



Zoning Resolution

Jerome Township, Union County, Ohio

Adopted April 20, 2015
(As subsequently amended, August 7, 2024)

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Article 1 Interpretation and Enactment

Chapter 100	Title and Resolution
Chapter 105	Reserved for Future Use
Chapter 110	Repeal of Prior Resolutions
Chapter 115	Conformance
Chapter 120	Relationship to Existing Regulations
Chapter 125	Reserved for Future Use
Chapter 130	Declaration of Minimum Requirements
Chapter 135	Use of Images, Diagrams and Notes
Chapter 140	Severability

Article 2 Administration and Enforcement

Chapter 200	Zoning Inspector
Chapter 205	Zoning Commission
Chapter 210	Board of Zoning Appeals
Chapter 215	Duties of Zoning Inspector, Board of Zoning Appeals, Governing Body, and Courts on Matters of Appeal
Chapter 220	Zoning Certificate Required
Chapter 225	Reserved for Future Use
Chapter 230	Zoning Amendments
Chapter 235	Non-Conformities
Chapter 240	Conditional Uses
Chapter 245	Variances
Chapter 250	Fees
Chapter 255	Violations of this Resolution
Chapter 260	Penalties for Violation

Article 3 Definitions

Chapter 300	Definitions
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Article 4 Zoning Map and Zoning Districts

Chapter 400	Adoption of the Zoning District Regulations
Chapter 405	Interpretation of Regulations
Chapter 410	Zoning Districts Established
Chapter 415	Official Zoning Map
Chapter 420	Agricultural District (AG)
Chapter 425	Rural Residential District (RU)
Chapter 430	Low Density Residential District (LDR)
Chapter 435	Medium Density Residential District (MDR)
Chapter 440	Office / Research / Medical District (ORM)
Chapter 445	Commerce District (COM)
Chapter 450	Reserved for Future Use
Chapter 455	Local Retail District (LR)
Chapter 460	Regional Retail District (RR)
Chapter 465	Reserved for Future Use
Chapter 470	Special Recreation District (SRE)

Article 5 Special Zoning Districts

- Chapter 500 Planned Development District (PD)
- Chapter 510 Open Space District (OS)
- Chapter 525 Innovation Planned Development District (IPD)

Article 6 General Development Standards

- Chapter 600 General Regulation of the Arrangement and Development of Land and Structures
- Chapter 605 Agriculture
- Chapter 610 Off-Street Parking and Loading
- Chapter 615 Signs and Advertising
- Chapter 620 Landscaping, Screening, and Buffering
- Chapter 625 Free Standing Walls, Fences, and Hedges
- Chapter 630 Exterior Lighting Standards
- Chapter 635 Home Occupations
- Chapter 640 Temporary Uses, Events, and Sales
- Chapter 645 Accessory Uses and Structures
- Chapter 650 Small Wind Projects
- Chapter 655 Telecommunications Towers
- Chapter 657 Solar Energy Systems
- Chapter 660 Ponds
- Chapter 662 Supplemental Regulations for Specific Uses
- Chapter 665 Adult Entertainment
- Chapter 668 Mining, Commercial Quarries, Sand and Gravel Pits
- Chapter 670 Objectionable, Noxious, or Dangerous Uses, Practices, or Conditions

Article 7 Appendices

- Chapter 705 Appendix 1 - Buffer Diagrams
- Chapter 710 Appendix 2 - Outdoor Storage Diagrams
- Chapter 715 Appendix 3 - General Diagrams

Chapter 100 – Title and Resolution

100.01 Title

This Resolution shall be known and may be cited and referred to as the "Zoning Resolution of Jerome Township, Union County, Ohio" hereinafter referred to as the "Resolution".

100.02 Resolution

This Resolution is enacted for the purposes set forth and pursuant to the authority contained in Chapter 519 of the Ohio Revised Code.

