dwellings, see standards listed in [Table 2](#).~~

7)F) Rear Yard

~~A)1) [VI](#) For detached single family residential structures, see standards listed in [Table 1](#).~~

B)2) For two-family, townhomes and other attached single-family dwellings, see standards listed in [Table VI-2](#).

8)G) Rear Yard

1) For detached single-family residential structures, see standards listed in [Table VI-1](#).

2) For two-family, townhomes and other attached single-family dwellings, see standards listed in [Table VI-2](#).

A)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.

9)H) 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 ~~The minimum right of way for 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 Jefferson Township by a civil engineer licensed to practice in the State of Ohio. Stabilized or improved sub grade may be included as part of the pavement composition.

~~(20) feet, with a minimum sixteen (16) foot pavement width. The minimum width for private 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 the township by a civil engineer licensed to practice in the state of Ohio. Stabilized or improved sub grade may be included as part of the pavement composition.~~

10)I) *Open Space*

1) A minimum of twenty-five percent (25%) of the gross area of the tract included in the development plan shall be designated as open space or public use organized, arranged and restricted by easement, covenant, deed or dedication, or by approved plan. 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.

~~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~~

- 2) ~~public park, such as shelter houses, swimming pools, tennis courts, playground equipment, etc.~~ 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 ~~single~~one-family dwelling lots which are protected by a platted easement of not less than twenty-five (25) feet.

~~11)H) Lot Arrangement~~

- 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.
  - 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.

J) 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, 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:~~

~~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. 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 ~~amendments to the SPR zoning map to rezone lands to this District~~ shall follow the procedures hereinafter set forth:

A) ~~Site Plan~~

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, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on byway) and the Jefferson Water and Sewer District prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.

1)B) ~~Submission of Application~~

The owner or owners of a tract of land may request that~~to any other procedure set out in this Resolution, all applications for amendments to the Official Zoning zoning map to rezone lands to this District~~ Map be amended to include such ~~shall follow~~ tract in SPR in accordance with the provisions of Article VI~~procedures hereinafter set forth.~~

~~2) Development Plan~~

C) ~~Eight (8) copies of the Development Plan Submission~~

Ten (10) copies of the development plan, 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 propose~~ 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 development plan~~Development Plan~~.
- ~~H~~8)      Signed statement of commitment to provide proposed 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 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'~~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.

~~3~~D)      *Plat Required*

In the SPR~~Suburban Periphery Residential District~~, no use shall be established or changed and no structure shall be constructed or altered until the required Subdivision Plat~~subdivision plat~~ has been prepared and recorded in accordance with Subdivision Regulations for Franklin County, Ohio, and this Resolution. The Subdivision Plat~~subdivision plat~~ shall be in accord with the approved Development Plan and illustrate or include:

- 2)      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.
- 3)      The nature and extent of earthwork required for site preparation and development.
- 4)      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.

~~4~~E)      *Action by Zoning Commission*

The Zoning Commission shall hold a public hearing on the development plan~~Development Plan~~ as provided by this Resolution. Such public hearing shall consider all aspects of the development plan. ~~Development Plan~~. 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 development plan~~Development Plan~~, along with ~~its~~ recommendations to the Jefferson Township Trustees with respect to the action to be taken on the development plan. ~~Development Plan~~. The Zoning Commission may recommend disapproval, approval, or approval with amendments, conditions or restrictions.     

~~5~~F)      *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 ~~comprehensive~~master 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 existing~~Existing 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.

~~G)~~G) *Action by the Township Trustees*

The Jefferson Township Trustees shall hold a public hearing on the recommendations of the Zoning Commission regarding the development plan~~Development Plan~~ 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 development plan~~Development Plan~~, 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 development plan~~Development Plan~~ 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 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~~The Township, as a part of development plan~~ approval may request a grant divergence from any development standard or other requirement set forth in this Section, ~~that is noted as "approved per plan"~~. An applicant making such~~requesting~~ a request~~divergence~~ 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 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: ~~submittals.~~

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

- 3) ~~Resolution No. 02-3-3: Text Amendment; effective 04/26/2002.~~ **SECTION**
- 4) 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.
- 5) Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.
- 6) 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.
- 7) Increasing the amount of open space when such increase benefits the general character of the approved development.
- 8) Minor relocation of public street(s) or entries (Relocation is less than one hundred (100) feet from original approved location).
- 9) 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:

- 4) Enlarging residential areas or increasing the number of lots.
- 5) Increasing impervious cover.
- 6) 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.
- 7) Relocation easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development.
- 8) 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.
- 9) 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 640 - PLANNED COMMERCIAL ~~PLANNED COMMERCIAL DISTRICT (PCPC)~~**

**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 ~~-district.~~ ~~—The ~~Planned Commercial~~-(PC)-District~~ 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.~~

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**

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~~.

## ~~Section 640.04 Procedure~~

~~1) Sketch Plan~~

~~The Planned Commercial (PC) District 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 County subdivision authorities (e.g. County or Regional Planning Commission, County Engineer, County Board of Health, etc.) and Township Zoning Commission prior to submitting a formal application.~~

~~2) Development Plan Submission~~

~~Eight (8) copies of a Development Plan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Zoning District Map. Such Development Plan 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 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) 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 **Development Plan**.~~

~~C)2) 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)3) 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)4) 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)5) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, and easements.~~
- ~~G)6) 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)7) Evidence that the applicant has sufficient control over the land to effectuate the proposed **Development Plan**. Evidence of control includes property rights and the engineering feasibility data which may be necessary.~~
- ~~I)8) 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) Other information, as may be required by the Township Zoning Commission and/or the Township Trustees, in order to determine compliance with this Resolution.~~

3)A) *Basis of Approval*

The basis for approving a Planned Commercial (PC) District application shall be:

- ~~A) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;~~
- ~~B) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;~~
- ~~C) That the proposed development advances the general welfare of the Township and the immediate vicinity; and~~
- ~~D) That the benefits, improved arrangement, and the design of the proposed development justify the deviation from standard residential development requirements included in the Zoning Resolution.~~

4)B) *Effect of Approval*

~~The Development Plan as approved by the Jefferson Township Trustees shall constitute the Planned Commercial (PC) District Regulations 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 Subdivision Plat 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.~~

- ~~5) Extension of Time or Modification~~

D)

A) ~~An~~ extension of the time limit of the approved Development 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 **Development Standards** for the District.

~~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:~~

C)

~~i.1) A necessity exists requiring the modification;~~

The following standards for arrangements and

~~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.~~

1)

### ~~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, provision of Article VIII - Development Plan, the General Development Standards shall (~~Article VIII of this Resolution~~) also apply:

~~4)A) Lot Width~~

1)

~~No Minimum 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~~these development standards.

~~2)B)~~ Side Yards

The required yard shall be no less than one hundred (100) feet.

~~3)C)~~ Rear Yard

The required yard shall be no less than one hundred (100) feet.

~~4)D)~~ 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 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.~~AH~~

~~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)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~~Development Plan~~.

~~6)F)~~ Screening

~~A)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~~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.

a)

~~B)2)~~ 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 areas are planned, landscaped islands or medians shall be utilized to lessen negative visual impact and direct traffic flow.

~~C)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.

~~D)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 ~~addressed~~ addressed in the development plan~~Development Plan~~.

~~7)~~ Landscaping

G)

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](#)~~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)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.

9)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 ~~Development Plan~~.

10)J) Architectural Design

A)1) The development plan ~~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)2) All private deed restrictions pertaining to design character and location of buildings shall be included in the development plan ~~Development Plan~~.

C)3) No parcel or lot shall have constructed thereon any building(s) which shall have a ground level floor area of greater than ~~thirty~~ ~~twenty five~~ percent (30~~25~~%) of the lot or parcel upon which said building(s) is or are constructed.

D)4) Building height shall not exceed fifty (~~50~~~~twenty five~~ ~~(25)~~) feet unless otherwise indicated and approved as a part of the development plan ~~Development Plan~~ as appropriate to the specific site and neighborhood character.

E)5) No outside storage shall be permitted within the 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 convenience, comfort, prosperity or general welfare. Trash dumpsters shall have lids and shall be screened from view on all sides.

F)6) All utilities shall be placed underground.

67) All belowground storage facilities not under the ground floor of structures must be illustrated on the development plan~~Development Plan~~.

~~H)K)~~ Graphics

~~A)~~—The development plan~~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~~Detailed Site Plan~~ shall illustrate sign materials and composition.

1) \_\_\_\_\_

~~B)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~~eighteen (18) inches~~ 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.

Wall mounted signs

~~C)4)~~ 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 ~~no~~ greater than fifty (50) square feet. ~~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)5)~~ One (1) development area identification sign shall be permitted within the ~~(PC) District~~ as part of the development plan~~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~~Development Plan~~ submission verifying the need for same.

Any development area identification sign proposed shall be constructed with durable material~~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 (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~~Development Plan~~ as being appropriate to the specific site and neighborhood character.

E)6) Freestanding signs shall be no more than ten (~~10~~~~twenty~~ ~~(20)~~) feet in height, unless otherwise approved as a part of the development plan~~Development Plan~~.

E)7) Temporary real estate for sale or for lease signs shall not exceed thirty-two (~~32~~~~forty~~ ~~(40)~~) square feet in total area, and shall meet all sign setbacks.

G)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.

H)9) All private deed restrictions pertaining to signs shall be included as part of the development plan~~Development Plan~~.

#### ~~12)~~L) Lighting

A)2) The development plan~~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)3) 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.

E)4) 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.

5) All private deed restrictions pertaining to lighting shall be included in the development plan.

### **Section 640.05 - Application Procedure and Requirements**

#### C) Site Plan

D) The 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, Franklin County Engineer, Franklin County Board of Health, etc.) and Jefferson Township Zoning Commission, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on byway) and the Jefferson Water and Sewer District prior to submitting a formal application~~Plan~~.

## ~~SECTION 650~~ — ~~Planned INDUSTRIal PARK DISTRICT (PIP)~~

### ~~Section 650.01~~ — Permitted Uses

The following uses shall be permitted in the Planned Industrial Park (PIP) District.

#### ~~1) Industrial Development~~

~~Manufacturing, processing, warehousing and industrial service activities located and maintained within the limits of the Development Standards of these Planned Industrial Park District Regulations and in accordance with the approved Development Plan.~~

~~Commercial establishments normally associated with and intended to serve the industrial establishments or their employees and approved as a part of the Development Plan. 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 650.02~~ — Procedure

The following procedure shall be followed in placing land in the Planned Industrial Park District.

#### ~~1)D) Submission of Application~~

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 ~~tract in PC~~ tracts in the Planned Industrial Park District in accordance with the provisions of Article VI, 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) The type of firm or firms;~~

~~B) A site plan for the development of each lot, including the placement of structures, storage area, parking areas, yard space, and other activities.~~

#### ~~2)E) Development Plan Submission~~

Ten (10) ~~Eight (8)~~ copies of a development plan, signed by a registered engineer or surveyor and architect or landscape architect, ~~Development Plan~~ shall be submitted with the application to amend the Official Zoning District Map. ~~Such Development Plan shall include in text and map form:~~

~~A)1) The proposed location and size of industrial areas, indicated by sketch, map, or text 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.~~
- ~~E)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)A) Basis of Approval~~

development plan shall conform to the following:

- ~~E)9) 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 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.~~
- ~~10) 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 development plan.~~
- ~~D)11) 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.~~
- ~~E)12) 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)13) 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.~~
- ~~E)14) 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.~~
- ~~H)15) 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)16) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan. Evidence of control includes property rights and the engineering feasibility data which may be necessary.~~
- ~~H)17) 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.~~
- ~~18) 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.~~

~~6)F) Basis of Approval~~

The basis for approving a ~~PC~~**Planned Industrial Park District** 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 a portion thereof as it may apply;~~
- ~~A)3) That the proposed development advances the general welfare of~~ That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;
- ~~B)4) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;~~
- ~~C)5) That the proposed development advances the general welfare of Jefferson~~ the Township and the immediate vicinity;
- ~~D)6) That the benefits, of improved arrangement, and the design of the proposed development justify the~~ justifies deviation from the standard residential district requirements for industrial development included in the this Zoning Resolution; and;

~~D)~~ Effect of Approval

7) 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.

~~F)G)~~ Effect of Approval

The ~~development plan~~ Development Plan as approved by the Jefferson Township Trustees shall constitute the PC ~~an amendment to the Planned Industrial Park District~~ Regulations 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.~~ The development plan 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 subdivision plat ~~Subdivision Plat~~ 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)H)~~ Plat Required

In the ~~PC~~ Planned Industrial Park District, no use ~~may~~ shall be established or changed and no structure ~~may~~ shall be constructed or altered until the required Subdivision Plat has been recorded in accordance with the Subdivision Regulations for Franklin County, Ohio. The Subdivision Plat shall be in ~~accordance~~ accord with the approved Development Plan and ~~illustrates~~ shall show or include:

- ~~A)1) Public and private street and block layout (lot divisions are not required, but probable arrangement should be indicated); building setback lines; water, sewer, fire hydrant and other public utility installations, including sanitary sewage and waste disposal facilities; easements, rights of way, pavements, and walks; and land reserved for non industrial use with indication of the nature of the use.~~
- 1) The nature and extent of earthwork required for site preparation and the installation 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.

~~B) of public improvements such as streets and utilities.~~

3) ~~C) Deed restrictions, protective covenants, and other legal statements or devices easements and encumbrances~~ to be used to control the ~~private~~ use, development, and maintenance of the land, the and improvements thereon, including those applicable to areas which are within the tract to be commonly owned and maintained developed non industrially.

~~F) D) Extension of Time or Modification~~

~~A) An extension of the time limit of the approved development Development plan may be approved by the Zoning Commission, and Township Trustees. Such approval may shall be granted 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 development standards for the zoning district. An application Development Standards 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 District.~~

J) 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 plan submittals, with a request that the proposed divergence be approved as part of and as shown on the development plan.

## Section 640.06 - Procedure to Modify an Approved Plan

~~B) Due to the nature of this zoning district Zoning Category, it is contemplated that modification of the approved development plan Development Plan is likely. The Jefferson Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. Development Plan. The applicant desiring to modify the approved development plan 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 required at the time of the original zoning hearing at least ten (-10) days prior to review by the Zoning~~

~~Commission. A public hearing shall not be required. After reviewing the modifications, the Zoning Commission. The Zoning Commission shall determine by vote whether to approve, approve with modifications or deny the proposed or contemplated requested modifications. Approval of modification is a(s) whether major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal in-character 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 be given upon the following findings: a finding that:~~

A)

- 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 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 Development Standards for the zoning district 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:

- 3) Adjusting the location of easements for public utilities.
- 4) 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.
- 5) Minor relocation of public street(s) or entries (Relocation less than one hundred (100) feet from original approved location.
- 6) Changing the location of approved uses when such change does not substantially alter the layout as shown on the approved development plan.
- 7) Reducing impervious cover increasing screening, stormwater retention or other green space.
- 8) 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.

- 8) Altering the mix of uses when such mix has been approved as part of the development plan.
- 9) Enlarging footprint of structures more than fifteen percent (15%) above the size approved as part of the development plan.
- 10) Increasing the number of structures.

~~13)~~11) 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.

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

13) Relocation of public street(s) or entries (Relocation more than one hundred (100) feet from original approved location).

~~14)~~14) Changing the location of approved uses when such change substantially alters the layout as shown on the approved development plan.

15) Increasing impervious cover decreasing screening, stormwater retention or green space.

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.

16) \_\_\_\_\_

## **SECTION 650 - PLANNED INDUSTRIAL PARK DISTRICT (PIP)**

### **Section 650.01 - Permitted Uses**

The following uses shall be permitted in the Planned Industrial Park District (PIP).

#### A) *Industrial Development*

The purpose of this district is to allow manufacturing, processing, warehousing and industrial service activities located and maintained within the limits of the development standards of these regulations and in accordance with the approved development plan. The PIP may also include commercial establishments normally associated with and intended to serve the industrial establishments or their employees and approved as a part of the development plan.

### **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**—~~Development Standards~~

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~~GENERAL DEVELOPMENT STANDARDS~~, the following standards for arrangement and development of land and buildings are required in the PIP~~Planned Industrial Park District~~.

~~6)B) Intensity of Use~~

~~1) Intensity of Use~~

~~A)1) A use allowed in this zoning district~~~~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)2) Permitted uses~~~~Uses~~ of this zoning district ~~District~~ may be developed in accordance with the development standards~~Development Standards~~ of Article V, Section 570, ~~(RI) Restricted Industrial District Regulation (RI)~~~~Regulations~~.

~~2)C) 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.

~~3)D) Side Yards~~

Side yards shall not be less than two hundred (200) feet.

~~4)E) Rear Yard~~

Rear yards shall not be less than two hundred (200) feet.

~~5)F) Improvements Required~~

The following improvements shall be required:

~~A)1) Street improvements within or adjacent to the tract in accordance with the requirements of the subdivision regulations~~Subdivision Regulations~~ for Franklin County, Ohio;~~

~~B)2) Water and sewer facility improvements in accordance with the requirements of the subdivision regulations~~Subdivision Regulations~~ for Franklin County, Ohio; and~~

~~C)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~~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.~~

A) \_\_\_\_\_

~~**SECTION 660** Blacklick Village Planned Mixed Use  
Overlay Zoning District (PMUD)~~

**Section 660.01 Purpose**

A) \_\_\_\_\_

~~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; and to 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~~

N) \_\_\_\_\_

~~In **650** 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;~~
- ~~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 occupation~~

~~B) 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)~~
- ~~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~~

P)

- ~~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.~~

~~Section 660.07 Additional Criteria~~

E)

~~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;~~

~~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;~~

~~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 - Application**~~

~~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.~~

~~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 and Procedure**

The following procedure shall be followed in placing land in the PIP.

	<b>Building Setback</b>			<b>Minimum Side Yard</b>	<b>Minimum Rear Yard</b>	<b>Maximum Impervious Surface Coverage</b>	<b>Minimum Contiguous Land Area</b>
	<b>Maximum from Curb Face<sup>1</sup></b>	<b>Minimum from R.O.W.</b>	<b>Maximum from R.O.W.</b>				
<b>Planned Mixed-Use District</b>	15 feet	0 feet	10 feet	0 <sup>2</sup> feet	0 <sup>2</sup> feet	80 %	2 acres

<sup>1</sup> 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.