Chapter 105 – Reserved for Future Use

Chapter 110 – Repeal of Prior Resolutions

110.01 Repeal of Prior Resolutions

The Zoning Resolution or parts thereof previously in effect in Jerome Township, Union County, Ohio not otherwise adopted as part of this amended Zoning Resolution are hereby repealed. However, all civil legal proceedings and/or all prosecutions resulting from a violation of any Zoning Resolution or part thereof heretofore in effect, which are now pending in any of the Courts of the State of Ohio or of the United States, shall not be abated or abandoned by reason of the adoption of any amendment to this Resolution but shall be prosecuted to their finality the same as if amendments to this Resolution had not been adopted; and any and all violations of existing zoning, resolutions, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Resolution shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may have heretofore been instituted or prosecuted.

Chapter 115 – Conformance

115.001 Conformance

No building, structure, or use of land shall hereafter be used, occupied, erected, constructed, re-constructed, moved, or structurally altered except in strict conformance with all the regulations established by this Resolution.

115.01 Buildings and Structures

No building or other structure shall hereafter be erected or altered:

1. To exceed the height or bulk;
2. To accommodate or house a greater number of families;
3. To occupy a greater percentage of lot area; and
4. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this Resolution.

115.02 Yards and Lots

No yard or lot existing at the time of passage of this Resolution shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Resolution shall meet at least the minimum requirements established by this Resolution.

115.03 Exemptions

The regulations set forth in this Resolution shall affect all use of land, every building and structure, and every use of land, building, or structure except where specifically exempt by law or as may be hereafter amended by law such as public utilities and railroads, and in circumstances where the Township has no authority to regulate certain instances of agriculture as defined by Section 519.21 of the Ohio Revised Code.

Chapter 120 – Relationship to Existing Regulations

120.01 Relationship to Existing Regulations Generally

This Resolution shall not be interpreted as interfering with, repealing, or annulling any resolutions, county subdivision regulations, engineering or building standards, or permits adopted or issued except where such resolutions, county subdivision regulations, engineering or building standards, or permits are in conflict with this Resolution or amendments hereto.

Where this Resolution or amendments hereto impose greater restrictions or higher requirements than are imposed or required by other resolutions, county subdivision regulations, or engineering or building standards the provisions for this Resolution or amendments hereto shall prevail. However, where such resolutions, county subdivision regulations, or engineering or building standards impose greater restrictions or higher requirements than this Resolution or amendments hereto, they shall prevail.

Chapter 125 – Reserved for Future Use

Chapter 130 – Declaration of Minimum Requirements

130.01 Declaration of Minimum Requirements

Subject to limitations specified under applicable law the regulations set forth by this Resolution shall be interpreted to be minimum regulations and shall apply to all buildings, structures, and use of land for any private individual or entity, political subdivision, or other entity within the unincorporated area of Jerome Township.

Chapter 135 – Use of Images, Diagrams and Notes

135.01 Use of Images, Diagrams and Notes

The images, diagrams, and corresponding notes within this Resolution are provided only for the purpose of explaining, illustrating, and clarifying the requirements and standards of the adopted text of this Resolution. All such images, diagrams, and corresponding notes shall be considered as separate from the adopted text of this Resolution. In the event of a conflict between the adopted text of this Resolution and of the images, diagrams, and corresponding notes, the adopted text of this Resolution shall govern. (Amnd. 10-20-2020)

Chapter 140 – Severability

140.01 Severability

Should any Article, Chapter, Section, Sub-Section, or provision of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof other than the Article, Chapter, Section, Sub-Section, or provision so declared to be unconstitutional or invalid. (Amnd. 10-20-2020)

Chapter 200 – Zoning Inspector

200.001 Zoning Inspector

A zoning inspector designated by the Board of Township Trustees, as is prescribed by Section 519.16 of the Ohio Revised Code, shall administer and enforce this Resolution.

He/she may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The Zoning Inspector shall administer and enforce this Resolution, and shall perform such other duties as are specified by the Board of Township Trustees or this Resolution. (Amnd. 10-20-2020)

200.01 Duties of the Zoning Inspector

For the purposes of this Resolution the Zoning Inspector shall have the following duties:

1. Administer, interpret, and enforce this 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 Resolution to ensure compliance with or to prevent violation of its provisions.
2. Collect fees as designated by the Board of Township Trustees for zoning certificates, and applications for appeals, zoning amendments, variances, conditional use permits, or other approvals.
3. Review and evaluate all applications for zoning certificates, zoning amendments, appeals, variances, and conditional use permits, or other approvals as necessary to make reports to the Zoning Commission, Board of Zoning Appeals, and Board of Township Trustees.
4. Issue zoning certificates when the provisions of the Resolution have been met with notations of special conditions involved, or refuse to issue the same in the event of non-compliance.
5. Maintain permanent and current records required by the Zoning Resolution, including but not limited to the Official Zoning Map, zoning certificates, inspections documents, and records of all variances, zoning amendments, conditional use permits, and other approvals. Such records shall be retained in accordance with the Township's records retention schedule and policies.
6. Inspect any structure, building or lands for compliance with these regulations or to document violations as they may exist.
7. Advise the Board of Township Trustees on all matters pertaining to the enforcement of and amendments to the Resolution. (Amnd. 10-20-2020)

Chapter 205 – Zoning Commission

205.001 Zoning Commission Established

There is hereby established, in accordance with Chapter 519 of the Ohio Revised Code, a Township Zoning Commission consisting of 5 members appointed by the Board of Township Trustees. Members shall be appointed for a period of 5 years and terms shall be so arranged that the term of one member shall expire each year. Each member shall be a resident of the unincorporated area of the Township. Members shall serve until the member's successor is appointed and qualified. The Board of Township Trustees may appoint up to two alternate members to the Zoning Commission for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member according to procedures prescribed by a resolution of the Board of Township Trustees. An alternate member shall meet the same appointment criteria as a regular member, and shall serve until a successor is appointed and qualified. Members of the Zoning Commission shall be subject

to removal as specified in Chapter 519 of the Ohio Revised Code. In the event a vacancy occurs on the Zoning Commission, such vacancy shall be filled by appointment of the Board of Township Trustees and shall be for the unexpired term. (Amnd. 10-28-2020, 12-6-2022)

205.01 Proceedings of the Zoning Commission

The Zoning Commission shall organize annually and elect a chairperson, other officers, and a secretary as necessary. The Zoning Commission shall adopt rules in accordance with the Zoning Resolution. Meetings of the Zoning Commission shall be held at the call of the Chairperson and all meetings of the Zoning Commission shall be open to the public. For the purpose of taking action the concurring vote of 3 members of the Zoning Commission shall be required. The 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 a public record and be immediately filed in the office of the Commission. (Amnd. 10-28-2020, 12-6-2022)

205.02 Powers and Duties of the Zoning Commission

For the purposes of this Resolution the Zoning Commission shall have the powers and duties set forth as follows:

1. To submit a plan, including both text and maps, representing the recommendations of the Zoning Commission in implementing the power, purpose, and provisions of the zoning powers conferred by the State of Ohio upon townships.
2. To evaluate and make appropriate recommendations to the Board of Township Trustees regarding proposed amendments to the Zoning Resolution or Official Zoning Map, after conducting necessary hearings.
3. To employ or contract with such planning consultants as the Zoning Commission deems necessary, within the limit of monies appropriated by the Board of Township Trustees for such purposes.
4. To review, and take action upon detailed development plans, as provided for in Article 5.
5. To accomplish such other action(s) as are required by this Zoning Resolution or by applicable law. (Amnd. 10-20-2020, 12-6-2022)