<sup>2</sup> 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
<b>Planned Mixed-Use District</b>	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)B) Site Plan Planning

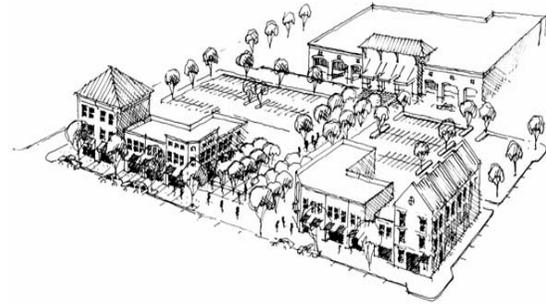
~~Purpose and Intent~~

~~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.~~



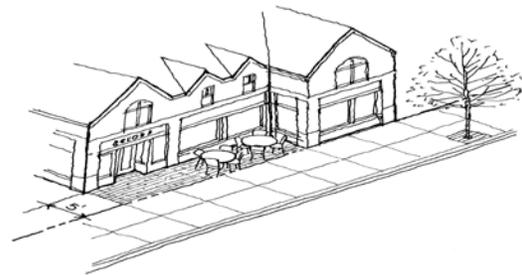
~~2) Setbacks and Visual Connections~~

~~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~~

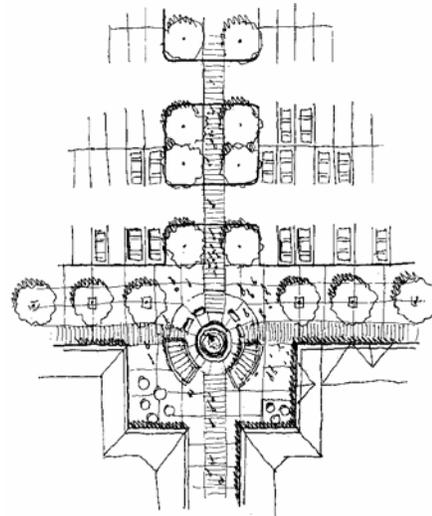
~~While a mix of pedestrian and vehicle circulation is crucial to successful new urban planning, structures and on site circulation systems shall be located to emphasize a pedestrian orientation and minimize pedestrian/vehicle conflicts. Structures shall be linked to the pedestrian system with such features as textured hard surface sidewalks and paving; special architectural features; landscaping, or trellises.~~

~~5) Outdoor 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  
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***~~

~~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.~~

~~L) ***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; 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,~~

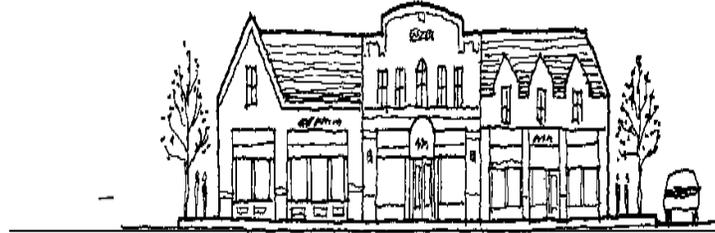
~~Large, unarticulated asphalt and/or concrete paved~~

~~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~~

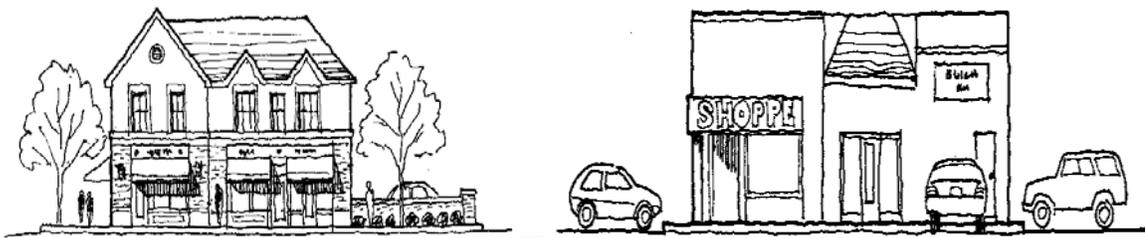
~~articulated by the use of color, arrangement of façade elements, or a change in materials. Landscaping and architectural detailing can be used at ground level to lessen the impact of a bulky building. Building scale shall be carefully related to the adjacent pedestrian areas. Use of standardized corporate 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.~~



~~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.~~

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~~I) 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 of the occupants. To ensure ADA requirements are met within the development, internal units shall be located at the grade level of sidewalks.~~

~~J) 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.~~

~~I) Outdoor Seating~~

~~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~~

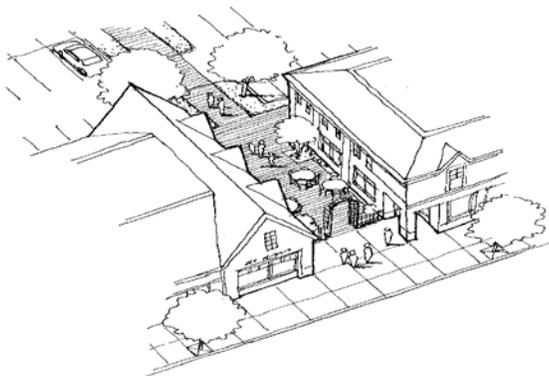
~~Potentially signalized, full movement intersections of collector or local streets with arterial streets shall be provided every 1,320 feet (1/4 mile) along arterial streets, unless rendered infeasible due to existing street pattern or existing development.~~

~~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.~~

~~I) 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.~~

~~L) Gateways and Entry Features~~

~~**Purpose and Intent**~~

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.

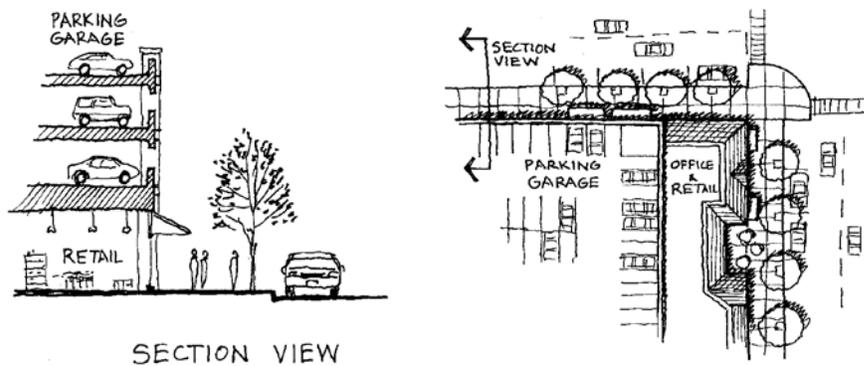
**M) Parking and Access**

**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.*

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~~

~~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~~

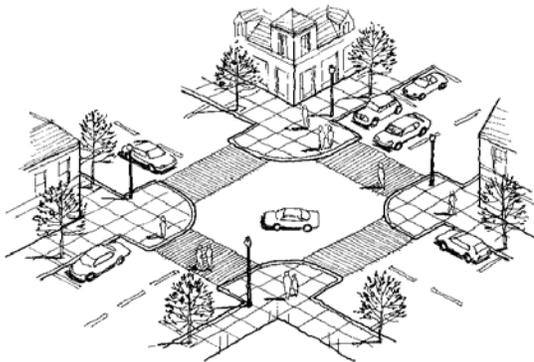
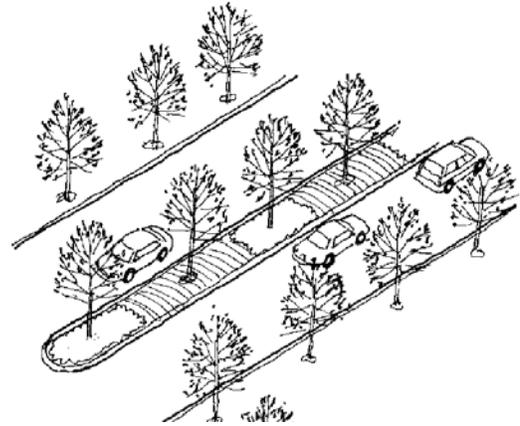
~~**Purpose and Intent**~~

~~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

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.



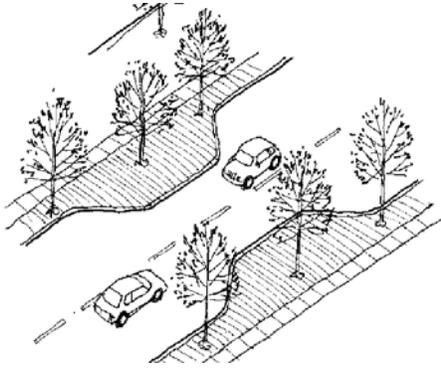
*Intersections must be designed to provide for the safe movement of pedestrians, and may include bulb-outs at intersections and articulated crosswalks.*

#### 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.

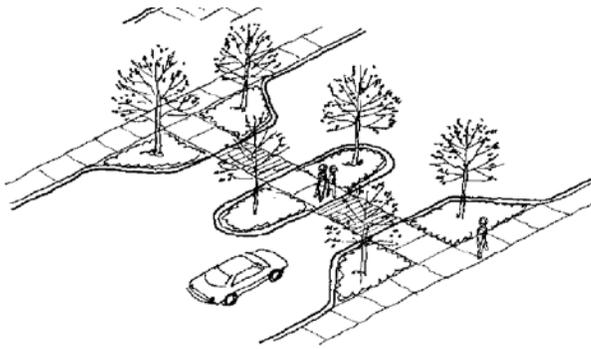
#### C) Neck Downs

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.



**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 crosswalks provides a strong visual cue for drivers.

**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**

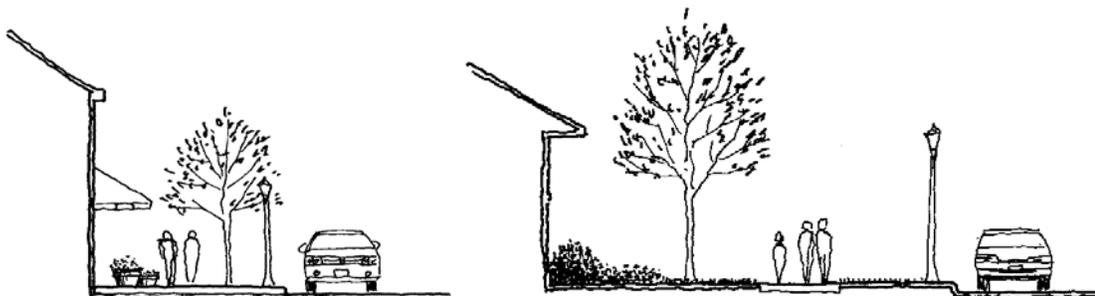
~~The development of planted areas shall provide for a mixture of material based on height, colors, textures, and other factors to create inviting and aesthetically pleasing views. The style of the plantings shall compliment the architectural style of adjacent and nearby buildings.~~

**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.~~

~~Setbacks~~ 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, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on byway) and the Jefferson Water and Sewer District prior to submitting a formal application.

C) Submission of Applicant

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.

~~D) Development~~

~~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~~

~~In locations that are stressful to plant material, drip irrigation shall be considered to ensure survivability.~~

~~H)D) Landscape Plan Submission Required~~

~~Ten (10) copies of a development A-landscape plan shall be submitted with the application to amend the Official Zoning District Map. Such development plan shall include in text and map form:~~

- ~~G)7) 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.~~
- ~~H)8) 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.~~
- ~~H)9) The proposed provisions of water, sanitary sewer, industrial waste disposal, and surface drainage facilities, including engineering feasibility studies.~~
- ~~H)10) The proposed schedule of site development and associated facilities, including streets, utilities, services, and other facilities.~~
- ~~K)11) 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.~~
- ~~L)12) Evidence that the applicant has sufficient control over the land to prepare required land improvements, including street, water, sanitary sewers, waste disposal, surface drainage, and other facilities for subdivision development required by the Subdivision Regulations for Franklin County, Ohio. Evidence of control includes property rights and the engineering feasibility data, which may be necessary.~~

~~H)E) Basis of Approval~~

~~The basis for approving a PIP application shall be:~~

- ~~A)3) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;~~
- ~~B)4) That the proposed development is in conformity with a comprehensive plan or a portion thereof as it may apply;~~
- ~~5) That the proposed development advances the general welfare of Jefferson Township and the immediate vicinity;~~
- ~~6) That the benefits of improved arrangement and design of the development justifies deviation from the standard zoning districts for industrial development included in this Zoning Resolution; and~~
- ~~7) 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.~~

F) *Effect of Approval*

The development plan as approved by the Jefferson Township Trustees, shall constitute an amendment to the Zoning Map, causing the land subject to the application to be rezoned as PIP. Those regulations approved as part of the development plan ~~review process. Such plans~~ shall 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 subdivision plat is submitted ~~be reviewed~~ 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.

G) *Plat Required*

In the PIP, no use shall be established or changed and no structure shall be constructed or altered until the required subdivision plat has been recorded in accordance with the Subdivision Regulations for Franklin County, Ohio. The subdivision plat shall be in accord with the approved development plan and shall show or include:

2) ~~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.~~

3) ~~The nature and extent of earthwork required for site preparation and the installation of public improvements such as streets and utilities.~~

4) ~~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.~~

H) *Extension of Time*

1) ~~An extension of the time limit of the approved development plan may be approved by the Zoning Commission. 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 development standards for the zoning district. 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 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**

D) ~~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:

~~2)~~ A necessity exists requiring the modification;

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

4) 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.

~~E)~~ 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:

5) Adjusting the location of easements for public utilities.

~~2)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) Minor relocation of public street(s) or entries (Relocation less than one hundred (100) feet from original approved location).

~~3)8)~~ Changing the location of proposed structures/uses when such change does not substantially alter the layout as shown on the approved development plan.

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

10) 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.

~~E)~~ 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.

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

6) Enlarging footprint of structures more than fifteen percent (15%) above the size approved as part of the development plan.

7) Increasing the number of structures.

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

9) Relocation of public street(s) or entries (Relocation more than one hundred (100) feet from original approved location).

~~4)10)~~ Changing the location of approved uses when such change substantially alters the layout as shown on the approved development plan.

~~4)11)~~ Increasing impervious cover; decreasing screening, stormwater retention or green space.

#### ~~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 landscape 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 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~~

~~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:~~
  - 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~~

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**

<b>Type</b>		<b>Description</b>	<b>Minimum Size</b>
	Sugar Maple, Red Oak, Honey locust	Deciduous tree that matures over 30' Height	3" Cal
<b>B</b>	Crabapple, <del>Winterking</del> Hawthorn, Flowering Dogwood, Redbud	Deciduous tree that matures less than 30' height, single stem	2" Cal
<b>C</b>	Serviceberry, Sweetbay Magnolia	Deciduous tree that matures less than 30' height, multi stem	8' Ht
<b>D</b>	White Pine, Norway Spruce, Colorado Spruce, Canadian Hemlock	Evergreen tree that matures over 30' height	8' Ht
<b>E</b>	Techny Arborvitae, Keteeri Juniper	Evergreen tree that matures less than 30' height	6' Ht
<b>F</b>	Border Forsythia, Viburnum, Amur Honeysuckle, Burning Bush	Evergreen or deciduous shrub that matures over 6' height	3' Ht
<b>G</b>	Alpine Currant, Anthony Water Spirea	Evergreen or deciduous shrub that matures less than 6' height	2' Ht
<b>H</b>	Andorra Juniper, Everlow Yew, Mugo Pine	Evergreen or deciduous shrub that matures over 4' spread	18" Spread
<b>I</b>		Evergreen or deciduous shrub that matures	18" Spread

| \_\_\_\_\_

	NA	less than 4' spread	
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~~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);~~
- ~~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.~~

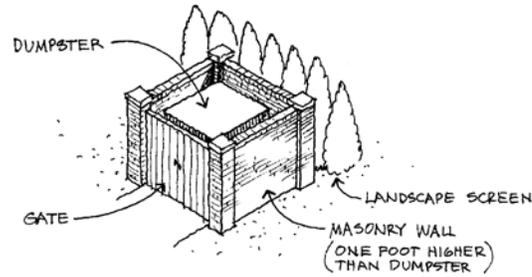
~~16) Buffering and Screening~~

~~**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.~~



~~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 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~~

~~**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~~

~~**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:~~

Q) \_\_\_\_\_

12) ~~Single~~ 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.

~~Family ————— 0.3 foot candles~~

~~Multi Family ————— 0.5 foot~~

~~candles Office, Commercial & Inst. — 1.0 foot  
candles~~

~~Mixed Use ————— 1.0 foot candles~~

~~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.~~

# Article VII

## Special District Regulations

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### SECTION 700 – SPECIAL DISTRICT REGULATIONS AND RULES

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#### ~~SECTION 700 – SPECIAL DISTRICT REGULATIONS AND RULES~~

#### Section 700.01 - Special Districts Established

The Special Districts are established to provide 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.

~~Districts providing for use 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 for

~~Provisions pertaining to~~ 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 general ~~and~~ welfare, and maintain Jefferson Township's eligibility for continues participation in the National Flood Insurance Program.

~~2)B)~~      *Excavation and Quarry*

Regulations for

~~Provisions pertaining to~~ the extraction of sand, gravel and other mineral resources are provided to allow the removal of mineral ~~these important~~ resources. To in a manner appropriate to adjacent lands and to rehabilitate the excavated area to promote the public health, safety, convenience, comfort, prosperity or ~~and~~ general welfare throughout Jefferson Township, the regulations will ensure and .

~~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 minimal impact to adjacent lands while providing for the rehabilitation of the excavated area~~ the public health, safety and general welfare.

4)C) Exceptional Uses

Regulations of

~~Provisions pertaining to~~ certain uses of unique nature as to warrant individual consideration are provided to allow appropriate location and development of such uses in relation to adjacent~~other~~ land 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 zoning district regulations~~Zoning Districts~~ as established on the Official Zoning District Map and nothing herein is intended to amend, modify or otherwise change the zoning district regulations~~Zoning District Regulations~~ except as specifically set forth in the Special District Regulations.

## Section 700.04 - Relation to Zoning District Map

The inclusion of land in a Special District shall be in addition to the zoning district ~~Zoning District~~ as established on the Official Zoning District Map, and nothing herein is intended to amend, modify or otherwise change the zoning district ~~Zoning District~~ 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 comply with ~~also meet~~ 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 June 17, 2008~~July 5, 1983~~, 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 floodway~~Floodway~~ and Floodway Fringe~~floodway fringe~~. The floodway~~Floodway~~ is that portion of the floodplain~~Floodplain~~ consisting of the channel and sufficient adjacent lands to convey the base flood discharge~~Base Flood Discharge~~ without increasing the base flood elevation~~Base Flood Elevation~~ more than one-half (1/2) foot. The floodway

~~fringe~~Floodway Fringe is that portion of the ~~floodplain~~Floodplain outside of the ~~floodway~~Floodway. The FEMA water surface profiles of the ~~base flood~~Base Flood shall govern the location of the ~~Floodplain~~floodplain boundary. The ~~base flood elevation~~Base Flood Elevation and the ~~floodway~~Floodway 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 ~~or~~ or conflict with the zoning map.

3)C) Non-Detailed~~detailed~~ Flood Hazard Areas

In designated flood hazard areas for which FEMA has not determined detailed flood elevations and ~~floodway boundaries~~Floodway 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. ~~Army~~army Corps of Engineers, U.S. Geological Survey, or Ohio Department of Natural Resources (ODNR)~~resources~~ shall be utilized when available. In case of

differing information from two (2) or more of these sources, the more comprehensive and recent technical data shall be used. ~~When detailed flood elevations and floodway boundaries are not available for the Base Flood through FEMA or other State or Federal sources, the applicant shall provide them.~~ A qualified professional engineer~~Professional Engineer~~ 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 floodway~~Floodway, provided they~~ comply with all other applicable sections of this Zoning Resolution

- ~~1) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open air nurseries, truck farming, forestry, sod farming, and similar uses~~
- ~~2) Private or public recreational land uses such as golfing, tennis, archery, picnicking, boating, swimming, parks, wildlife, or nature preserves, shooting ranges, hunting and fishing areas, hiking, biking, jogging, horseback riding trails, and other similar uses.~~

~~3) Residential open space uses such as lawns, gardens, play areas, and other similar uses.~~

A)

## ~~Section 710.03 - Conditional Uses in the Floodway~~

~~The following uses shall be Conditional Uses within the Floodway provided they comply with all other applicable sections of this Resolution and any conditions attached by the Board of Zoning Appeals in granting the Conditional Use permit.~~

~~1) Navigational and stream flow aids, docks, piers, wharves, and water measuring and monitoring devices~~

B)

~~2) 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.~~

C)

~~3) Extraction of sand, gravel or other resources~~

D)

~~4) Alteration or relocation of the channel or watercourse~~

~~Section 710.04 Prohibited Uses in Floodway~~

~~The following structures and uses are prohibited in the Floodway unless specifically listed as a Conditional Use.~~

- ~~A) Buildings and structures, including mobile homes, for residential, commercial, industrial, agricultural, or other use.~~
- ~~B) Storage or processing of materials~~

~~C)A) Trash, garbage, or waste disposal operations, landfills, wastewater treatment and disposal facilities.~~

~~D)B) 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)C) Encroachments, which would cause any increase in the Base Flood Elevations.~~  
other similar uses; and

~~Section 710.05 Permitted Uses in the Floodway Fringe~~

~~The following uses shall be permitted within the Floodway, provided they comply with all other applicable sections of this Resolution~~

~~1) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open air nurseries, truck farming, forestry, sod farming, and similar uses.~~

A) \_\_\_\_\_

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~~06~~- Conditional Uses in the Floodway~~Fringe~~**

The following uses, not including buildings, shall be conditional uses within the floodway and must comply with all other applicable sections of this Zoning Resolution and any conditions required by the Board of Zoning Appeals in approving the conditional use permit.