Chapter 210 – Board of Zoning Appeals

210.001 Board of Zoning Appeals Established

There is hereby established, in accordance with Chapter 519 of the Ohio Revised Code, a Township Board of Zoning Appeals consisting of 5 members appointed by the Board of Township Trustees. Members shall be appointed for a period of 5 years and terms shall be so arranged that the term of one member shall expire each year. Each member shall be a resident of the unincorporated area of the Township. Members shall serve until the member's successor is appointed and qualified. The Board of Township Trustees may appoint up to two alternate members to the Board of Zoning Appeals for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member according to procedures prescribed by a resolution of the Board of Township Trustees and shall have the same voting power as a regular member when serving in place of an absent member. An alternate member shall meet the same appointment criteria as a regular member and shall serve until a successor is appointed and qualified. Members of the Board of Zoning Appeals shall be subject to removal as specified in Chapter 519 of the Ohio Revised Code. In the event a vacancy occurs on the Board of Zoning Appeals, such vacancy shall be filled by appointment of the Board of Township Trustees and shall be for the unexpired term. (Amnd. 10-20-2020, 12-6-2022)

210.01 Proceedings of the Board of Zoning Appeals

The Board of Zoning Appeals shall organize annually and elect a chairperson, other officers, and a secretary as necessary. The Board of Zoning Appeals shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this Resolution. Meetings shall be held at the call of the Chairperson and at such other times as the Board of Zoning Appeals may determine. The Chairperson, or, in the absence of the Chairperson, the acting chairperson, may administer oaths and compel the attendance of the witnesses. The concurring vote of 3 members of the Board of Zoning Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution, or to effect any variation in the application of this Resolution. The Board 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 a public record and be immediately filed in the office of the Board. (Amnd. 12-6-2022)

210.02 Powers and Duties of the Board of Zoning Appeals

The Board of Zoning Appeals shall have the powers and duties set forth in this Zoning Resolution, including:

1. The Board of Zoning Appeals shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution.
2. Conditional Uses – The Board of Zoning Appeals shall hear and decide only such conditional uses as the Board of Zoning Appeals is specifically authorized to pass on by the terms of this Resolution as defined in Chapter 240.
3. Variances – The Board of Zoning Appeals shall hear and decide on applications for variances to this Resolution as defined in Chapter 245. (Amnd. 10-20-2020)

210.03 Hearings and Appeals

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be initiated by any person aggrieved or by any officer of the Township affected by any decision of the Zoning Inspector in accordance with the following:

1. Initiation – Such appeal shall be taken within twenty days after the decision by filing, with the Fiscal Officer and with the Board of Zoning Appeals, a notice of appeal specifying the grounds. The Fiscal Officer shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.
2. Notice – The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least ten days' notice in writing to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the county at least ten days before the date of such hearing, and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appear in person or by attorney.
3. Board has powers of Zoning Inspector on Appeals – In exercising the powers in Section 519.14 of the Ohio Revised Code, inclusive, the Board of Zoning Appeals may, so long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to

that end shall have the powers of the Zoning Inspector from whom the appeal is taken.
(Amnd. 6-15-2021, 12-6-2022)

Chapter 215 – Duties of Zoning Inspector, Board of Zoning Appeals, Governing Body, and Courts on Matters of Appeal

215.01 Duties of Zoning Inspector, Board of Zoning Appeals, Governing Body, and Courts on Matters of Appeal

It is the intent of this Resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector. Such questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Inspector, and recourse from the decisions of the Board of Zoning Appeals shall be to the courts as provided by law. It is further the intent of this Resolution that the duties of the Board of Township Trustees in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. Under this Resolution, the Board of Township Trustees shall have only the duties established by applicable law, including, but without limitation, considering and adopting or rejecting proposed amendments or the repeal of this Resolution, or the Official Zoning Map, and of establishing a schedule of fees and charges as stated in Chapter 250 of this Resolution. (Amnd. 10-20-2020, 12-6-2022)

Chapter 220 – Zoning Certificate Required

220.001 Zoning Certificate Required

No occupied or vacant land shall hereafter be changed in its use, in whole or part, until a zoning certificate has been issued by the Zoning Inspector. No person shall locate, erect, construct, reconstruct, enlarge, or structurally alter any building, structure, or sign or change the use of buildings in whole or part without first obtaining a zoning certificate from the Zoning Inspector. No such zoning certificate shall be issued for the proposed building, structure, or land use unless the proposed building, structure or land use fully complies with the articles of this Resolution. (Amnd. 10-20-2020)

220.01 Application

Application for a zoning certificate shall be made to the Zoning Inspector. The application for a zoning certificate shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. At a minimum, the application shall contain the following information:

1. Name, address and telephone number of the applicant;
2. Legal description of the property;
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Plans in duplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any, and the location and dimensions of the proposed building(s) or alteration;
7. Building heights;
8. Number of off-street parking spaces and loading spaces;
9. Number of dwelling units;
10. For lots served or proposed to be served by on-site sewers or water, a copy of an approved installation permit or similar written approval from the County Health Department.

11. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Resolution. (Amnd. 10-20-2020)

220.02 Approval of Zoning Certificate

Within ten (10) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. All zoning certificates shall, however, be conditional upon the commencement of work within twelve (12) months. One (1) copy of the plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either approved or disapproved and attested to the same by his signature on the copy. One (1) copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard attesting to the fact that the use or alteration is in conformance with the provisions of this Resolution. (Amnd. 10-28-2020)

220.021 Submission to Director of Transportation

Before any zoning certificate is issued affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certificate to local officials by the Director of Transportation or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail to the Director of Transportation, that he shall not issue a zoning certificate for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning certificate. If the Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning certificate. (Adopted 10-20-2020)

220.03 Expiration of Zoning Certificate

If the proposed construction described in any zoning certificate has not commenced within twelve (12) months from the date of issuance thereof, said zoning certificate shall expire or lapse, and written notice thereof shall be given by the Zoning Inspector to the persons affected. If the work described in any zoning certificate has not been substantially completed within thirty (30) months of the date of issuance thereof, said zoning certificate shall expire, shall be revoked by the Zoning Inspector, and written notice thereof shall be given by the Zoning Inspector to the persons affected along with notice that further work as described in the canceled zoning certificate shall not proceed unless and until a new zoning certificate has been obtained. "Commencement of Work" is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner including where excavation, demolition, or removal of an existing building has substantially begun preparatory to rebuilding. (Amnd. 10-28-2020)

220.04 Record of Zoning Certificate

A record of all zoning certificates shall be kept on file in the office of the Zoning Inspector and retained in accordance with the Township's records retention schedule and policies. (Amnd. 10-20-2020)

220.041 Failure to Obtain a Zoning Certificate

Failure to obtain a zoning certificate shall be a violation of this Resolution and punishable under Chapter 260 of this Resolution. (Adopted 10-28-2020, Amnd. 6-15-2021)

220.042 Construction and Use to Be as Provided in Applications, Plans, Permits, and Certificates

Zoning certificates issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this Resolution and punishable as provided for in Chapter 260. (Adopted 10-28-2020, Amnd. 6-15-2021)

220.05 Zoning Certificate Application Fees

Each application for a zoning certificate shall be accompanied by a payment in the amount shown on the Schedule of Zoning Fees adopted by the Board of Township Trustees as provided for in Chapter 250. Applications not accompanied by the required payment shall not be reviewed and approved until the required payment has been received by the Zoning Inspector. (Amnd. 10-20-2020)

220.06 Void Zoning Certificate

A zoning certificate shall be void if any of the following conditions exist:

1. The zoning certificate was issued contrary to the provisions of this Resolution.
2. The zoning certificate was issued based upon any materially false information provided by the applicant.