E) Navigational and stream flow aids, docks, piers, wharves, and water measuring and monitoring devices;

F) 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;

G) Extraction of sand, gravel or other resources that also complies with the requirements of the Excavation and Quarry special district; and

H) Alteration or relocation of the channel or watercourse.

**Section 710.04 - Prohibited Uses in Floodway**

The following structures and uses are prohibited in the floodway.

- D) Buildings and structures, including mobile homes, for residential, commercial, industrial, or other use;
- E) Storage or processing of materials.
- F) Trash, garbage, or waste disposal operations, landfills, wastewater treatment and disposal facilities.
- G) 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.
- H) 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 floodway fringe and must comply with all other applicable sections of this Zoning Resolution:

- A) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open-air nurseries, truck farming, forestry, sod farming, and similar uses;
- 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; and
- 4) C) 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 conditional uses in the floodway fringe, provided ~~they meet~~ all applicable standards and requirements of this Zoning Resolution and any conditions required~~attached~~ by the Board of Zoning Appeals in approving~~granting~~ the conditional use permit are met: ~~Conditional Use Permit.~~

- 1)A) All conditional uses~~Conditional Uses~~ in the floodway~~Floodway~~ 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 ~~development standards~~**Development Standards** of this Zoning Resolution, the following standards for arrangement, development, and use of land and buildings shall be required in the ~~Regulatory~~-Floodplain District.

1)A) Maintain Flow Characteristics

No use of the ~~floodplain~~Floodplain shall unduly or adversely affect or impact the efficiency, flow characteristics, or flood heights of the main channel or other affected tributaries, ditches, drainage facilities or systems; for storm frequencies up to and including ~~at the~~ base floodFlood event. No use or encroachment within the floodwayFloodway shall increase the base Base Flood Elevationflood elevation.

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 base flood elevationBase Flood Elevation, plus floodwayFloodway computation increases. Floodway computation increases range from 0.0 –to 0.5 feet and are listedlist 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 floodway fringeFloodway Fringe, 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) A

C) ~~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 base flood elevation;Base Flood Elevation-

4) \_\_\_\_\_

D) The applicant shall obtain and furnish to the Community NFIP Administrator ~~as-built~~ elevations, certified by a registered surveyorRegistered Surveyor, of the basement and first floor, which shallto be maintained on file with such office for public inspection;-

5) \_\_\_\_\_

E) Flood protectionProtection shall be achieved by elevating the structure. Structures shall not be permitted with floor levels below the base flood elevations; andBase Flood Elevations-

6) \_\_\_\_\_

F) Placement of a mobile home, where permissible by this Zoning Resolution, shall meet or exceed the requirements of 44CFR §Federal Law 44 –CFR part-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 base flood elevation~~Base Flood Elevation~~, or suitably flood-proofed and protected.

The Ohio EPA shall approve 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 floodwaters, 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 public

~~Public~~ 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.

~~H)~~ Waste Processing and/or Disposal facilities and Wastewater Treatment and Disposal Systems

B) \_\_\_\_\_

~~Such~~ Where permissible, such facilities must be approved by the Jefferson Water & Sewer District, Ohio EPA, the Franklin County Sanitary Engineer, or Franklin the County ~~Public District Board of~~ Health, whichever has jurisdiction, and must be elevated or flood proofed to provide protection from a base flood event ~~the Base Flood~~.

~~H)~~ 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 Chapter Sections 1521.06 and 1521.07 of the Ohio Revised Code and all other applicable state, federal, county ~~State, Federal, County~~ and local ~~Local~~ 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:-

~~H)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 ~~of~~ to published NFIP maps; ~~and~~:-

~~2)3)~~ Adjacent communities and ODNR shall be notified when channels ~~Channels~~ or watercourses are to be altered or relocated.

~~K)~~ 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 shall~~ should 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 zoning compliance, conditional use permit, or variance application~~ Zoning-  
Compliance, Conditional Use Permit, and Variance applications involving the ~~Regulatory~~  
Floodplain District, the applicant shall furnish sufficient information to ~~permit~~ the \_

Zoning ~~Administrator~~/Inspector and /-or the Board of Zoning Appeals that clearly delineates any floodplain, floodway boundaries and/or base flood elevations. The information is required to~~to determine the Regulatory Floodplain and Floodway Boundaries and Base Flood Elevations, and to otherwise~~ facilitate the administration and enforcement of this Zoning Resolution and the Floodplain District. - Such information shall include:

A) Site plan

↳ ~~Plans~~ drawn to scale showing the nature, location, dimensions, and details of the property, development, activities, and land use, both existing and proposed-

B) \_\_\_\_\_

↳ Existing and proposed topographic information; ~~and-~~

C) \_\_\_\_\_

↳ Other information as may be deemed reasonably ~~deemed~~ necessary by the Zoning ~~Administrator~~/Inspector or the Board of Zoning Appeals.

## Section 710.09 - Compliance with Approved Plans

Certificates of zoning compliance, conditional use permits~~Zoning Compliance and Conditional Use Permits~~ 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 federal law. ~~Federal Law.~~ These agencies have determined that these regulations~~provisions~~ meet or exceed the federal~~Federal~~ standards of ~~Federal Law~~ 44 CFR §part60, as may be amended.

A) \_\_\_\_\_

↳ Administration

The administration of this Zoning Resolution shall in no way lower any requirement or standard of the National Flood Insurance Program, 44 CFR §Part60.3 and §Part60.6, as may be amended.

B) \_\_\_\_\_

↳ Community NFIP Administrator

The Community NFIP Administrator shall review all applications involving ~~conditional uses~~ Conditional Uses and ~~variances~~ Variances in the ~~floodplain~~ Floodplain 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 ~~Jefferson~~ the Township, any officer or employee of ~~Jefferson~~ the 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.

## SECTION 720 ~~-~~ EXCAVATION AND QUARRY REGULATIONS

### Section 720.01 - Purpose

To ~~regulate~~ ~~provide provisions pertaining to~~ the extraction of sand, gravel and other mineral resources ~~as~~ 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, convenience, comfort, prosperity or ~~and~~ general welfare in Jefferson Township.

### 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 zoning district ~~Zoning District~~ 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)~~ Ready mixed concrete.

3)

## **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 ~~land~~ ~~Land~~ and buildings are required under the Excavation and Quarry Regulations.

A)

~~4)~~ *Intensity of Use*

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 development standards~~Development Standards 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)~~ 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\_

~~3)~~ (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)~~ 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\_

~~5)~~ (25) feet from any street right-of-way and planted with a double row of approved landscaping or shall be enclosed with a ~~secure chain link~~ fence ~~with or its equivalent in~~ 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**

Extraction shall be permitted only from an area for which there is a rehabilitation plan~~Rehabilitation Plan~~ approved by the Jefferson Township Trustees.

A)

↳ Rehabilitation Plan

All such rehabilitation plans~~Rehabilitation Plans~~ shall include the following: \_\_\_\_\_

~~A)1)~~ 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;:-

2) ~~B)~~ Existing and proposed drainage of the area; and

3) Details of re-grading~~regarding~~ and re-vegetation of the site during and at conclusion of the operation.

B)

↳ Required Rehabilitation

The following requirements shall be met in the rehabilitation plan~~Rehabilitation Plan~~:

~~A)1)~~ 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)~~ 2) Spoil banks shall be graded to a level suiting the existing terrain;:-

~~C)3)~~ 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.

4) ~~D)~~ 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-

5) ~~E)~~ 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 – EXCEPTIONAL USE~~OIL AND GAS~~ DISTRICT REGULATIONS**

### **Section 730.01 - Purpose**

#### The regulation

~~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~~

- ~~A) Crude Petroleum~~
- ~~B) Natural Gas~~
- ~~C) Natural Gas Liquids~~
- ~~D) Oil and Gas Field Services~~

~~2) Temporary Equipment and Structures~~

~~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~~

~~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.~~

A) \_\_\_\_\_

~~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~~

~~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~~

~~All derricks and masts hereafter erected for drilling or re-drilling shall be at least equivalent to the American Petroleum Institute Standards 4A, 14<sup>th</sup> Edition and 4D, 3<sup>rd</sup> Edition, as may be amended.~~

~~4) Signs and Fencing~~

~~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~~

~~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~~

~~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~~

~~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~~

~~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.~~

b) \_\_\_\_\_

~~2) Required~~ Rehabilitation

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.~~

11) \_\_\_\_\_

~~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 740 EXCEPTIONAL USE DISTRICT REGULATIONS~~

~~Section 740.01 Purpose~~

~~To provide provisions pertaining to certain~~ uses of unique nature ~~that~~ as to 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 ~~and~~ general welfare within Jefferson Township.

**Section 730~~740~~.02 - Special Uses**

The following listed uses shall be subject to these Exceptional Use District ~~regulations~~ **Regulations**, except as other ~~regulations~~ **provisions** of this Zoning Resolution may permit ~~them~~.

A)

↳ 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

<u>NAICS#</u>	
<u>713110</u>	<u>Amusement and Theme Parks</u>
<u>713910</u>	<u>All Other Amusement and Recreation Industries (such as miniature golf)</u>
<u>713940</u>	<u>Fitness and Recreational Sports Centers</u>
<u>512132</u>	<u>Drive-In Motion Picture Theatres</u>
<u>711212</u>	<u>Racetracks</u>
<u>713910</u>	<u>Golf Courses and Country Clubs</u>
<u>721110</u>	<u>Resort Hotels without Casinos</u>

~~A) Amusement Center or Amusement Park~~

~~B) Skating Rink~~

~~C) Miniature Golf~~

~~D)1) Swimming Pools, Pool~~

~~E) Drive In Theater or similar facility~~

~~F)2) Athletic field, Field or stadium, Stadium~~

~~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~~

~~J) Riding Stable, including boarding of animals~~

~~K) Resort Establishment~~

~~L)3) Boating, camping, park, Camping, Park or Picnic grounds~~

C)

~~M) Similar recreational facility operated on an admission fee or membership basis~~

~~A) 3) Social and Cultural Institution (not otherwise allowed by the provisions of this Resolution) Cemetery or Crematory~~

~~B) Hospital~~

~~C) 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~~

~~4) Other Uses not provided for:~~

1) Other legal uses of unique or exceptional requirements or circumstances that are ~~otherwise~~otherwise not permitted by this Zoning Resolution.

## **Section ~~730.03~~ 740.03 – Development Standards**

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 730.04 - Procedure**

The following procedure shall be followed in placing land in the Exceptional Use District.

A)

~~2)~~ *Development Plan*

One (1) hard copy and one (1) electronic copy

~~Eight (8) copies~~ of a ~~development plan~~Development Plan shall be submitted with the application for rezoning to amendment of the Exceptional Use Zoning District. ~~Map and~~ such plan shall include the following in text and/or map form:

~~A)1)~~ 1) The proposed location and size of areas ~~of~~if use, indicating size, location and type of structure;:-

~~B)2)~~ 2) The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas;:-

~~C)3)~~ 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.~~

4)

~~E)5)~~ 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)~~ 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;:-

⊖7) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan~~Development Plan~~ within three (3) years. Such control may include verification of~~includes~~ property rights, economic resources and engineering feasibility as may be necessary.

B) \_\_\_\_\_

⊕ *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;:-

B)2) That the proposed development plan is in conformity with the Jefferson Township~~a~~ Comprehensive Plan and Core Community Values~~or a portion thereof~~ as they~~it~~ may apply; and:-

⊖3) That the proposed development plan promotes the public health, safety, convenience, comfort, prosperity or advances the~~the~~ general welfare of Jefferson~~the~~ Township and that the benefits to be derived from the proposed use justify the change in the land use character of the area.

⊕ C) *Effect of Approval*

4) 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 development plan~~Development Plan~~ shall be valid for a period not to exceed three (3) years. An ~~except if an~~ application for time extension may be submitted and approved in accordance with the following section.

D)

5) 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 development plan~~Development Plan~~, and that such extension or modification promote~~is not in conflict with~~ the public~~general~~ health, safety, convenience, comfort, prosperity or general ~~and~~ welfare in Jefferson Township~~of the public~~ or the development standards~~Development Standards~~ 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.~~



# Article VIII

## General Development Standards

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### ~~General Development Standards~~

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## 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 ~~zoning districts~~~~Zoning Districts~~ adopted in Article III are hereby established and adopted as supplementary to the ~~district regulations~~~~District Regulations~~ 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~~ 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) 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:

B)1) Fences, gates, walls, columns, pillars, other similar type structures ~~and~~ landscaping shall be permitted in any required yard, or along the ~~side~~~~edge~~ of any yard. ~~Except as otherwise,~~ provided ~~herein,~~ that 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. No fence, gate, wall, column, pillar, or other similar type structure and landscaping between a street and a front building line shall exceed a maximum of fifty-four (is more than 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 development plan of a planned district. Any ornamental~~Development Plan of a Planned Development District. Chain-link~~ or lighting fixtures attached to~~wire~~ fences, gates, walls, columns, pillars, other similar type structures shall not exceed twelve (12) inches in height. ~~front of the building line shall be prohibited in any Residential District.~~

~~E)2)~~ 2) Fences, gates, walls, columns, pillars, and other similar type structures shall be located outside the public right of way.

~~D)3)~~ 3) 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.

~~E)4)~~ 4) No fence, gate, wall, column, pillar, and other similar type structure shall be permitted in a state of disrepair.

~~F)5)~~ With the exception of eaves, cornices, windowsills, and belt courses, no part of a primary or accessory structure shall encroach into any required yard.

~~G)~~ Porches may project beyond the front building line a distance not to exceed eight  
6) (8) feet.

~~H)7)~~ 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.

B) Yard Maintenance

~~2) Yards Maintained~~

All yard space shall be maintained and include~~in accordance with one or more of~~ the following, where permitted:  
~~provision:~~

Fencing

~~A)1) Fenced~~ as permitted or required.

~~B)2) Landscaped~~Landscaping accomplished by lawns, shrubbery, trees, and other plantings, or used for permitted accessory or ancillary use.

Paving

~~C)3) Paved~~ 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:

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.

# 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.

### Garage

### ~~3)C)~~ 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.~~

#### 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, or dwellings, ~~and~~ 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 as measured from ~~of~~ 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, or dwellings, ~~and~~ multi-family dwellings of three (3) or four

(4) units that have ~~has~~ 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~~ as measured from ~~of~~ the first floor habitable portion of the dwelling.

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 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.
- 2)B) There is not more than one (1) non-resident employee.
- 3)C) 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 ~~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.
- 4)D) 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 unless otherwise included in as permitted by~~##~~ this Section.
- 6)F) ~~Specialized instruction or tutoring shall be limited to one (1) individual at a time.~~
- 7)G) ~~Specialized instruction or tutoring shall be limited to one (1) individual at a time.~~
- 8) ~~The volume of traffic generated by a permitted home occupation shall be typical of the traffic volume generated by a single-family dwelling~~residence~~ as calculated using accepted transportation— engineering standards.~~

H) \_\_\_\_\_

~~Section 815.03 – Home Occupation Conditional Use~~

D) \_\_\_\_\_

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 ~~district~~ ~~area~~ provided ~~that~~ the following additional standards are addressed through the conditional use permit ~~Conditional Use Permit~~ procedure. A home occupation conditional use ~~Home Occupation Conditional Use~~ 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 home occupation conditional use permit~~Home Occupation Conditional Use Permit~~ ceases to be valid once the premises used for the home occupation is no longer occupied by the holder of the conditional use permit~~Conditional Use Permit~~ 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 occupation conditional uses~~Occupation Conditional Uses~~ 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 home occupation conditional uses~~Home Occupation Conditional Uses~~ in which retail sales of items not produced on the premises may be permitted include, but are not limited to, the following:
  - 1) A Barber shop or beauty shop with limited sales of associated accessory items;
  - 2) B Arts, crafts or other artistic instruction with sales of associated materials used in the instruction and preparation of artistic works;
  - 3) C 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;
  - 4) D 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 ~~to~~ in traffic, noise, vibration, glare, fumes, odors or electrical interference or any other factor that~~resulting in an adverse impact as determined by the Board of Zoning Appeals~~.

4) Organized instruction may ~~result~~ 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.

~~5)D)~~ No outside storage of any kind associated with a ~~home occupation~~ Home Occupation Conditional Use shall be permitted unless it is totally screened from the adjacent residential lots and the abutting street.

~~6)E)~~ 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 ~~845~~809.02.

# 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~~

~~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~~

~~3)C) On residential lots of one (1) acre or less, unattached accessory structures shall be located behind the rear of the principal structure. 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.~~

~~4)D) Location of Unattached Accessory Structures~~

~~A)1) 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 than 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-1 are met;~~

~~3) No more than two (2) structures per parcel, or structure as close as six (6) feet to the rear lot, which combined does not exceed the maximum footprint size for each structure as listed in Table VIII-1;~~

~~B)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; more than twelve (12) feet in height.~~

- 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;
- 8) ~~C~~ Accessory uses or structures shall be on the same parcel~~lot~~ 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**

<u>LOT SIZE</u>	<u>MAXIMUM FOOTPRINT SIZE</u>	<u>MAXIMUM HEIGHT</u>	<u>SET-BACK FROM SIDE AND REAR PROPERTY LINE</u>
Under one (1) acre	720 square feet	18 feet	5 feet
<u>Equal to or greater than one (1) acre but less than two (2) acres</u>	<u>1,440 square feet</u>	<u>20 feet</u>	<u>10 feet</u>
<u>Equal to or greater than two (2) acres but less than three (3) acres</u>	<u>2,160 square feet</u>	<u>25 feet</u>	<u>20 feet</u>
<u>Equal to or greater than three (3) acres but less than four (4) acres</u>	<u>2,880 square feet</u>	<u>25 feet</u>	<u>20 feet</u>
<u>Equal to or greater than four (4) acres but less than five (5) acres</u>	<u>3,600 square feet</u>	<u>25 feet</u>	<u>20 feet</u>
<u>Five (5) or more acres (Nonagricultural)</u>	<u>4,320 square feet</u>	<u>35 feet</u>	<u>20 feet</u>

<del>Equal to or greater than one (1) acre but less than two (2) acres</del>	<del>1,440 square feet</del>	<del>20 feet</del>	<del>10 feet</del>
<del>Equal to or greater than two (2) acres but less than three (3) acres</del>	<del>2,160 square feet</del>	<del>25 feet</del>	<del>20 feet</del>
<del>Equal to or greater than three (3) acres but less than four (4) acres</del>	<del>2,880 square feet</del>	<del>25 feet</del>	<del>20 feet</del>

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

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 yard.~~

~~2)B) 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 yard.~~

~~3)C) 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 conditional use permit Conditional Use Permit in accordance with this Resolution.~~

~~4) Any guy anchorage or similar device shall be at least ten (10) feet from any property line.~~

~~D)~~

~~5)E) 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.~~

~~6) 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.~~

~~F)~~

~~7)G) Suitable fencing and/or landscaping or other treatment is provided to effectively prevent unauthorized climbing of the structure.~~

~~8)H) 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~~

~~D) Prior to issuance of any Certificate of Zoning Compliance for a tower or similar structure, the applicant shall submit a plot plan and supporting information to the Zoning~~

~~9)I) Suitable fencing and/or landscaping or other treatment is provided to effectively prevent unauthorized climbing of the structure.~~

~~10)K)~~ 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 Zoning Compliance 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:

~~A)~~ Proposed location and height of proposed structure, support systems, and distances to the nearest phone, electric lines and property lines  
~~Proposed location and height of proposed structure, support systems, and distances to the nearest phone, electric lines and property lines;~~

~~1)~~ \_\_\_\_\_

~~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~~

~~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.~~

~~4) —~~

~~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. (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 than 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.~~

## ~~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.~~

<u>SYMBOL</u>	<u>SOIL TYPE</u>
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

~~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.~~

<u>SYMBOL</u>	<u>SOIL TYPE</u>
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.~~

~~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.~~

~~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.~~

~~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.~~

~~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.~~

# SECTION 835 – SCREENING BY STRUCTURE OR LANDSCAPING REQUIRED

## Section 835.01 - Screening Requirements

Where this Zoning Resolution requires that screening be provided ~~Certain activities shall be screened~~ by structures, walls, fences, or landscaping, the following standards shall be met:

~~A) Adjacent so that these activities will not be detrimental to Residential Districts and Planned Residential District~~

The following list of activities, if developed adjacent to land in a Residential Zoning District or a Planned Residential District as listed in Article III, or any non-conforming residential lot, shall be screened as prescribed, except when the zoning districts are separated by a street right-of-way of at least eighty (80) feet or more in width.

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;

2) A drive-in or outdoor service facility;

3) A commercial or industrial loading area; and

~~A)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:

It shall have an

~~A) It shall totally screen the activity from view~~

1) opaqueness of seventy-five percent (75%) or more;

~~B)2) It shall be at least six (6) feet in height but no more than ten (10) feet in height;~~

~~C)3) If screening is to be accomplished by landscaping, the landscape materials shall achieve the standards stated above within a period of three (3) five (5) years or less;~~

~~D) Strips in chain link fencing shall not be permitted;~~

~~2)4) Adjacent to Residential Zones and Planned Development~~

~~The following list of activities, if developed adjacent to land in a Residential Zoning District or a Planned Residential District as listed in Article VIII, or any non-conforming residential lot, shall be screened as prescribed, except that it is separated by a street right-of-way eighty (80) feet or more in width.~~

~~B) 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.~~

5) \_\_\_\_\_

~~C) A drive-in or outdoor service facility.~~

~~D) A commercial or industrial loading area.~~

6) \_\_\_\_\_

~~E) 7) An outdoor display area of goods in a complete, usable and normal condition, including samples and models, offered for retail sale.~~

5) Landscape materials must consist of a mix of evergreen and deciduous plant species.

~~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 that 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.

4)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~~ 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 ~~commercial~~ ~~Commercial~~ and ~~industrial zoning districts~~ ~~Industrial Zoning Districts~~ to within ~~twenty-five (25)~~ ~~fifteen (15)~~ feet of a Residential ~~Zoning~~ District or a Planned Residential District.

## 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:

4)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.

<u>Use</u>	<u>Spaces Required</u>
<del>-</del> <u>Residence</u>	
Fraternal or Group Housing	One (1) space per two (2) occupants
Institutional Housing <del>(unless otherwise specified)</del>	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
<b><u>Commerce</u></b>	<b><u>Spaces Required</u></b>
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 Specified	Three (3) parking spaces per first one thousand (1,000) square feet of gross floor area per structure plus one (1) space per two hundred and fifty (250) square feet of gross floor area.
<a href="#"><u>Funeral Parlors, Mortuaries</u></a>	<a href="#"><u>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</u></a>
<a href="#"><u>Administrative or Business Office</u></a>	<a href="#"><u>One (1) space per two hundred (200) square feet of gross floor area</u></a>
<b><u>Medical and Health</u></b>	<b><u>Spaces Required</u></b>
<a href="#"><u>Medical/Dental Office/Clinic</u></a>	<a href="#"><u>One (1) parking space per one hundred (100) square feet of gross floor area</u></a>

	<del>floor area:</del>
<del>Funeral Parlors, Mortuaries</del>	<del>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</del>
<del>Administrative or Business Office</del>	<del>One (1) space per two hundred (200) square feet of gross floor area</del>
<b><u>Medical and Health</u></b>	<b><u>Spaces Required</u></b>
<del>Medical/Dental Office/ Clinic</del>	<del>One (1) parking space per one hundred (100) square feet of gross floor area</del>
Convalescent and Nursing	One (1) parking space per each two (2) beds
Hospital or Similar	Two spaces per bed
<b><u>Education</u></b>	<b><u>Spaces Required</u></b>
<b><u>Education</u></b>	<b><u>Spaces Required</u></b>
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
Business, Technical and Trade Schools	One (1) parking space per two (2) students
Colleges and Universities	One (1) parking space per two (2) students
	<del>One (1) parking space per four hundred</del>
Libraries, Museums, Art Galleries and Similar Uses	<u>One (1) parking space per four hundred (400) square feet of gross floor area</u>
<b><u>Recreation and Religion</u></b>	<b><u>Spaces Required</u></b>
<b><u>Recreation and Religion</u></b>	<b><u>Spaces Required</u></b>

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 <a href="#">Similar Place of Assembly</a>	One (1) space per one hundred (100) square <del>feet of area devoted to assembly</del>
<del>Similar Place of Assembly</del>	<del>feet of area devoted to assembly</del>
Tennis Court, Bowling Alley or Similar Establishments 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 (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
<a href="#">Outdoor Swimming Pool</a> (Public or Semi-Public Type)	One (1) space per five (5) persons capacity <u>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.</u>
<a href="#">All Other Recreational Facilities</a>	<a href="#">One (1) space per each three (3) patrons the establishment is designed to serve</a>
<b><u>Industry</u></b>	<b><u>Spaces Required</u></b>
<a href="#">Manufacturing, Warehousing, Wholesaling, or Similar Establishments</a>	<a href="#">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</a>

<del>Outdoor Swimming Pool (Public or Semi Public Type)</del>	<del>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.</del>
<del>All Other Recreational Facilities</del>	<del>One (1) space per each three (3) patrons the establishment is designed to serve</del>
<del><b><u>Industry</u></b></del>	<del><b><u>Spaces Required</u></b></del>
<del>Manufacturing, Warehousing, Wholesaling, or Similar Establishments</del>	<del>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</del>

~~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.

~~A) 1) 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:

<del>Activity or Use</del> <del>Class Required</del>	<u>Class Required</u>
<del>Building area less than seven hundred <del>and</del> fifty (750) <del>None required</del> square feet</del>	<u>None required</u>
<del>Building area more than seven hundred <del>and</del> fifty (750) square <del>One (1) Class B space required</del> feet, but less than fifteen hundred (1,500) square feet</del>	<u>One (1) Class B space required</u>
<del>Building area fifteen hundred (1,500) square feet, but less <del>One (1) Class A space or two (2) Class B</del> than twenty-five hundred (2,500) square feet <del>spaces required</del></del>	<u>One (1) Class A space or two (2) Class B spaces required</u>

<p><u>Building area twenty-five (2,500) square feet, but less than ten thousand (10,000) square feet</u></p>	<p><del>Building area twenty-five (2,500) square feet but less than ten thousand (10,000) square feet</del>—One (1) Class A space and one (1) Class B <del>than ten thousand (10,000) square feet</del> space, or three (3) Class B spaces required</p>
<p><u>Building area ten thousand (10,000) square feet, but less than fifty thousand (50,000) square feet</u></p>	<p><del>Building area ten thousand (10,000) square feet but less than</del> (1) Class A space for each ten thousand (10,000) square feet over ten thousand (10,000) square feet of building area</p>
<p><u>Building area fifty thousand (50,000) square feet or more</u></p>	<p><del>Building area fifty thousand (50,000) square feet or more</del> (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</p>

## 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 ~~of the~~ if a common drive is provided for 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 vehicles ~~cars~~ need not back onto the road.

~~4) Condition of Drive~~

~~All access drives, except residential, shall be maintained in a dust free condition.~~

## 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 residential zoning district ~~Residential Zoning District~~ or planned residential zoning district ~~Planned Residential Zoning District~~ as listed in Article ~~III~~ VIII, 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 ~~Commercial~~ 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 ~~allowed in a residential district or planned residential district unless~~ parked or stored in an enclosed garage ~~structure~~ or screened from view ~~adjacent lots or street by natural vegetation except in association with an approved home occupation, subject to approval~~ in accordance with this Zoning Resolution and Article VIII, Section 815.

This Section shall not apply to passenger cars that qualify as non-commercial motor vehicles, as defined in ORC 4501.01, or to commercial vehicles making temporary house calls or deliveries. ~~Section~~

~~4501.01 of the Ohio Revised Code.~~

### B) Recreational Vehicles Used for Household Related and Non-Commercial Activities

2) ~~2)~~ Recreational vehicles, boats, camping trailers or other trailers shall meet the following requirements:

A)1) ~~1)~~ Recreational vehicles parked or otherwise stored on residential properties shall comply with the following size requirements:-

~~i)~~ 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)~~ 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 recreational vehicle, boat/boat trailer, camping trailer ~~Recreational Vehicle, Boat/Boat Trailer, Camping Trailer~~ or other trailer ~~Other Trailer~~ does not obstruct adjacent properties from safe ingress and egress. ~~to property~~

B)2) ~~2)~~ 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:

C)3) ~~3)~~ Any recreational vehicle, boat/boat trailer, camping trailer ~~Recreational Vehicle, Boat/Boat Trailer, Camping Trailer~~ or other trailer ~~Other Trailer~~ 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.

4)D) 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, ~~an~~ 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:

- A)1) It does not meet Ohio Revised Code, Ohio Administrative Code or other applicable Ohio law requirements for operating on a public street;
- B)2) It is extensively damaged, such damage including, but not limited to, any of the following: missing wheels, tires, motor or transmission;
- C)3) It is not operable on the public streets of Franklin County because it is not currently licensed to so operate; or
- D)4) 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 Sign and Billboard Regulations are intended ~~purpose of this sign regulation is~~ 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 ~~property values, create~~ a visually more attractive economic and business climate by permitting signs and billboards which are compatible with their surroundings, orientation and ~~, enhance and protect the~~ physical appearance, ~~preserve the scenic and natural beauty~~ of the community;
- B) Encourage signs and billboards ~~Township, reduce obstructions and distractions~~ that are readable and integrate with ~~may contribute to traffic accidents, provide more open space and generally curb~~ the aesthetics ~~deterioration~~ of the landscape and buildings of Jefferson Township;
- C) Control ~~natural environment to~~ the size, number and location of signs and billboards to reduce clutter; ~~benefit of all Township residents.~~
- 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:

### ~~A)~~ Location

- ~~A)1)~~ 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)~~ 2) No sign shall be mounted upon a roof of any building.
- ~~C)3)~~ 3) No sign shall be painted on a building surface.
- ~~D)4)~~ 4) No sign shall interfere with fire evacuation routes from a building.
- ~~E)~~ No sign shall be permitted off premise unless otherwise specifically permitted.

5) \_\_\_\_\_

~~E)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; ~~or~~:-

~~B)2)~~ By white, steady, stationary, interior light of reasonable intensity, with logos and/or letters lighted or silhouetted on a translucent background; ~~or~~:-

~~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.

~~S~~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.

~~G~~F) Additional Restrictions and Prohibitions

~~A~~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 ~~o~~ther moving devices:-

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;

4) ~~C~~—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;

~~F~~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

9) Any other type of sign not specifically permitted by this Section.

**Section 845.03 - Permitted Signs (No Certificate of Zoning Compliance ~~Permit~~ Required)**

~~I~~A) 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, when the following requirements are met as follows:

A)1) One sign per parcel;

B)2) The maximum size in any Residential District~~residential district~~ is six (6) square feet of area per side with no more than two (2) sides;

C)3) The maximum total height in any Residential District~~residential~~ 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) The maximum total height in any commercial or industrial district is ten (10) feet above the existing grade; and  
~~below the sign.~~

5) \_\_\_\_\_

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:

Do

- 1) ~~Shall~~ not interfere with the visibility of vehicular traffic entering or leaving a public street;
- 2) Are located outside of the right-of-way limits of a road; and
- A)3) Are be posted and removed without the destruction of public or private property. ~~more than forty five (45) days prior to the election~~

Security Protection

- ~~B) Shall be removed within seven (7) days following the election~~

~~4)D)~~ Farm Signs

Shall be permitted only as follows:

- 1) Such signs shall not exceed one (1) square feet; and
- 2) Such signs shall not exceed two (2) per parcel.

E) Property Control Signs

(To include “no trespassing, hunting, keep off grass,” etc.)

- 2) Such sign shall not exceed two (2) square feet in size; and
- 3) No more than one (1) sign per one hundred (100) lineal feet of property line being posted.

G) Support our Troops, Cancer Survivor Signs, etc.

Shall be permitted; provided the sign is located outside of the right-of-way.

H) Farm Signs

Farm signs shall be permitted in any district provided the sign says:

- A)1) Such signs shall designate the name and address of the occupant or the produce or livestock for sale;
- B)2) Such ~~sign signs~~ shall not exceed six (6) square feet of area per side with no more than two (2) sides;  
and-

~~3)~~ Such signs shall not exceed one (1) sign per parcel.

~~5) Security Protection Signs~~

Shall be permitted only as follows:

~~A) Such signs shall not exceed one (1) square feet~~

~~B) Such signs shall not exceed two (2) per parcel~~

~~6) Property Control Signs~~

(No trespassing, hunting, keep off grass, etc.)

~~A) Such sign shall not exceed two (2) square feet in size~~

~~B) No more than one (1) per 100 lineal feet of property line being posted~~

~~7) Support our Troops, Cancer Survivor Signs, etc~~

Shall be permitted

## Section 845.04 - Permitted Signs (Certificate of Zoning Compliance ~~Permit~~ Required)

The following signs shall be permitted in Jefferson Township subject to the regulations set forth herein:

~~1) A) 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) Wall Signs~~

~~1) \_\_\_\_\_~~

~~i)a) \_\_\_\_\_ Projections of wall signs shall not exceed two (2) feet measured from the face of the main wall of the building.~~

~~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 Standing, Ground Mounted Signs~~~~standing, ground mounted signs~~

~~i)a) No sign shall exceed thirty-two (32) square feet per side with no more than two (2) sides.~~

~~a)b) No part of such sign shall be closer than thirty-five (35) feet to any property line.~~

A)

~~ii) 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.~~

~~D) Wall and Free Standing Sign~~

3)

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.~~

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 ~~3A2A~~ and 845.04 ~~3B2B~~.

~~2)B) Temporary Signs (all districts)~~

Signs used

~~Used~~ 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, days~~

~~E)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)~~ There shall be no more than one (1) ~~One~~ sign per parcel.

~~3)~~ Subdivision Signs

C)

Each platted subdivision shall be permitted the following signage:

~~A)1)~~ Permanent Subdivision Entry (Feature) Sign:

~~ii~~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:

~~ii~~a) The sign shall only advertise the platted subdivision that it is erected upon.

~~ii~~b) There shall be no more than one (1) ~~One~~ 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 marketing sign~~ ~~Marketing 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).

~~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

~~ii~~a) One (1) model/sales center sign shall be permitted per platted subdivision. ~~shall be permitted~~

~~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 be~~ ~~Sign~~ 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

~~ii~~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

~~ii~~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).

~~4)D) Off Premise Signs~~ premise signs

~~A)1) Open House/Realtor Signs~~

~~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 signs 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 (including other legal signage already located on parcel).

~~i) The~~ An application for an each 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 for the from 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.

~~iv)D~~ Graphic of proposed off premise sign.

~~2)ii~~ Provided all requirements are met for an off premise sign(s), a certificate of zoning compliance permit 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 (~~including~~Including other legal signage already located on parcel).

~~+~~i) ~~The A#~~ application for ~~an each~~ 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:

~~+~~A) Written approval ~~for the~~from off-premise sign location property owner.

~~+~~B) Contact information for same property owner (name, address, phone number).

~~+~~C) Date of personal sale.

~~+~~D) Site plan of proposed location.

~~+~~E) Graphic of proposed off premise sign.

ii) ~~2)~~—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.

E) ~~5)~~—*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.

## 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 ~~Resolution~~resolution (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.

~~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 Jeffersonthe 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 are stored~~ shall be housed 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 anticipation of an appropriate enclosed container at an assigned location for regularly scheduled trash pickup.~~ In all cases, there shall be full compliance with applicable zoning district standards.

### **Section 850.03 - Agricultural Nuisances**

~~1)~~ Persons who are engaged in agriculture-related activities, as agriculture is defined in the ORC Section

~~A)~~ 519.01 ~~of the Ohio Revised Code~~, and who are conducting those activities in Jefferson Township ~~the township~~ 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 and general ~~or~~ welfare are exempt from the nuisance standards of this Zoning Resolution, per ORC section 3767.13 ~~of the Ohio Revised Code~~.

~~2)B)~~ “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~~longer-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~~

~~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.~~

## SECTION 860 – TEMPORARY USES

### Section 860.01 - 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~~general welfare of the community. An application for a Temporary Permit shall ~~The following uses are deemed to be~~ filed at least ten (10) days prior~~temporary uses and are subject~~ to the commencement~~following development standards in addition to the~~ development standards of the proposed temporary district in which the use or sale. No temporary use or sale shall commence until a Temporary Permit shall have been issued by the Township Zoning Inspector~~is located:~~

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

~~Garage sales and other~~ 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:

C) The actual dimensions of the lot, including easements.

D) The exact size, location, and height of all ~~sales in association with an~~ existing and proposed buildings and structures, whether principal or accessory, on the lot.

E) The existing and intended use of all parts of the land and buildings and structures, whether principal or accessory.~~structure shall~~

- F) Existing zoning on the lot in question and on all adjacent lots.
- G) Existing and/or proposed parking spaces, traffic flow, wheel stops, access drives, building and parking setbacks, yard requirements, and existing and proposed sanitary facilities.
- H) Existing and proposed signs and billboards, including lighting and size detail.
- D) 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.

### **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 ~~in any~~ district in which ~~dwelling are permitted, provided~~ the use is located:

- B) 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 ~~daytime hours only and all signs~~ 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.

C) *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:~~removed~~

- 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.
- ~~4)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 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.~~
- 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.

Christmas Tree Sales:

- ~~2)D) 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) 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 ~~days, provided~~ 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~~ setback. ~~Approval of a temporary certificate of zoning compliance must be obtained from the zoning inspector prior to conducting such temporary sales.~~

Temporary

3)E) Real Estate Sales Offices/Model Home Sales: Temporary real estate sales offices and model home offices may be permitted ~~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 within ~~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.~~

Temporary Contractors' Offices: Temporary contractors'

4) ~~Contractor's~~ Contractor's 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 ~~No certificate of zoning compliance shall be required for such temporary uses meeting these requirements.~~

5)F) ~~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 dumpster shall not be located in the right-of-way. building code minimum standards shall be met. The applicant shall obtain a temporary zoning certificate from the zoning inspector prior to~~

Temporary

Public

Events:

Temporary

~~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.~~

- ~~G) 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 zoning district or upon a church, school or other similar sites within a Residential Zoning District~~any residential district~~, provided adequate off-street parking, sanitary facilities, lighting, and security are and setbacks from existing residential uses can be provided. Temporary public events~~Any such use shall be limited to not be permitted for a total of more than seven (7) days nor more than three (3) consecutive days and only two (2) such events may be conducted in any one (1) twice in any~~ calendar year.

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.

- H) 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~~Approval~~ 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:

- B) A Portable Storage Unit shall not exceed one hundred sixty-nine (169) square feet in size and eight (8) feet in height.~~a temporary zoning permit~~
- C) Not more than one (1) Portable Storage Unit shall be permitted on any property at any time.
- D) No Portable Storage Unit shall be located in a public right-of-way.
- E) 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.
- F) Portable Storage Units shall only be used for the storage of personal property and for no other purpose whatsoever.
- G) The placement of Portable Storage Units shall be in such manner as not to create a public nuisance.
- H) A Portable Storage Unit is not permitted as a permanent accessory storage structure regardless of the proposed location on a property.

D 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.~~from the zoning inspector prior to establishment of such temporary use.~~**Section**

## **Section 860.08 -02 Zoning Inspector Authority in Regulating Temporary Uses**

The Zoning Inspector~~zoning inspector~~ shall have the authority to require any information the inspector~~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 Zoning Inspector~~zoning inspector~~ to the Board of Zoning Appeals.