When a zoning certificate has been declared void pursuant to this Section, by the Township or by court order, a written notice of the revocation will be provided to the applicant by the Zoning Inspector. Notice of the revocation shall also include a statement that all work upon, or use of, the buildings, structure, or land shall cease until a new zoning certificate has been issued. (Amnd. 10-20-2020)

Chapter 225 – Reserved for Future Use

Chapter 230 – Zoning Amendments

230.001 Zoning Amendments Generally

Whenever the public necessity, convenience, general welfare, or good zoning practices require, or in conformance with the adopted Comprehensive Plan, the Board of Township Trustees may by resolution amend, supplement, change, or repeal the regulations, restrictions, and district boundaries or classification of lots. Such amendments may only be made after recommendation from the Zoning Commission and subject to the procedures provided by law. Amendments may be initiated by motion of the Zoning Commission, by the passage of a resolution by the Board of Township Trustees, or by the filing of an application by one (1) or more owners or lessees of property within the area proposed to be changed or affected by the proposed amendment with the Zoning Commission. (Amnd. 10-20-2020)

230.01 Application for Zoning Amendment

Application to initiate an amendment to the Resolution or the Official Zoning Map shall be made to the Zoning Inspector as follows:

1. The application forms shall be available from the Zoning Inspector and shall be completed and returned with all supporting documentation as required in the application form and as necessary to demonstrate compliance with this Resolution. No application shall be considered unless the same is fully completed and accompanied by all required information on said application, together with plot plans or drawing as necessary.
2. Applications shall be signed by at least one (1) owner, or an agent assigned by the owner, of property within the area proposed to be changed or affected by the proposed map amendment and shall be filed with the Zoning Inspector.
3. Each application for a zoning amendment shall fully describe the intended land use.
4. The application form shall be accompanied by all supporting information as required by the application form. All plans required shall be prepared by a professional surveyor, engineer, architect, or landscape architect registered in the State of Ohio.
5. Applications shall be accompanied by a payment in the amount shown on the Schedule of Zoning Fees adopted by the Board of Township Trustees as provided for in Chapter 250.
6. Applications for map amendments to Planned Development Districts shall include such additional information as is required by Article 5. (Amnd. 10-20-2020, 9-5-2023)

230.02 Procedure

The procedures for review, approval or denial of all amendments shall be as prescribed in Section 519.12 of the Ohio Revised Code. (Amnd. 10-20-2020)

Chapter 235 – Non-Conformities

235.001 Non-Conformities Generally

At the time of adoption or amendment of this Resolution there may exist lots, structures, or uses of land and structures which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Resolution or future amendment thereto. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Resolution that non-conformities shall not be enlarged upon, expanded or extended, not be used as grounds for adding other structures or uses prohibited elsewhere in the same district, except as may otherwise be permitted by this Resolution.

235.01 Incompatibility of Non-Conforming Uses

Non-conforming uses are declared by this Resolution to be incompatible with permitted uses in the districts involved. A non-conforming use of a structure, land, or a structure and land in combination shall not be extended or enlarged after passage of this Resolution. In addition, the attachment on a building or premises of additional signs intended to be seen from off the premises, or the addition of other uses of a nature which would be prohibited generally in the district are prohibited.

235.02 Avoidance of Undue Hardship

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual construction has been carried on diligently. "Actual construction" is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner including where excavation, demolition, or removal of an existing building has substantially begun preparatory to rebuilding.

235.03 Non-Conforming Lots of Record

At the time of adoption or amendment of this Resolution there may exist lots of record that do not conform to the requirements for lot width and or lot area established by this Resolution or amendment. Nothing in this Resolution shall prevent the construction of dwellings, buildings, structures, or accessory uses or structures on these non-conforming lots of record provided the following:

1. The proposed dwellings, buildings, structures, or accessory uses are permitted within the district established by this Resolution.
2. Such lot shall be in separate ownership and not of continuous frontage with other lots in the same ownership.
3. The construction of dwellings, buildings, structures, or accessory uses shall meet all requirements established by this Resolution other than for lot area and lot width.
4. Variance from all other requirements shall be obtained only through action of the Board of Zoning Appeals.