## **Section 860.09 -03 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 slopeslopes exceeding fourteen ~~(14)~~ percent (14%).

D) ~~All~~ Trim all trees and overhangs above ~~driveways~~ driveway and apron ~~areas shall be trimmed~~ area to a minimum twelve ~~(12)~~-foot ~~(12')~~ height.

**Section 865.02** ~~-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 865.04~~ **Bridges and Culverts**

### Where bridges

~~Bridges~~ and culverts are required for access, such bridges and culverts shall~~should~~ be built to handle twenty (20) ton ~~vehicles~~~~vehicle~~ (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 865.03 -05 House Identification**

The house~~House~~ number shall appear at the~~appearing~~ 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 870 – POND REGULATIONS**

### ~~865—Pond Regulations~~ **Section 870**~~865.01 - 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 ~~Pond~~~~pond~~ 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~~ avoid becoming~~be~~ a public nuisance as defined by ~~the~~ Franklin County ~~Public~~~~Board of~~ 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.

### **Section 870.02** ~~-865.01~~ **Ponds Less Than**~~less than~~ **750 Square Feet**~~square feet~~ **in Surface Area**~~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** ~~-865.02~~ **Ponds 750 Square Feet**~~square feet~~ **or Greater**~~greater~~ **in Surface Area**~~surface area:~~

4)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.

3)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, elevation 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.

~~6)F)~~ The Franklin ~~Soil~~~~SWCD~~ 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.

## **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 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.

B) A Residential Care Facility of six or more residents (excluding care-givers) shall be permitted in the SO, CS and NC District.

The term "Residential Care Facility" as used in this Section means a Residential Care Facility licensed by the State of Ohio. ~~\*\*\*Retention and detention ponds constructed as an appurtenance to, and regulated by, subdivision regulations shall be exempt from the above regulations.\*\*\*~~

C) \_\_\_\_\_

D) Pursuant to Section 5119.341(B), residential facilities of six or more residents (excluding care-givers) are prohibited in the SPR.

E) Residential Care Facilities shall obtain a Permit of Zoning Compliance prior to commencing the use of a property as a Residential Care Facility.

### **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:

- 2) The residents of said facility will benefit from normal residential surroundings;
- 3) The placement within 1,320 feet of another Residential Care Facility does not hinder the goal of deinstitutionalization;
- 4) The placement of the Residential Care Facility furthers the goal of integrating the residents into the mainstream of society;
- 5) A hardship exists in that suitable housing is unavailable elsewhere in the community that meets the 1,320 foot spacing requirement;
- 6) 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
- 7) 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 than 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.

- 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

- 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:
  - b) Location of all public and private airports in relation to the location of the wind turbine.
  - c) 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.
- d) 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.
- e) 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.
- f) 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 met. 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;
  - 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
- e) A written certification from a professional engineer registered in accordance with the laws of the State of Ohio certifying the following:
  - i) 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;
  - ii) That the tower complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER); and
  - iii) 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*

- 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 as 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.
- 4) 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.
- 5) 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*

- 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. The tower shall be screened by an eight (8) foot high fence or barrier. A continuous evergreen hedge, trees or similar landscape materials of a size, type, area and design deemed appropriate by the Board of Zoning Appeals shall be placed outside of and along the fence or barrier. Any solid fence or barrier shall contain no advertising, but

may contain one small identification sign not to exceed three square feet in size. The storage of any equipment must be contained inside the screened area.

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) . Any 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.

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

## ~~Article IX~~

- 10) Administration (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

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 Jefferson 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).

Should

the owner/operator of a telecommunications tower desire to co-locate a tower on another existing telecommunications tower or on another utility

**Administration**

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- 2) 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).

# Article IX

## Zoning Resolution Administration and Amendments

### **SECTION 900 - ENFORCEMENT OF REGULATIONS** ~~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 and/or Secretary of the Township Board of Zoning Appeals.

#### **Section 900.01 - Zoning Administrator/Inspector**

~~The This Zoning Resolution shall be administered and enforced by the~~ Zoning Administrator/Inspector or ~~his or her~~ designated representative ~~who~~ shall be appointed by the Jefferson Township Trustees as is prescribed by ORC 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 provide~~Sec. 519.16, Ohio Revised Code.~~

#### **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.

##### Issues Permits

~~Certificate~~ of Zoning Compliance and

##### B) ~~To issue a~~ Certificate of Zoning Compliance

The Zoning Administrator/Inspector shall review all application for Zoning Compliance and issue Permits of Zoning Compliance and Certificates of Zoning Compliance in accordance with ~~according to the provisions of~~ Section 900.04 when the provisions of this Zoning Resolution~~these regulations~~ have been met~~followed~~ or ~~to~~ refuse to issue the same in the event of non-compliance.

##### C) Collection of Fees

To collect the designated fees as set forth in the current fee schedule for ~~certificates~~Certificates of ~~zoning compliance~~Zoning Compliance, application for amendment or changes to the Zoning Resolution, ~~appeals, variances, and conditional use permits~~Appeals, Variances, or Conditional Use Permits.

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 ~~certificates~~Certificates of ~~zoning compliance~~Zoning Compliance 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 conditional use permits, appeals Conditional Use Permits, Appeals or variances Variancees 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 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 township administration Township Administration.

### **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 Administrator/Inspector, or his/her immediate family has a direct pecuniary interest. If a conflict of interest exists, the Jefferson Township Trustees and/or the Township Clerk shall appoint a designee to act on ~~his/her~~ behalf of the Zoning Administrator/Inspector.

### **Section 900.04 - Permits of Zoning Compliance and Certificates Certificate 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 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 a Permit of Zoning Compliance and Certificate of Zoning Compliance ~~the 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 of Zoning Compliance**

No building permit for the extension, erection or alteration of any building shall be issued before an application for ~~Permit~~~~a certificate~~ of ~~Zoning Compliance~~~~zoning compliance~~ has been ~~submitted~~~~made~~ and ~~until~~ such ~~application~~~~certificate~~ is approved.

## **Section 900.042 ~~-~~ Applications for Permit~~Certificates~~ of Zoning Compliance**

Each application for a ~~Permit~~~~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) The proposed provisions of water and sanitary sewer facilities;

~~(e) — The proposed provisions of water, 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 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 ~~not only~~ accept ~~ana~~ ~~complete~~ application ~~until the application is deemed complete~~ and the ~~appropriate~~ fee, as prescribed by the Jefferson Township Fee Schedule for ~~that application is received.~~ ~~a Certificate of Zoning Compliance~~

~~(b)~~B) Approval and Issuance

A Permit~~Certificates~~ 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 Zoning Compliance ~~as is prescribed in accordance with the Jefferson Township Fee Schedule~~ORC 519.

## **Section 900.0444 - Expiration of Permit**~~044 Effect of~~ Zoning Compliance~~Approval~~

A Permit of Zoning Compliance shall expire if

~~If the~~ work~~change or modifications~~ described in the Permit~~any Certificate of Zoning Compliance~~ has not commenced~~begun~~ within one (1)

~~(+) year from the date of issuance thereof, or the work has not been completed within two (2) years. Once expired, the Permit~~said Certificate of Zoning Compliance ~~shall expire; it shall be void. Once void, revoked by~~ the Zoning Administrator/Inspector shall provide ~~and~~ 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 910 - PENALTIES FOR VIOLATION**

## **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 - ZONING AMENDMENTS~~AMENDMENTS~~ ~~OR SUPPLEMENTS TO ZONING RESOLUTION~~

Whenever the public health, safety, convenience, comfort, prosperity and 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 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.~~

### Section 920.01 ~~-011~~ Initiation by Resolution of the Trustees or by Motion of the Zoning Commission

Proposed~~The Township Trustees may initiate proposed~~ changes or amendments to the Zoning Resolution may be initiated by the Jefferson Township Trustees by resolution or by motion of the Jefferson Township Zoning Commission by motion. Once initiated, the Zoning Amendment process outline in ORC 519.12 shall be followed.

### Section 920.02~~012~~ Initiation of Action by Owner~~Application~~

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 ~~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 One (1) copy 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~~

~~Eight (8) copies~~ of a provided application form shall be filed with the Zoning Administrator/Inspector together with the corresponding fee~~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 Zoning District Map, or special district map; ~~Special District Map.~~
- ~~(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 ~~public~~ general health, safety, convenience, prosperity or general ~~and~~ welfare of the public in terms of need or appropriateness within the area by reason of changed or changing conditions and the relation to appropriate plans for the area. Also approval by the controlling health agency, and where applicable, the county engineer; and

~~appropriate plans for the area. Also approval by the controlling health agency, and where applicable, the county engineer.~~

~~(d)~~ D A list of owners of property within, contiguous to, directly across the street from, and within two hundred fifty (250)~~1,000~~ 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 the Jefferson ORC 519. Reference the current fee schedule, available from the Township Official Fee Schedule. ~~Clerk or Zoning Administrator/Inspector.~~

## SECTION 930 - PROCEDURE FOR CONSIDERATION OF PROPOSED CHANGE OR AMENDMENT~~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 930.034, inclusive, of this Zoning Resolution.

~~Section 930.01 Establishment of~~

### Section 930.01 - 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 Jefferson~~Zoning District Map or Special Map, the~~ 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 ~~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~~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 and contiguous to and directly across the street from and to all property owners within two hundred fifty (250)~~1,000~~ feet of such area affected by the proposed ~~change or~~ amendment. This~~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 930.013 - Action by Filing pursuant to ORC 519.12, 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 Zoning Commission~~zoning commission~~ on such proposed change or amendment.

### ~~Section 930.014 -02 Action by the Jefferson Township Zoning Commission~~

~~After a public hearing, the Township Zoning Commission shall act on a proposed change or amendment.~~

## **~~Section 930.021~~ 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 ~~change or~~ amendment as such proposal in the Zoning Commission's judgment advances the public~~general~~ health, safety, convenience, prosperity or general ~~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 930.02 - Action by~~022 Recommendation~~**

~~Within thirty (30) days after~~ **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 ~~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~~County or Regional Planning Commission~~.

## **Section 930.03 - Receipt~~Action~~ by the 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 [Jefferson Township](#)~~the township~~ at least [ten](#) (~~10~~~~fifteen~~~~15~~) days before the date of the public hearing.

### **Section 930.033 -Final Action by the Jefferson Township Board of Trustees**

Within twenty (20) days after the conclusion of the such-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.~~

### **Section 930.034 - Date of Effect**

~~An~~Such change or amendment 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.

### ~~Section 930.~~**SECTION 940 – RESUBMISSION OF APPLICATION**~~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.~~

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.

# Article X

## Zoning Commission and Board of Zoning Appeals

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### **SECTION 1000 ~~==~~ CREATION OF THE ~~BOARD OF~~ ZONING COMMISSION**

#### **APPEALS**

#### **Section 1000.01 - Appointments ~~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.

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.

~~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 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:

- B) 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;

- C) 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
- D) 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.

**SECTION 1010 - CREATION OF THE BOARD OF ZONING APPEALS**

**Section 1010.01 – Appointments by the Township Trustees**

In accordance with the ORC 519.13, the Trustees shall appoint a Township Board of Zoning 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 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 1010.02 - 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 meetings~~Meetings~~ of the BZA. Those meetings~~Board of Appeals~~ 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, shall~~may~~ administer oaths to all testifying at any hearing held by the BZA, and the BZA~~Board of Zoning Appeals~~ may compel the attendance of witnesses as required.

~~–~~All meetings of the BZA~~Board of Zoning Appeals~~ shall be open to the public. \_

The BZA~~Board of Zoning Appeals~~ shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Administrator/Inspector~~Township Trustees,~~ and available for inspection as~~be~~ a public record, upon request.

**SECTION 1020 -** ~~1001~~ ~~POWERS AND DUTIES OF THE BOARD OF ZONING APPEALS~~

~~Section 1001.01~~ **POWERS AND DUTIES OF**

# THE BOARD OF ZONING APPEALS

## Section 1020.01 - Powers and Duties

The BZA shall have the following powers and duties:

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 ~~BZA Board of Zoning Appeals~~ is specifically authorized to permit in accordance with ~~pass on by the terms of~~ 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 a practical difficulty to the applicant. In granting such variance, the BZA shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the zoning district in conformity with this Zoning Resolution.

~~enforcement of the provisions of this Zoning Resolution would result in unnecessary hardship. In granting such variance, the Board of Zoning Appeals shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the Zoning District in conformity with this Zoning Resolution.~~

## **Section 1020~~1001~~.02 - Procedure for Administrative Appeal**

A) \_\_\_\_\_

### ~~A) Administrative Appeals~~

~~Appeals to the BZA~~Board of Zoning Appeals~~ may be taken by any person aggrieved, or by any officer of Jefferson~~the~~ 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 BZA~~Board of Zoning Appeals~~, specifying the grounds. ~~The officer from whom the appeal is taken shall transmit to the BZA~~Board of Zoning Appeals~~ all the papers constituting the record upon which the action was taken.~~

## ~~Section 1020~~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.~~

1) \_\_\_\_\_

~~3) A statement of the special circumstances or conditions applying to the land or structure and not applying generally throughout the Zoning District.~~

2) \_\_\_\_\_

~~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 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.~~

~~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 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 1001.06~~ **Procedure for Authorizing a Conditional Use**

A)

~~A) Nature of Conditional Uses~~

Specifically listed conditional uses~~Conditional Uses~~ are provided within each of the zoning district. ~~Such Zoning District Regulations in recognition that such~~ uses, although often desirable, will more intensely affect the surrounding area in which they are located than the permitted uses~~Permitted Uses~~ of such zoning districts~~Zoning Districts~~.

The intent of the “Procedure for Authorizing a Conditional Use” is to set forth the ~~Development Standards and~~ criteria for approving~~locating and developing a conditional use~~~~Conditional Use in accordance with the nature of the surrounding area, conditions of development, and with regard to appropriate plans.~~

B) Written Applications

One (1) copy

~~Eight (8) copies~~ of a conditional use permit~~provided~~ 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 BZA; and~~Board of Zoning Appeals.~~
- 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 conditional use. ~~Conditional Use.~~ Such list to be in accordance with the Franklin County Auditor's current tax list, and shall include all owners' addresses.

Site

D) ~~Plot~~ Plan

One (1) copy

~~Eight (8) copies~~ of a site~~plot~~ plan, drawn to ~~an appropriate~~ scale, clearly showing the following, shall accompany the application:

~~1)2)~~ 2) The boundaries and dimensions of the lot;:-

~~2)3)~~ 3) The size and location of existing and proposed structures;:-

~~3)4)~~ 4) The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces, and landscaping;:-

~~4)5)~~ 5) The relationship of the proposed development to the development standards; ~~and~~Development Standards.

~~5)6)~~ 6) The current use of the land and the location of structures on adjacent properties~~property.~~

Additional

E) 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 BZA 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.~~

## **Section 1020.04 ~~-1001.07~~ 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 ~~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 conditional use ~~Conditional Use~~ in one of the following ways:

A) Approval

The ~~BZA~~ ~~Board of Zoning Appeals shall~~ approve an application for a conditional use ~~Conditional Use~~ if the following ~~four~~ conditions are met:

- 1) The proposed use is a conditional use ~~Conditional Use~~ of the zoning district ~~Zoning District~~, and the applicable development standards ~~Development Standards~~ 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-

There is a

~~4) The~~ necessity or desirability of the proposed use to the neighborhood or community in granting any conditional use application, the BZA may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of 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. ~~has been proven.~~

4) \_\_\_\_\_

B) Approval with Modification

The ~~BZA~~ ~~Board of Zoning Appeals~~ may approve with modification an application for a conditional use ~~Conditional Use~~, if the proposed use is a conditional use ~~Conditional Use~~ of the zoning district ~~Zoning District~~ and the applicable development standards ~~Development Standards~~ are met, but ~~site~~ ~~plot~~ 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 conditional use~~Conditional Use~~ for any ~~one~~ of the following reasons:

- 1) The proposed use is not a conditional use~~Conditional Use~~ of the zoning district~~Zoning District~~, or the applicable development standards~~Development Standards~~ 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 1020.05 ~~1001.07~~ Effect of a Conditional Use Approval**

A) Conditional Use Approval

Upon ~~a~~ favorable finding, ~~the BZA Board of Zoning Appeals~~ shall ~~approve~~ a conditional use ~~Conditional Use~~ application within thirty (30) days following the public hearing.

B) Conditional Use Permit

A Permit ~~Certificate~~ of Zoning Compliance may be issued within one (1) year from the date of final approval by the BZA ~~Board of Zoning Appeals~~.

C) Certificate of Zoning Compliance

~~C) Building Permit~~

A final Certificate of Zoning Compliance ~~must~~ ~~building permit may~~ be obtained when work under the Permit for Zoning Compliance is completed, and may only be issued for finished ~~the~~ development that complies with the approved site plan and any applicable conditions issued as part of the approved conditional use.

## Section 1020.06 - Procedure for Variance

~~F)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 a practical difficulty to the applicant with regard to their ability to meet the development standards of this Zoning Resolution.

~~G)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.

~~H)C)~~ Description of Property and Nature of Variance

The application shall include the following statements:

- 3) The nature of the variance, i.e., include the specific provisions of the Zoning Resolution upon which the variance is requested;
- 4) A legal description of the property;
- 5) A statement of the special circumstances or conditions applying to the land or structure and not applying generally throughout the zoning district;

- 6) A statement showing that the granting of the application is necessary to the preservation and enjoyment of substantial property rights;
- 7) 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 ~~approved plot.~~
- 8) 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:

The boundaries and dimensions of the lot;

- 5) ~~Section 1001.05~~
- 6) The nature of the special conditions or circumstances giving rise to the application for approval;
- 7) The size and location of existing and proposed structures;
- 8) The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces, and landscaping;
- 9) The relationship of the requested variance to the development standards; and
- 10) The use of land and location of structures on adjacent properties.

~~D~~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;

- 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 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 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 1020.09 - Fees for Conditional Uses and Variances**

A fee shall be paid to Jefferson Township for each application for variance or conditional use ~~Certificate of Zoning Compliance~~ as is prescribed by the Township Trustees and shown on the Township Official Fee Schedule. in ORC 519.

# Article XI

## Definitions

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### 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; ~~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.~~

\* 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~~ 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**

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.~~

#### Abandonment

~~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:** 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 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 use~~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** (*See also expansion*): The extension of an existing building not including repairs and reconstruction of the existing building.

**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.

**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

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; ~~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:** (~~See—see 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:** (~~See—see 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 Zoning Resolution ~~zoning—resolution~~; 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:** (See ~~(see~~ 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:** (See ~~(see~~ also marquee) ): 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.”

**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 *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:** (~~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 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:** (~~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 ~~000square~~ 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 *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.

**BZA:**

**Board:** 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 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 *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.

~~(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 principal building, and which is located on the same lot as the principal building under construction or reconstruction.

**Bulb Outs:** (See curb extensions)

~~**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.

~~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:** (See ~~see~~ occupancy, change of)

**Change of use:** (See ~~see~~ use, change of)

**Charitable organization:** (See also ~~see~~ 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) child 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) ~~child day care type B home~~

~~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) ~~church~~

**Church:** 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) ~~Cocinema~~

~~A specialized theater for showing movies or motion pictures~~

5) ~~clinie~~

~~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) eo-location:~~         

Wireless telecommunication facilities which are used by more than one provider/carrier.

**Collector road:** A low-to-moderate-capacity road which serves to move traffic from local streets to arterial roads and provides land access to commercial, industrial, business and residential properties.

~~7) collector street (see also thoroughfare)~~

~~8) Commission:~~         

Jefferson Township Zoning Commission.

~~9) Commercial~~ **commercial vehicle:**         

Any vehicle bearing or required to bear commercial license plates and which falls into one or of the categories listed below:

~~a) Truck tractor~~ Tractor

A)

~~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) I)~~          A vehicle which has permanently mounted outside brackets or holder for ladders, tools, pipes, or other similar ~~equipment~~ equipment ~~Community NFIP Administrator~~

**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) Comprehensive~~ **comprehensive plan:**         

Assembly of policy statements, goals and objectives, standards, maps and statistical data for the public and private economic development of Jefferson Township.

~~12) Conditional~~ **conditional use:**         

A use or occupancy which is permitted only upon issuance of a permit and subject to limitations and conditions specified

therein.

~~13)~~ Conditional~~conditional~~ use permit:

The documented evidence of authority granted by the BZA~~board of adjustments~~ to locate a specific use or occupancy at a particular location.

~~14)~~ Condominium: ~~condominium~~

A dwelling unit containing multiple individually owned units with jointly owned and shared areas and facilities.

Conforming

~~15)~~ **conforming use:**           

Any use of a structure or land which is permitted.

~~16)~~ ~~conservation~~ **Conservation:**           

The management of natural resources to prevent waste, destruction, or degradation.

~~17)~~ ~~contiguous~~ **Contiguous:**           

In contact, adjoining, or touching another object or item.

~~18)~~ **Contractor:**           

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)~~ **Cornice:** ~~cornice~~           

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)~~ ~~Credit~~ **credit 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.

~~21)~~ **Curb:**           

A boundary usually marking the edge of the roadway or paved area.

~~22)~~ ~~Curb~~ **curb cut:**           

An opening along the roadway curb to provide vehicular ingress and/or egress between property and public street.

~~23)~~ **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.

**Day Care Center, Child:** Any place in which child day care is provided, with or without compensation, for thirteen (13) or more children at one time or any place that is not the permanent residence of the licensee or administrator in which child day care is provided, with or without compensation, for seven (7) or more children at one time or four (4) or more children under two years of age at one time. For the purposes of this definition, any children under six years of age who are related to the provider of child day care and who are on the premises shall be counted

**Day Care, Child Type B Home:** A permanent residence of the provider in which child daycare is provided for one (1) to six (6) children at one time and in which no more than three (3) children may be under two years of age at one time. Any children under six years of age who are related to the provider and who are on the premises shall be counted.

**Day Care, Child Type A Home:** A permanent residence of the administrator in which child day-care is provided for seven (7) to twelve (12) children at one time or for four (4) to twelve (12) children at one time if for the latter four (4) or more children are under two years of age. Any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises shall be counted.

**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.

**Dedication:**

~~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~~ ~~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 ~~known~~~~know~~ as a restrictive covenant.

~~26)~~ ~~Density:~~ ~~density~~

The number of dwelling units permitted per acre of land.

~~27)~~ ~~Design~~ ~~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~~ ~~design~~ standards:

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)~~ ~~Detention~~ ~~detention~~ 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)~~ ~~Detonable~~ ~~detonable~~ 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.

**Dock:**

~~and vapors.~~

~~31) dock~~

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) dog run~~

J) \_\_\_\_\_

~~An **Downstream:** outdoor area intended for the exercising and/or containment of dogs and similar animals~~

~~33) downstream~~

Land and water which receive storm water runoff and other surface water flows from a designated site; downstream land and water are down gradient~~down gradient~~ from the designated site.

~~34) Drainage: down zoning~~

~~A change in the zoning classification of land to a classification permitting development that is less intensive or dense~~

~~35) drainage~~

Any outflow of water or other fluid from a site, whether by natural or artificial means.

~~36) Drive drip line~~

~~An imaginary vertical line that extends from the outermost branches of a tree's canopy to the ground~~

~~37) drive-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) driveway~~ Driveway:

A roadway which provides access for vehicles to parking space, garage, dwelling, or other structures.

~~39) Driveway~~ driveway, common:

A roadway shared by adjacent property owners and privately owned and maintained.

~~40) Dwelling~~ dwelling, 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) Dwelling~~ dwelling, 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, habitable 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, multi-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) Dwelling, single-family:~~ dwelling, single-family

A structure designed for occupancy by one family.

~~43) Dwellingdwelling, 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) Dwellingdwelling, two-family:~~

A residential building designed for, or used as, separate homes or residence of two separate and distinct families.

~~45) Dwellingdwelling 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) Eave: eave~~

The projecting lower edge of a roof overhanging the wall of a building.

~~48) Egress: educational institution~~

~~A public, parochial, or private institution that provides educational instruction to students~~

~~49) egress~~

A way out, an exit.

~~50) Exterior: exterior~~

The front ~~façade~~ ~~faeade~~ of any structure and any external features visible from public ways.

~~51) Facade:~~ ~~faeade~~

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.

~~Family~~ **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:

~~52) any number of~~

A) ~~A group composed of parents and children; a group of~~ people related~~connected~~ by blood, marriage, ~~or~~ adoption, guardianship or other duly-authorized custodial relationship.

B) ~~form~~ two unrelated people; or

C) 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.

~~53) Farm:~~

A parcel of land used for the purposes of agriculture~~growing or raising agricultural products, including related structures thereon~~

~~54) Fence:~~ ~~fenee~~

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) Festival:~~ ~~festival~~

The sale of ethnic specialty, regional, and gourmet foods, art and crafts, live musical entertainment, in an outdoor setting.

~~56) Final~~ ~~final~~ ~~plat:~~

A map of all of a portion of a subdivision or site plan that is presented to the proper review authority for final approval.

**Flag:**

~~57) flag~~

Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.

~~58) flood~~ **Flood:**

A general and temporary inundation of normally dry land areas.

~~59) floodplain~~ **Floodplain:**

The land area susceptible to inundation by water as a result of the flood.

~~60) floodway~~ **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~~ **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.

~~footprint~~ **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 intersect the street right-of-way. **frontage**

~~The horizontal distance between the side lot lines measured at the point where the side lot lines interest the street right of way~~

~~garage.~~

~~64) Garage:~~         

A building or structure, or part thereof, used or designated to be used for the parking and storage of vehicles.

~~65) Garage~~ **garage, courtyard:**         

A garage where the overhead doors face perpendicular to the front property line but face the front door.

~~66) Garage~~ **garage, front load:**         

A garage where the overhead doors face front property line.

~~67) Garage~~ **garage, oblique**

~~A garage where the overhead doors are at an angle to the front property line~~

~~68) garage, side load:~~         

A garage where the overhead doors are perpendicular to the front property line but face away from front door.

~~69) garden center~~

~~A place of business where retail and wholesale products and produce are sold to the consumer~~

~~70) gas station~~

10) \_\_\_\_\_

~~Any Gazebo: 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) gazebo~~

An accessory building consisting of a detached, covered, freestanding, open-air structure not exceeding three hundred (300) square feet.

~~72) Grade: grade~~

The level of the finished surface of the ground adjacent to the exterior walls of the building.

Green space: an area of grass, trees, or other vegetation set apart for recreational or aesthetic purposes in an otherwise urban environment.

~~73) Guest: guest~~

Any person other than the family occupying or hiring a room for living or sleeping purposes.

~~74) Guestguest 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) Habitablehabitable 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) Height: height~~

The vertical distance to the highest point of the roof.

Home

~~77) home 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) Homeownershomeowners 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) Hot hot 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.

Improvement:

~~80) improvement~~

Alterations to any structure that do not change the intensity of its use or increase either the gross floor area or height.

~~81) Impervious Surface:~~ Material covering the ground that is incapable of being penetrated by water. Impervious surface includes but is not limited to any Building, Dwelling, Structure. ~~ingress~~

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.

Ingress: A way in, an entrance.

~~82) Inoperable~~inoperable 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.

Intense

~~83)~~ **intense 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, manganese, pyrotechnics and pyroxylin.

~~84)~~ **Junk:** ~~junk~~

Scrap or waste material of whatsoever kind or nature collected and accumulated for resale, disposal or storage.

~~85)~~ **Jurisdiction:** ~~jurisdiction~~

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)~~ **Kennel:** ~~kennel~~

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)~~ **Landland 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)~~ **Landland 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)~~ **Landland use:**           

A description of how land is occupied or utilized.

~~90)~~ **Landscape:** ~~landscape~~

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 buffer: 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 medians: A combination of paved, planted, or landscaped strip in the center of a highway that separates lanes of traffic going in opposite directions.

~~91)~~ **Letterletter 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).

~~92)~~ **Letterletter 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)~~ **Line** ~~line~~ **of sight:**           

A visual path emanating from an average eye level adjudged to be five feet above the ground level.

**94) live entertainment**

8) \_\_\_\_\_

~~Any~~ **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.

**Loading space:** 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.

**95) loading 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.

**Lot:**

**96) lot**

A parcel described by metes and bounds, the description of which has been recorded.

**97) lot 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~~ **Lot 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.

**Lot**

~~98)~~ **lot, depth:**           

The average distance between the front and rear lot lines.

~~99)~~ **lot, frontage**

~~The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way.~~ **Lot,**           

**lot 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)~~ **Lot line:**           

A line bounding or demarcating a plot of land or ground as established by a plat of record

~~101)~~ **Lot line adjustment:**           

The modification of common property line(s) or boundaries between adjacent lots, tracts, or parcels and the results shall not create any additional lots, tracts, or parcels.

**Lot line, interior:** any lot line that is not adjacent to a street.

~~102)~~ **Lot, 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)~~ **Lot, 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)~~ **Lot 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)~~ **Metes 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)~~ **Mezzanine:** ~~mezzanine~~

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.

~~33.3 percent of the total floor area it shall be considered an additional story.~~ **Mineral**

~~107)~~ **mineral extraction:**           

The excavation or extraction of any earth products of natural mineral deposits.

~~108)~~ ~~minutes~~ **Minutes:**

The chronological record of the proceedings of a public body.

~~109)~~ Mixed~~mixed~~-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.

Mobile

~~110)~~ mobile 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) ~~e)~~ 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) 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) A transportable structure suitable for year-round single-family occupancy and having water, electrical, sewage connections significantly similar to those of conventional dwellings.

**Modular 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.

~~111) — **Moratorium: modular housing**~~

~~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) — **moratorium**~~

The temporary halting or severe restriction on specified development activities.

~~113) — **Motor ~~motor~~ vehicle, commercial:**~~

Any motorized vehicle used or designed to be used for business or commercial purpose.

**Motor**

~~114) — **motor vehicle, inoperable**~~

~~Any motorized vehicle or trailer incapable of immediately being driven and not properly licensed in accordance with state law~~

~~115) — **motor 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 mechanicals:** 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) — **Native ~~multifamily dwelling~~**~~

~~A building which contains four or more individual dwellings with separate cooking and toilet facilities for each dwelling~~

~~117)~~ **native vegetation:**

Plant communities that develop in the absence of human activities.

~~118)~~ **Naturalnatural condition:**

~~119)~~ The state that arises from or is found in nature and not modified by human intervention.~~interventionnatural drainage~~

**Natural drainage:** The channels which are formed in the existing surface topography of the earth prior to changes made by unnatural causes.

~~120)~~ **Naturalnatural features:**

The physical characteristics of the subject property that are not man made.

~~121)~~ **Naturalnatural resource area (archaeological):**  }

Any significant evidence of human activity from prehistoric periods.

~~noise~~ **Neck downs:** *(See curb extensions)*

~~122)~~ **Noise:**

The intensity, duration, and character of sound from any and all sources.

~~123)~~ **Noise noise pollution:**

Continuous or episodic excessive noise in the human environment.

Non

~~124)~~ **non-conforming lot:** A lot that does not meet minimum zoning regulations.~~activity~~

Non-conforming use: A legal use of a building and/or of land

~~A legal activity~~ that antedates the adoption of these regulations and does not conform to the regulations for the Zoning District in which ~~it~~~~activity~~ is located.

~~125)~~ ~~Non~~**non-conforming lot**

~~126)~~ ~~A lot that does not meet minimum zoning regulations~~**non-conforming use**

~~A legal use of a building and / or of land that antedates the adoption of these regulations and does not conform to the regulations for the Zoning District in which it is located~~

~~127)~~ ~~non-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)~~ ~~Occupancy:~~ **occupaney**

The use of land, buildings or structures.

~~129)~~ ~~Odor:~~ **odor**

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)~~ ~~Obstruction:~~ **obstruction**

Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter which is in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction 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)~~ ~~Off~~~~off~~ **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.

On

~~132)~~ ~~on~~ **site:**

Within the limits of the area encompassed by the tract area or the parcel of record on which the activity is conducted.

~~133)~~ ~~opaqueness~~ **Opaqueness:**

The degree to which a wall, fence, structure or landscaping is solid or impenetrable to light or vision in a generally uniform pattern over its surface.

~~open space~~ **Open space:** 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.

~~134)~~ **Overlay district:** A zoning district

~~Land and water areas retained for use as active or passive recreation areas or for resource protection in an essentially undeveloped state~~

~~135)~~ **outfall**

~~The point when water flows out from a conduit, drain, or stream~~

~~136)~~ **overlay zone**

~~A~~ designation that modifies the basic underlying zoning district~~designation~~ in some specific manner.

~~137)~~ ~~parcel~~ **Parcel:**

A tract or plot of land of any size that may or may not be subdivided or improved.

~~138)~~ **Park:** ~~park~~

An area reserved for recreational, educational, or scenic purposes.

**Parking**

~~139)~~ — **parking lot:**

An authorized area not within a building where motorized vehicles are stored for the purpose of temporary, daily, ~~overnight~~~~over night~~ off-street parking.

**Parking lot, 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.

~~140)~~ — **Parking, off street:** ~~parking 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)~~ — **Parking**~~parking~~ **space:**

An off-street space available for the parking of one motorized vehicle conforming to the typical parking lot standards.

~~143)~~ — **Parking**~~parking~~ **structure (parking garage):**

A structure of two or more stories, whether privately or publicly owned, used for parking automobiles.

~~144)~~ — **Parsonage:** ~~parsonage~~

The permanent place of residence of the pastor or minister of a church.

~~145)~~ — **Path:** ~~path~~

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)~~ — ~~patio~~ **Patio:**

A level surfaced area directly adjacent to a principal building and may be constructed of any materials.

~~147)~~ — **Particulates:** ~~particulates~~

Fine particles, either solid or liquid; which are small enough to be dispensed or otherwise, carried into the atmosphere.

~~permit~~ **Pedestrian crossing islands:** *(See landscaped medians)*

**Pedestrian zone:** An area that has been concerted for the use of pedestrians only, by excluding all motor vehicles.

~~148)~~ — **Permit, zoning compliance:**

A document issued by Jefferson Township, Franklin County, Ohio allowing a person to begin an activity provided for in this resolution.

**Planned**

~~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)~~ — **Planned**~~planned~~ **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) — plat~~ Plat:

A map which represents a tract of land, showing the boundaries and location or individual properties and streets.

~~153) — Plot~~ plot 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) — Pole~~ pole barn:

A typically metal clad structure most often utilizing wooden poles and trusses for support with unfinished, insulated interiors.

~~155) — pond~~ Pond:

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) — porch~~ Porch:

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.

Recreational

~~157)~~ — ~~recreational~~ **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)~~ — ~~Regulatory~~ **regulatory floodplain:**           

A watercourse and the areas adjoining a watercourse that has been or hereafter may be covered by the base flood ~~Base Flood~~.

~~159)~~ — ~~Related:~~ **related**

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.

Resource 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)~~ — ~~Retention:~~ **retention**

A permanent on-site maintenance of stormwater.

~~161)~~ — ~~rezoning~~ **Rezoning:**           

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)~~ — ~~Right~~ **right-of-way:**           

The roadway area that has been dedicated or deeded for public use and under the control of a public agency.

~~163)~~ — ~~road~~ **Road:**           

The property dedicated or intended for construction of ~~to construct~~ public or private roads, streets, alleys, highways, freeways ~~road, street, alley, highway, freeway~~, or roadway purposes or to public easements therefore.

~~164)~~ — ~~Screening:~~ **roof overhang**

~~The projecting area at the crown of an architectural composition~~

~~165)~~ — ~~screening~~

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)~~ — ~~Sediment:~~ **sediment**

Solid particulate matter that has been removed from its site of origin.

Service alley: A street providing only secondary access to abutting property.

Setback, front: The minimum allowable distance from the street right-of-way line to the closest point of the foundation of a building or projection.

Setback line: ~~sewage~~ The distance as measured perpendicularly from the front, side, or rear property line to the building.

Setback, rear: The shortest distance between the building line and the rear lot line.

**Setback, side:** The shortest distance between the building line and the side lot line.

~~167)~~ — **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)~~ — **setback, front**

~~169)~~ — ~~The minimum allowable distance from the street right-of-way line to the closest point of the foundation of a building or projection~~**setback line**

~~The distance as measured perpendicularly from the front, side, or rear property line to the building~~

~~170)~~ — **setback, rear**

~~The shortest distance between the building line and the rear lot line~~

~~171)~~ — **setback, side**

~~The shortest distance between the building line and the side lot line~~

~~172)~~ — ~~sign~~**Sign:**

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)~~ — **Sign**~~sign~~ **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)~~ — **Sign**~~sign~~, **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.

~~175)~~ — **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.~~ Small Wind Project: Any wind project less than 5MW which includes the wind turbine generator and anemometer.

Snout house: a house with a protruding garage that takes up most of the

street frontage and facade.

Street, public: an open public 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, private: 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) — structure~~ Street right-of-way line: \_

The dividing line between a street right-of-way and the contiguous property.

~~177) — structure~~ Structure: \_

Anything constructed or erected.

Structure

~~178) — structure~~ structure, accessory or ancillary: \_

A subordinate structure, the use of which is incidental to that of a principal structure on the same lot.

~~179) — structure~~ structure, detached: \_

Any structure with no common or party wall with another structure.

~~180) — structure~~ structure, noneonforming

~~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) — structure~~ structure, principal: \_

The main building on a parcel of land.

~~182) — structure~~ structure, 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) — structure~~ structure, 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) structure~~ structure, zero lot line

~~A dwelling unit which abuts one side lot line to create additional yard area in the non-abutment side yard.~~

~~185) — subdivision~~ Subdivision: \_

The division of land into two or more lots and the development shall be consisting of subdivided lots.

Surface

~~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)~~ — **Swale:** swale

A natural depression or wide shallow ditch used to temporarily store, route, or filter runoff.

~~189)~~ — **Swimming**~~swimming~~ **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 uses: means a use of land that is designed, operated and occupies a site for a limited time, typically less than twelve months.

~~190)~~ — **Tent:** tent

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.

~~silk, cotton, canvas, fabric, or a similar pliable material~~

191) — ~~tower~~ **Tower:**

192) 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.~~~~accompanies~~**townhouse**

**Townhouse:** 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) — **Toxic**~~toxic~~ **substance:**

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) — ~~tract~~ **Tract:**

A parcel or plot of land of any size that may or may not be subdivided or improved.

**Traffic calming devices:** 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:** ~~Trustee~~

Jefferson Township Board of Trustees.

196) — ~~unit~~ **Unit:**

A ~~single~~ ~~dwelling~~ ~~providing~~ ~~complete,~~ ~~independent~~ ~~living~~ ~~facilities~~ ~~for~~ ~~one~~ ~~or~~ ~~more~~ ~~persons,~~ ~~including~~ permanent provisions for living, sleeping, eating, cooking and sanitation.

197) — ~~utilities~~ **Utilities:**

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) — ~~vacant~~ **Vacant:**

Lands or buildings that are not actively used for any purpose.

199) — ~~variance~~ **Variance:**

A request for departure from any provision of the zoning requirements for a specific parcel, ~~except use,~~ without changing the **Zoning Resolution**~~zoning resolution~~ or the underlying zoning of the parcel.

200) — **Watercourse:** ~~waterecourse~~

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) — **Waterway:** ~~waterway~~

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) — **Well:** ~~well~~

A hole or shaft sunk into the earth to tap an underground supply of water.

203) — ~~wetland~~ **Wetland:**

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.

~~204~~ **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, 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.

~~204~~ — **Yard:**

An open space at grade between a building and the adjoining lot lines.

~~205~~ — **Yard, front:**

~~206~~ 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, lot, yard, rear~~

**Yard, 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~~ — **Yard, 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~~ — **Yard, side:**

A yard between any building and the side lot line.

~~Zero~~ ~~209~~ — **zero lot line:**

A common lot line on which a wall of a structure may be constructed.

~~210~~ — ~~zoning~~ **Zoning:**

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.

~~211)~~ Zoning inspector/zoning administrator:

Generally, the local official responsible for enforcing and administering the Zoning Resolution, granting zoning permits and, following a determination by the BZA zoning board, for special permits, conditional uses and variances.

~~212)~~ Zoning zoning district:

Any section of Jefferson Township in which zoning regulations are uniform.

~~213)~~ Zoning zoning 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)~~ zoning inspector

~~The official charged with the administration and enforcement of the Zoning Resolution.~~

~~215)~~ zoning map:

Documents that are a part of this zoning code and that delineate the boundaries of all mapped Zoning Districts ~~zoning districts~~ within the physical boundary of Jefferson Township.

~~Amended by TA 2007-03; effective 11/26/2010 Effective Date: May 20, 1974~~



Economic Development & Planning Department  
James Schimmer, Director

Request for

# Township Zoning Recommendation

Franklin County Planning Commission

Township	
<input type="checkbox"/> Blendon	<input type="checkbox"/> Plain
<input checked="" type="checkbox"/> Jackson	<input type="checkbox"/> Prairie
<input type="checkbox"/> Jefferson	<input type="checkbox"/> Washington
<input type="checkbox"/> Perry	

Case Number
JACK-15-02

Amendment Type	
<input checked="" type="checkbox"/> Map amendment	
<input type="checkbox"/> Text amendment	
<input type="checkbox"/> Land use plan amendment	

Meeting Dates	
Review Body	Date
Tech Review	March 24, 2015
Planning Commission	April 8, 2015

Amendment information		
Amendment type	Information required	
Map amendment:	List all parcel IDs to be amended  160-000860 160-000861	Zoning district  Current: Semi-Rural Residential  Proposed: Exceptional Use
Text amendment		
Plan amendment	Document type: <input type="checkbox"/> New plan <input type="checkbox"/> Existing Plan  Plan name:	

Township Zoning Inspector Contact Information	
Name Mike Lilly	
Address 3756 Hoover Road  Grove City, OH 43123	
Phone # 614-875-0100	Fax # 614-871-6456
Email lillym@jacksontwp.org	

EXCEPTIONAL USE DISTRICT  
JACKSON TOWNSHIP  
1700 DYER ROAD  
JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO  
KICKMASTER FOOTGOLF  
NO. #1-RZ-15

BACKGROUND:

The subject site is located on the north side of Dyer Road east of Brown Road. The site is surrounded by single-family residential land uses. The site incorporates approximately 12± acres and has one owner. The site has an existing 2,161 square foot residential building and a detached garage; both of which were constructed in 1947. The site is zoned Suburban Residential District. The applicant is requesting to rezone the property to the Exceptional Use District to permit recreational and amusement activities both indoors and outdoors on the site. A new 12,800 square foot building will be erected on the property to provide for indoor activities.

PERMITTED USES:

The following shall be permitted:

- Single family residence
- Exterior:

Year-round foot golf, weather permitting; Friday night glow-in-the-dark foot golf with balls that glow, t-markers that glow, reflective vests, holes that have LED beams of light shining up from the cup; Pro-Am tournaments, corporate sponsored outings/events, charitable functions/outings. Food trucks shall be permitted on the parking lot as a temporary activity. The outdoor activities will operate seven (7) days a week starting at 6 a.m. and on certain nights of the week will continue until midnight (on Friday and Saturdays) and 8 p.m. on the other nights.

- Interior – Within the 12,800 sq. ft. building

Activities include: workout facilities or sports training, including but not limited to, soccer and baseball training and practice, a clubhouse with retail space indoor/outdoor seating with televisions and vending machines. The indoor activities will operate seven days a week starting at 6 a.m. and on certain nights of the week will continue until midnight.

DEVELOPMENT STANDARDS:

Unless otherwise indicated in the submitted drawing or in the written text, the applicable standards for the site shall be those standards contained in Section 203 General Provisions of the Jackson County Zoning Code.

LIGHTING:

- a. All lighting on the subject property shall be cut-off type fixtures (down lighting) and limited to the building, golf course area, patio and parking areas unless located for landscaping and security purposes.
- b. All types of parking, building and other exterior lighting to be on poles shall be from the same "family" from the same manufacturer's type and style.
- c. All lighting poles will be either of wood or bronzed colored metal construction.
- d. Parking lot lighting shall not exceed twelve (12) feet in height.
- e. The exterior lighting for the site shall minimize off-site glare and reflection by utilizing screening, direction of lighting, height of lighting, wattage and type of lighting.

SIGNAGE AND GRAPHICS:

- a. One freestanding graphic shall be allowed along the Dyer Road frontage. The total size of the sign shall not exceed fifty (50) square feet and shall not be any higher than ten (10) feet. The sign design is included in the Exceptional Use application.
- b. Black, dark walnut, dark charcoal, dark rust, dark green or dark bronze in color sign frame shall be utilized for the sign with cream colored lettering and border. The signage may be internally or external illuminated. The sign will have a stone base.
- c. Directional signs for ingress and egress shall be permitted at the curbcuts on Dyer Road to direct traffic in and out of the site.
- d. No off-premise graphic shall be permitted on site nor any illumination which flashes, travels, animates or intermittently illuminates shall be allowed.
- e. Signage will be permitted throughout the course and placards will be located around the outer perimeters of the course area.

ENVIRONMENTAL TREATMENT:

- a. The parking lot shall be landscaped along the eastern and southern edge with a variety of shrubs and other landscaping materials to produce a height of three (3) feet with a 60% opacity within two (2) years.
- b. An earthen berm and an eight (8) foot tall white board on board fence shall be erected around the rear play area as shown on the site plan.
- c. There shall be only two (2) curbcuts allowed for along Dyer Road, one for the house and one to serve the proposed parking lot and that curb cut shall have a maximum width of thirty-five (35) feet. The parking area and access lanes will be paved and maintained in order to prevent any dust problems.
- e. The screening and landscaping plan for the development of the site shall conform to the submitted drawings and such screening shall provide a buffer to the areas to the west, south and east. All screen plantings shall be maintained permanently and any plant which does not survive shall be replaced within one year with material meeting the specifications of the original planting. Maintenance of the screening materials shall be the responsibility of the owner of the property and failure to replace and maintain the screening materials shall be a violation of the Jackson County Zoning Code.

SITE PLAN:

- a. The property shall be used in accordance with the submitted site plan. The attached site plan illustrates the area where the building and parking areas will be located. This site plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time final development and engineering plans are completed. Any slight adjustment to the site plan shall be reviewed and approved by the Zoning Officer or his designee, upon submission of the appropriate data regarding the proposed adjustment. The general layout and site concept shall, however, conform to the site plan.
- b. Parking requirements shall conform to those found in Section 531 of the Jackson County Zoning Code.

BUILDING ELEVATIONS:

- a. The new building shall conform to the submitted elevations.

STORMWATER DRAINAGE:

- a. Drainage and run-off from the proposed development shall not cause property damage to off-site areas. All drainage improvements shall be designed in conformance with the requirements for the Franklin County development regulations. The new building will be guttered and the down spouts will tie into a drainage system that routes the surface drainage into the catch basins located on the site. If necessary, additional catch basin will be located on the parking lot and sized to permit on-site detention in the parking areas and then provide for a gradual release of surface water into the existing catch basin. EP Ferris and Associates confirms the ability of the detention pond to handle proposed stormwater run-offs as it is the consulting engineer for the project.
- b. The building will also conform to the requirements of the Franklin County development regulations and will utilize the detention basin used for stormwater drainage. The stormwater detention plan will accompany the site plan for detailing the methods to be used to handle stormwater drainage off the site.

SEWAGE DISPOSAL AND WATER SUPPLY:

Centralized water is available to serve the site and new onsite septic system is proposed to serve the various utilities that are permitted on the property.

POLLUTION:

- a. Smoke: No smoke shall be emitted from any structure in the Exceptional Use District.
- b. Noise: The noise level shall be no greater than sixty (60) decibels at the lot line.
- c. Odor: No odorous gases or other odorous matter in any quantities as to be offensive at any point on or beyond the Exceptional Use District boundary.

ARCHITECTURAL DESIGN:

- a. The building lot coverage shall not exceed 35% of the lot and parking lot coverage (excluding access drives to the storage units) shall not exceed an additional 30% coverage for a total of 65% lot coverage of the site.
- b. No outside storage shall be permitted on the lot. No rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the lot.

This application for rezoning is a request to use the property at 1700 Dyer Road and 1690 Dyer Road as a FootGolf Course. This is similar to a regular golf course, however, the difference is to use soccer balls instead of golf balls with a larger cup to sink the ball. There will be nine (9) holes with Par 3, Par 4 and Par 5

FootGolf is a combination of the popular sports of soccer and golf. The game is played with a regulation #5 soccer ball at a golf course facility on shortened holes with 21-inch diameter cups. The rules largely correspond to the rules of golf. FootGolf as a game is played throughout the world in many different forms, but as a sport, it is regulated by the Federation for International FootGolf (FIG). The American FootGolf League (AFGL) is the exclusive member of the FIG and governing body for the sport of FootGolf in the United States. The AFGL is organizing tournaments throughout the country working with golf courses to bring FootGolf to their clubs as another avenue for revenue and to develop the game further.

Both properties are owned by Deborah Guzzo and approximately eight (8) acres will be used for this business

The name of the course is KickMaster FootGolf owned by Deborah Guzzo and Robert Clanin under the corporation name of Clanguz, Inc. Hours of operation would be from sun up to sun down. There will be a building erected approximately 13,000 square feet for a clubhouse and athletic facility.

The property is surrounded by trees on the east, west, and north sides so as to not be invasive to the adjacent properties. However, where necessary, there will be security fences installed for protection of both the course and the adjacent properties.

**Owner/Developer Information:**  
 DEBORAH J. GOZZO  
 1700 DYER ROAD  
 GROVE CITY, OHIO 43123  
 CONTACT: DEBORAH J. GOZZO  
 PH: 614-595-8659

**Civil Engineer Information:**  
 E.P. FERRIS & ASSOCIATES  
 880 KING AVENUE  
 COLUMBUS, OHIO 43212  
 Contacts: SEAN GILLILAN  
 PH: 614-299-2999  
 FAX: 614-299-2992  
 EMAIL: sgillilan@epferris.com

# SITE IMPROVEMENT PLAN

## KICKMASTER FOOTGOLF

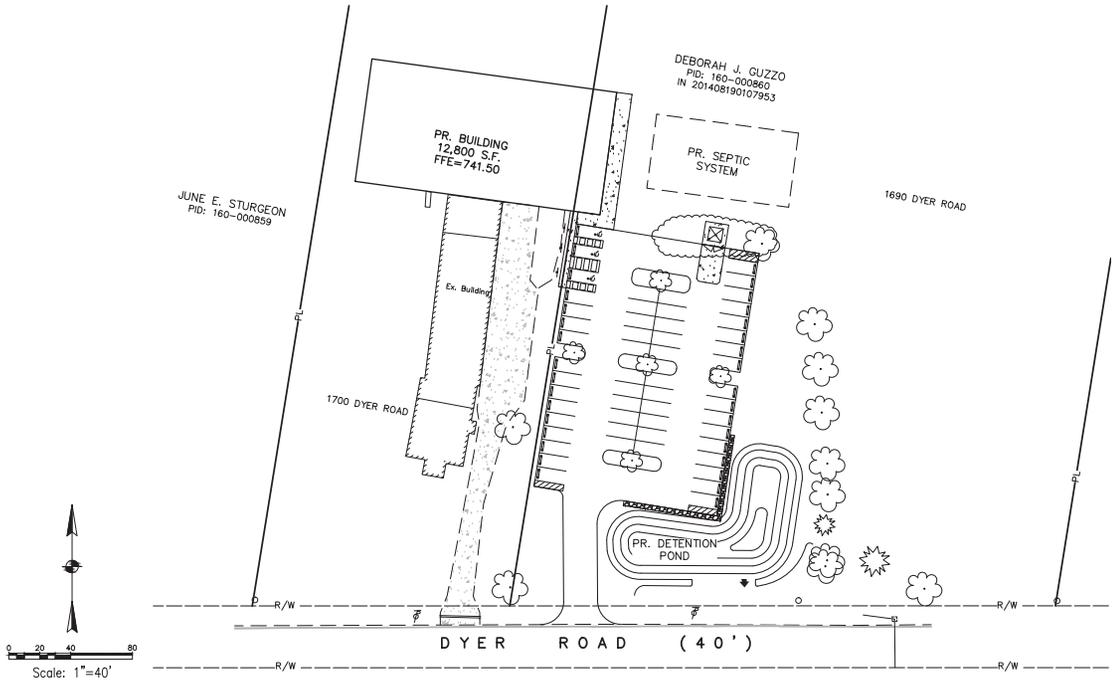
### 1700 DYER ROAD

### JACKSON TOWNSHIP, GROVE CITY, OHIO

### 2015



LOCATION MAP  
N.T.S.



INDEX MAP  
Scale: 1"=40'

**SHEET INDEX**

TITLE SHEET	1
EXISTING CONDITIONS	3
SITE IMPROVEMENT PLAN	4
GRADING PLAN	5

**SITE DATA TABLE:**

Total Site Area:	4.203 Ac.
% of Lot Area Covered by Buildings:	4.5%
% Impervious Area:	9.3%
Pervious Area:	3.814 Ac.
Parking Spaces:	55 Spaces

**REVISIONS**

NO.	DATE	DESCRIPTION	BY

**STANDARD CONSTRUCTION DRAWINGS (ODOT)**

SEWERAGE & DRAINAGE	
NUMBER	DATE
CB-1.2	7-20-12

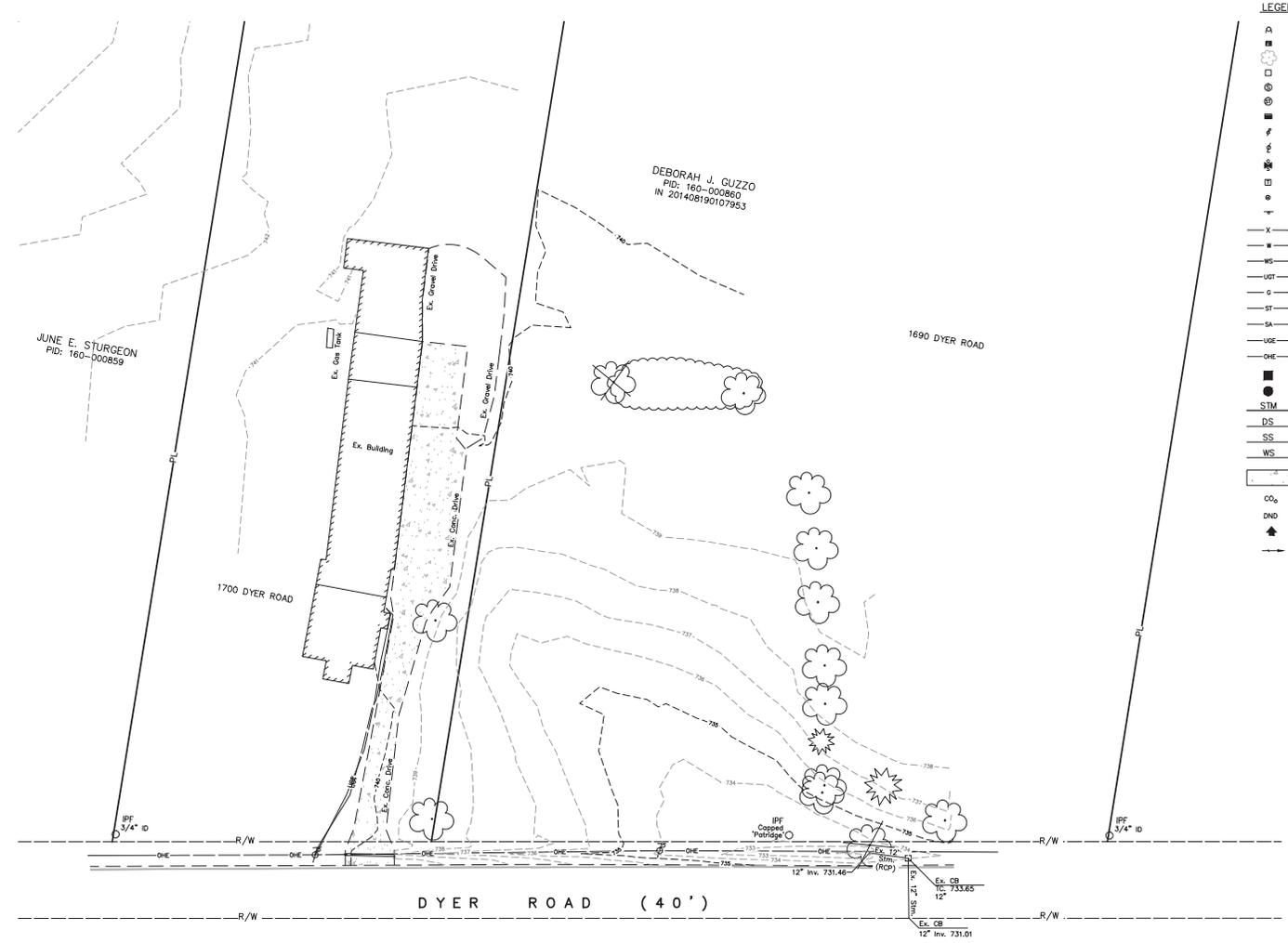


**CONTACT:**  
 880 KING AVENUE  
 COLUMBUS, OHIO 43212  
 (614) 299-2999  
 (614) 299-2992 (Fax)  
 www.EPFERRIS.com



REGISTERED ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

Drawing No. 107700\_1000.dwg (C:\Users\epferris\Desktop\Drawings\107700\_1000.dwg) Saved on: 01-22-14 10:46 Modified by: epferris - Update: 1 - 107700.dwg 14 10/15/13



- LEGEND**
- ▲ Ex. Fire Hydrant
  - Ex. Pull Box
  - ⊕ Ex. Tree
  - ⊗ Ex. Catch Basin
  - ⊙ Ex. Sanitary Manhole
  - ⊕ Ex. Storm Manhole
  - Ex. Storm Curb Inlet
  - ⊕ Ex. Utility Pole
  - ⊕ Ex. Light Pole
  - ⊕ Ex. Gas Service Valve
  - ⊕ Ex. Underground Tele. Pedestal
  - ⊕ Ex. Water Service Valve
  - ⊕ Ex. Sign
  - X Ex. Fence
  - Ex. Water Line
  - WS— Ex. Water Service
  - UOT— Ex. Underground Telephone
  - G— Ex. Gas
  - ST— Ex. Storm
  - SA— Ex. Sanitary
  - UOE— Ex. Underground Electric
  - OHE— Ex. Overhead Electric
  - Prop. Catch Basin
  - Prop. Storm Manhole
  - STM— Prop. Storm Sewer
  - DS— Prop. Downspout Line
  - SS— Prop. Sanitary Svc.
  - WS— Prop. Water Svc.
  - Ex. Concrete Walk/Drive
  - CO<sub>2</sub> Prop. Clean-out
  - DND Do Not Disturb
  - ↑ Proposed Flood Route
  - Proposed Drainage Flow Directional Arrow
- NOTE: (TBR) Shall mean to be removed.

Drawing: M:\1077501\_1700dyer\1077501.dwg Production: Drawings\A-Communications\Drawings\A-1700dyer\1077501.dwg Date: 01-22-15 15:52 Revised by: cplp - Update: 1 - Proj. scale: 1" = 30'/15

REVISIONS	DATE	BY	CHK.



**CONTACT:**  
 880 KING AVENUE  
 COLUMBUS, OHIO 43212  
 (614) 299-2999  
 (614) 299-2992 (Fax)  
 www.EPFERRIS.com

JACKSON TOWNSHIP, GROVE CITY, OHIO  
**1700 DYER ROAD**  
 KICKMASTER FOOTGOLF, LLC

JOB NO. 1077.001  
 DESIGNED BY: SWG  
 DRAWN BY: CLP  
 CHECKED BY: SWG  
 APPROVED BY: \_\_\_\_\_  
 DATE: 01/22/14

**EXISTING CONDITIONS**

SCALE: 1" = 30'

SHEET NO.	OF
2	4













Economic Development & Planning Department  
James Schimmer, Director

Request for

# Township Zoning Recommendation

Franklin County Planning Commission

Township	
<input type="checkbox"/> Blendon	<input type="checkbox"/> Plain
<input checked="" type="checkbox"/> Jackson	<input type="checkbox"/> Prairie
<input type="checkbox"/> Jefferson	<input type="checkbox"/> Washington
<input type="checkbox"/> Perry	

Case Number
<a href="#">JACK-15-03</a>

Amendment Type	
<input type="checkbox"/> Map amendment	
<input checked="" type="checkbox"/> Text amendment	
<input type="checkbox"/> Land use plan amendment	

Meeting Dates	
Review Body	Date
Tech Review	<a href="#">March 24, 2015</a>
Planning Commission	<a href="#">April 8, 2015</a>

Amendment information		
Amendment type	Information required	
Map amendment:	List all parcel IDs to be amended	Zoning district Current: Proposed:
Text amendment	<a href="#">Amending Chapter 204.21 – Yard Sales/Garage Sales</a> <a href="#">Adding Chapter 306.09 – Dynamic Message Board Signs</a> <a href="#">Amending Chapter 102 to include the definition of Dynamic Message Board Signs</a>	
Plan amendment	Document type: <input type="checkbox"/> New plan <input type="checkbox"/> Existing Plan Plan name:	

Township Zoning Inspector Contact Information	
Name <a href="#">Mike Lilly</a>	
Address <a href="#">3756 Hoover Road</a> <a href="#">Grove City, OH 43123</a>	
Phone # <a href="#">614-875-0100</a>	Fax # <a href="#">614-871-6456</a>
Email <a href="mailto:lillym@jacksontwp.org">lillym@jacksontwp.org</a>	

**\*proposed text amendment – March 2015 for regulating yard sales.**

## **204.21 YARD SALES / GARAGE SALES**

Yard sales, garage sales or similar type sales in residentially zoned areas are limited to (2) two such sales per calendar year with each sale limited to maximum of (3) three consecutive calendar days. Such sales may be permitted (1) one temporary on-premise sign not to exceed three-square feet in size. The Township reserves authority to terminate any sale at any time if deemed to be in violation of this Chapter or otherwise creates a public nuisance or adverse public safety situation.

**CHAPTER 306****SIGNAGE**

306.01 Purposes	306.05 Signs Prohibited
306.02 Applicability	306.06 Signs Not Requiring Permit
306.03 Administration	306.07 Signs Requiring A Permit
306.04 General Provisions	306.08 Temporary Signs Requiring A Permit

**CROSS REFERENCES**

Landscaping for signage - see Sec. 304.07

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**306.01 PURPOSES**

The purposes of these sign regulations are to encourage the effective use of signs as a means of communication in the Township, to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, to minimize the possible adverse effect of signs on nearby public and private property, and to enable the fair and consistent enforcement of these sign regulations.

**306.02 APPLICABILITY**

A sign may be erected, placed, established, painted, created, or maintained in the Township only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

**306.03 ADMINISTRATION**

A. Permit. A permit issued by the Zoning Administrator shall be required for the erection of each individual sign within the Township except as exempted in Sec. 306.06. An application for such permit shall contain a scale drawing of the sign, a site plan showing the sign's proposed size and location in relation to any building, and other information necessary to fully explain the proposed sign.

B. Fees. Fees shall be paid according to an annual Schedule of Fees.

C. Inspection and Maintenance. The Zoning Administrator shall administer and enforce these regulations. Any sign for which a permit has been issued may be inspected at any time to determine its compliance with this chapter, applicable building regulations, and acceptable safety standards. If violations are found, the Zoning Administrator shall notify the owner of the sign of the alterations, repairs, support replacement, cleaning, repainting or maintenance necessary for compliance. Failure to comply within thirty (30) days, unless otherwise extended by the Zoning Administrator, shall constitute a violation of the Zoning Resolution and subject the owner of such sign to the penalty provided in Ch. 103.

**306.04 GENERAL PROVISIONS**

A. General Requirements. Signs shall not be placed within a public right-of-way, shall not create a demonstrable safety hazard for pedestrians or vehicles, shall not resemble by design, color or shape any governmental sign, and the level of illumination emitted by or reflected from a sign shall not be of an intensity or direction sufficient to create either a safety hazard to the safe movement of vehicles on adjacent streets or a nuisance to adjacent properties.

B. Design and Construction. All signs shall be designed, constructed, and maintained in accordance with the following standards:

1. All signs shall comply with applicable provisions of the Ohio Basic Building Code and the applicable electrical code.

*Jackson Township Zoning Resolution**Chapter 306 Signage*

2. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this Resolution, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
3. No more than four (4) colors shall be used on the sign and white and black shall be considered colors for the purposes of this chapter.

C. Computations. The following principles shall control the computation of sign area and sign height.

1. Computation of Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets Zoning Resolution regulations and is clearly incidental to the display itself.
2. Computation of Area of Multifaceted Signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces and then doubled to determine the sum of the full allowed sign area.
3. Computation of Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction.

D. Location. All signs shall be subject to the setback requirements contained within Subsec. 306.07(B)(3). In specific instances, if the exact existing or proposed right-of-way line cannot be determined, all required setbacks shall be increased by twelve (12) feet and shall be measured from the edge of the existing pavement. No sign shall be located within a public right-of-way.

E. Nonconformance. See Ch. 109 regarding nonconformance provisions.

**306.05 SIGNS PROHIBITED**

All signs not expressly permitted under this Resolution or exempt from regulation in accordance with this chapter are prohibited in the Township. Such signs include, but are not limited to, the following:

1. Banners, pennants, streamers, portable signs, flashing or animated signs, or a source of illumination that flashes, blinks, or fluctuates.
2. Temporary off-premises signs except where otherwise permitted herein.
3. Electronic variable message signs and such portions of signs.
4. All signs located in a residential zoning district and PUD District unless otherwise permitted herein.
5. All signs except those of a duly constituted government body located or placed in a public right-of-way.

**306.06 SIGNS NOT REQUIRING A PERMIT**

The following signs do not require a permit and are otherwise exempt from these regulations except for safety requirements.

1. The flag, pennants or insignia of any nation, state, city or other political unit.
2. Signs of a duly constituted government body.
3. Cornerstones, commemorative tablets and historical signs provided such signs do not exceed ten (10) square feet in area.
4. Signs bearing only property address, post office box numbers, or names of occupants of premises provided such signs do not exceed two (2) square feet in area.
5. For sale, rental, or lease signs, and contractors' signs of or for the premises on which such sign is located provided such signs do not exceed six (6) square feet in area and provided only one (1) such sign is displayed for each street front with a maximum of two for each parcel. Two signs are possible only for a corner lot.
6. Church or school bulletin boards.
7. Signs for the civic promotion of school, church or community service activities provided such signs are not displayed for more than fourteen (14) consecutive days and no more than thirty (30) days in one (1) calendar year.
8. Signs and sources of illumination clearly in the nature of decorations customarily associated with any national, state, local, or religious holiday.
9. Traffic directional signs indicating points of entry or exit to off-street parking provided such signs are not located in a public right-of-way, and provided they are limited to four (4) square feet in area and three (3) feet in height.
10. Temporary window advertising signs provided the Franklin County Sheriff's Department does not find that undue problems are created in assuring adequate protection to the premises.
11. Signs or posters indicating candidates or issues on the public ballot provided such material is posted no earlier than ~~sixty (60)~~ **thirty (30) days**<sup>1</sup> prior to an election and is removed no later than ten (10) days following the election. Such signs shall be no larger than eight (8) square feet in area and shall not be located within a public right-of-way. No more than four (4) such signs may be permitted on a single tax parcel.
12. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance.
13. Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three (3) feet beyond the lot line of the parcel on which such sign is located.
14. Works of art that do not include a commercial message.
15. One (1) sign shall be permitted for announcing a permitted home occupation provided such sign is limited to three (3) square feet in area, provided such sign is affixed flatly against the surface of the respective dwelling, provided that if illuminated such sign is indirectly illuminated by reflected light or back light, non-flashing and intensity shielded, and provided such sign is in harmony with the residential structure.

**306.07 SIGNS REQUIRING A PERMIT**

The following signs are allowed subject to meeting the requirements of this chapter and shall not be erected until issuance of a permit by the Zoning Administrator.

- A. Wall Signs. One (1) wall sign may be allowed for each business in a non-residential district and such sign shall indicate the use established and/or goods sold or services rendered on the premises. Such sign shall be affixed to the structure.
  1. Display Surface.
    - a. The aggregate display surface of a wall sign shall not exceed one (1) square foot for every one (1) linear foot of the use's building street frontage not to exceed a

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<sup>1</sup> Text Amendment approved by Board of Trustees on February 15, 2000 in Resolution #2000-28 following hearing and approval by Zoning Commission on January 24, 2000.

*Jackson Township Zoning Resolution**Chapter 306 Signage*

maximum aggregate size of seventy (70) square feet. Street frontage is defined as the total width of that side of a building which faces the principal improved public right-of-way, excluding any extension of a building wall beyond the building itself.

b. In the case of a corner lot or other situation where the building site abuts more than one improved public right-of-way (not including alleys), the applicant shall specify which is the primary frontage which shall be the basis for the primary wall sign. The secondary building facade that fronts the secondary or other public right-of-way shall constitute a second frontage and a secondary wall sign may be allowed with display surface not to exceed one-half square foot per one lineal foot of street frontage as defined above not to exceed a maximum aggregate size of thirty-five (35) square feet.

c. For buildings that don't front an improved public right-of-way, as in shopping centers, the drives and parking areas adjacent to such building shall be considered as public streets for the purpose of this chapter, provided that where any such drive or parking area abuts a residential district, the frontage of the building on such drive or parking area shall not be considered as frontage for such purpose if the distance from such building to the nearest private property in said residential district is less than one-hundred and fifty (150) feet.

2. Height. The maximum height of a wall sign shall not exceed twenty (20) feet and wall signs shall not project above the roof line or the cap of parapets of the building on which it is attached.
3. Placement. Wall signs must be flat or flush on the face of any building or any architecturally designed extension thereof, and project not more than twelve (12) inches (except on mansard type facias, where as to obtain a level position, the top of the sign may cantilever out more than twelve inches). Signs may be installed on an attached canopy, roof or marquee which projects beyond the building over a walk or yard, provided that no part of such signs may extend above such canopy, roof, or marquee. Such signs shall face a street, parking lot, or service drive.

B. Freestanding Signs. One (1) freestanding sign may be allowed for a single user of a commercial property or multiple users of a commercial property. No more than one (1) such sign shall be permitted for each street on which the user(s) are located and such signs shall provide for shared or common usage. Such sign shall indicate the use established and/or goods sold or services rendered on the premises. Such sign shall indicate either a single tenant or group of tenants located on the property. Freestanding signs shall be supported by or suspended from posts, pillars, columns, or other structures meeting the requirements of this chapter. A ground-mounted freestanding sign shall be mounted on brick, masonry, concrete or other suitable base.

1. Display Surface. For a double-faced sign the aggregate display surface shall not exceed twice the permitted area on Table 13. For single-faced signs the display surface shall not exceed the permitted area on Table 13.
2. Height. The height of a freestanding sign, other than ground-mounted, shall not exceed the height stipulated on Table 13. Ground-mounted freestanding signs shall not exceed six (6) feet in height and shall meet the sight triangle requirements of Sec. 203.09.
3. Placement. No part of any such sign shall be closer to any public right-of-way than fifteen (15) feet, nor closer to any other property line than the applicable building setback line, if the adjoining property is in a residential zoning districts or residential area within a PUD. Ground-mounted signs shall not act as an obstruction to vehicular traffic, shall not inhibit or obstruct ingress-egress on the subject parcel and adjacent lots, and shall meet the sight triangle requirements of Sec. 203.09.

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- C. Projecting Signs. One (1) projecting sign may be erected at each entrance to a building.
1. Display Surface. A projecting sign shall not exceed fifteen (15) inches in height and five (5) square feet in display surface area. The area of said signs shall be considered in the total aggregate sign area of the building permitted under this section.
  2. Height. The maximum height of a projecting sign shall not exceed ten (10) feet.
  3. Placement. A projecting sign shall project perpendicular from the building wall not more than four (4) feet.
- D. Comprehensive On-Site Signage. Multi-tenant nonresidential development may submit a sign permit application for comprehensive on-site signage as per the following standards.
1. Graphic Design Criteria. A comprehensive set of graphic design criteria regulations to control all future signage design requests at the development and an agreement to incorporate these criteria requirements in all future relationships, contractual or otherwise, with tenants and other parties desiring signage at the subject center.
  2. Submission Requirements. The comprehensive set of graphic design criteria requirements submitted shall include text and drawings, both to scale and dimension, as required to address at the very least:
    - a. Size range of signs permitted.
    - b. Colors permitted.
    - c. Materials permitted.
    - d. Illumination.
    - e. Typefaces permitted.
    - f. Type sizes permitted.
    - g. Graphic emblem sizes and locations, if permitted.
    - h. Miscellaneous graphic features unique to the application submitted.
  3. Contractual Agreement. A copy of a standard contractual signage agreement to be used at the center, incorporating the comprehensive graphic design criteria regulations developed in Subsec. 2 above, to be made a part of all future relationships with tenants and other parties desiring signage at the subject center.
  4. Future Changes. Any changes to the design criteria or standard contractual signage agreement must be approved by the Board of Zoning Appeals as a conditional use.
  5. Freestanding Signage. Only one (1) freestanding sign shall be permitted for each multi-tenant development as per Sec. 306.07(B).
- E. Subdivision or Multi-Family Signs. A subdivision or multi-family sign is defined as an on-premise ground-mounted sign that graphically identifies a subdivision and/or multi-family development. Only one (1) subdivision and multi-family sign is permitted at each entrance to a development up to a maximum of two (2) signs.
1. Permitted Display Surface and Height. The maximum display surface shall not exceed forty (40) square feet in area. A subdivision or multi-family sign shall be mounted on brick, masonry, concrete or other suitable base.
  2. Height. The maximum height of a subdivision or multi-family sign shall not exceed six (6) feet.

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3. Placement. No part of any such sign shall be closer to any public right-of-way than ten (10) feet, not closer to any other property line than the applicable building setback line, if the adjoining property is in a residential zoning district or a residential area in a PUD. Ground-mounted signs shall not act as an obstruction to vehicular traffic, shall not inhibit or obstruct ingress-egress on the subject parcel and adjacent lots, and shall meet the sight triangle requirements of Sec. 203.09.

- F. Billboards. Billboards, may be located in commercial or industrial zoning districts in accordance with the development standards of the zoning district in which the billboard location is sought.

In addition to the other provisions of this section governing the erection and maintenance of billboards, the following standards for the location, illumination and size of such signs are required in all zoning districts in which billboards are permitted.

1. Location of Billboards. All billboards shall be located in accordance with the following provisions:
  - a. Billboards shall not be located closer than fifteen (15) feet of a public right-of-way and shall not be located in front of a required building line.
  - b. Billboards shall not be located within required yards.
  - c. Billboards shall not be located so as to interfere with visibility and safe operation of vehicles entering or leaving a premises or within a minimum of five hundred (500) feet from intersecting streets or highways and cross walkaways.
  - d. Billboards shall be located so as to be completely visible at a distance of one hundred fifty (150) feet by a motorist traveling in the direction for which the display is designed.
  - e. Billboards shall be located no closer than one thousand (1,000) feet between billboards and no closer than one thousand (1,000) feet from any building, structure or residential zoning district or residential portion of a PUD.
2. Illumination of Billboards. Illuminated billboards shall be constructed and maintained so that the source of illumination is shielded or otherwise prevented from beaming into adjacent lots or streets. The flashing or illusion of flashing or turning on and off of the billboard illumination of any bulb or component part thereof is prohibited. In no case shall any billboard illumination exceed a level of illumination of eight hundredth (.08) foot candles, and a luminaire brightness of twenty-four hundred (2400) foot lamberts, when measured from the nearest or adjacent residential zoned property.
3. Display Area. The maximum permitted size of any one (1) billboard display area, shall not be larger than three hundred (300) square feet including embellishments. The maximum aggregate total display area shall not exceed six hundred (600) square feet for a double-faced billboard.
4. Height. The maximum height of a billboard shall be thirty-five (35) feet.
5. Maintenance of Billboards. No billboard shall be permitted to corrode, rust peel, fade, break-up or otherwise reach a state of disrepair that creates an unsightly or dangerous condition, and any such billboard shall be repaired or removed within thirty (30) days after written notice thereof.

**306.08 TEMPORARY SIGNS REQUIRING A PERMIT**

- A. Subdivision Signs. Subdivisions or tracts of land with six or more dwelling units may display one (1) temporary sign at only one entrance to the subdivision or tract, or at such other location as may be approved by the Zoning Administrator during construction. Each temporary sign shall not exceed forty (40) square feet in total area, shall not exceed eight (8) feet in height, and no part of any such sign shall

be closer to any public right-of-way than fifteen (15) feet, nor closer to any other property line than the applicable building setback line, if the adjoining property is in a residential district. These signs shall not remain erected in any subdivision or tract after ninety (90) percent of all construction in the subdivision or tract is completed.

<b>Table 13 DIMENSIONAL REGULATIONS FOR FREESTANDING SIGNS</b>					
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ABUTTING ROAD		SINGLE-USER SIGNS		MULTIPLE-USER SIGNS	
Lanes	Posted Speed (mph)	Area Per Face (square feet)	Height (feet)	Area Per Face (square feet)	Height (feet)
2	15	8	8	28	12
	25	15	10	35	14
	35	30	12	50	16
	45	45	14	65	18
	50	60	16	80	20
4	15	10	12	30	16
	25	25	14	45	18
	35	30	16	60	20
	45	55	18	75	22
	50	70	20	90	24

Lanes and speeds not specifically noted shall be assigned to the next lowest specified value. The calculation of lane width shall not include turning lanes. Height is measured at the grade at the abutting right-of-way line.

**\*\*\*NEW TEXT AMENDMENT SECTION – March 2015 draft language \*\*\*****306.09 DYNAMIC MESSAGE BOARD SIGNS**

Changeable electronic message board signs shall be in conformance with the regulations of Chapter 306 and approved in accordance with Chapter 107 as a conditional use subject to the following stipulations:

1. Location and size of signs are restricted to ground mounted installation only;
2. Only (1) one sign per premise may contain a dynamic message, providing that such sign may be double-faced.
3. The time interval to change from one complete message/display to the next complete message/display shall be a maximum of (1) one second;
4. The appearance of the message/display shall appear static in image and shall not otherwise scroll, flash or contain sudden bursts of light or animation.
5. The illumination intensity or brightness shall be regulated by photovoltaic sensors to automatically adjust sign with changes in the ambient light and time of day and shall not exceed .08 foot candle illuminance.
6. Any sign proposed within 100' feet of an intersection or major arterial may be required to submit a safety analysis from a qualified traffic engineer.

\*Note that when amending Chapter 306, will also need to amend Chapter 102 for definitions

**Chapter 102 - DEFINITIONS**

DYNAMIC MESSAGE BOARD SIGN – otherwise known as a changeable electronic message board sign, or any portion of such sign, permits lights to be turned on or off intermittently or which is operated in a way whereby light is turned on or off intermittently, including any illuminated sign or which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including an LED (light emitting diode) or digital sign, and which varies in intensity or color. This does not include any sign located within the rights of way that function as a traffic control device.