235.04 Non-Conforming Lots of Record in Combination

At the time of adoption or amendment of this Resolution, there may exist lots of record that do not meet the requirements of this Resolution for lot area and/or lot width. Where two or more of these lots adjoin with continuous frontage under a single ownership the lots involved shall be considered to be an undivided parcel for the purposes of this Resolution. No portion of said undivided parcel shall be used or sold in a manner which that diminishes compliance with the requirements of this Resolution.

235.05 Non-Conforming Uses of Land

Where, at the time of adoption or amendment of this Resolution, lawful use of land exists, which would not be permitted by the regulations imposed by this Resolution, the uses may be continued so long as they remain otherwise lawful, provided the following:

1. No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution.
2. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Resolution.
3. If any such non-conforming uses of land are discontinued or abandoned for more than two (2) years, except when government action impedes access to the premises, any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located.
4. No additional structure not conforming to the requirements of this Resolution shall be erected in connection with such non-conforming use of land. (Amnd. 10-20-2020)

235.06 Non-Conforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution by reason of restrictions on area, lot coverage, height, yards, location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such non-conforming structure may be enlarged or altered in any way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
2. Any non-conforming structure or non-conforming portion of a structure which is removed, partially removed, damaged, destroyed, or partially destroyed by any means to an extent of

less than 60 percent of its then fair market value at time of such removal, damage, or destruction may be restored to its prior condition and the same use or occupancy continued or resumed, provided that the total cost of such restoration does not exceed 60 percent of its then fair market value; and provided further that such restoration is started within 1 year after such removal, damage, or destruction and is diligently pursued to completion.

3. Any non-conforming structure which is removed, partially removed, damaged, destroyed, or partially destroyed by any means by more than 60 percent of its then fair market value shall eliminate the non-conforming use of such structure or structure and land in combination, and shall not be repaired or reconstructed except in conformity with this Resolution
4. Should such structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

235.07 Non-Conforming Uses of Structures or of Structures and Land in Combination

If lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this Resolution that would not be allowed in the district under the terms of this Resolution or amendment, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this Resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution, but no such use shall be extended to occupy any land outside such building that was not used for such non-conforming use at the time of adoption or amendment of this Resolution.
3. If no structural alterations are made, any non-conforming use of a structure or structure and land in combination, may, upon application to and approval by the Board of Zoning Appeals as a conditional use, be changed to another non-conforming use provided that, in addition to any other criteria, the Board of Zoning Appeals finds after consideration of the nature, predominate character, and intensity of the proposed use and the size, dimensional requirements, and other regulatory characteristics of the proposed use, that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use and that the size, dimensional requirements, traffic generation, signage needs, parking requirements and other regulatory characteristics are not greater than the existing nonconforming use. The Board of Zoning Appeals may require appropriate conditions and safeguards in accordance with other provisions of this Resolution.
4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district and the non-conforming use may not thereafter be resumed.
5. When a non-conforming use of a structure or structure and land in combination are discontinued or abandoned for more than two (2) years, except when government action impedes access to the premises, the structure and land in combination shall not thereafter be used except in conformity with the regulations of the district in which it is located.
(Amnd. 10-20-2020)

235.08 Repairs and Maintenance

On any non-conforming structure, or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of walls, fixtures, wiring, or plumbing provided the following:

1. The cubic content of the structure existing when it becomes non-conforming shall not be increased through such repairs or maintenance.
2. Nothing in this Resolution 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, upon order of such official.

Chapter 240 – Conditional Uses

240.001 Conditional Uses Generally

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size and method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of the applicable zoning district regulations, or as provided for elsewhere in this Resolution, shall follow the procedures and requirements set forth in this Chapter. (Amnd. 10-20-2020,12-21-2021)

240.01 Application Required

An application for a conditional use permit shall be submitted to the Zoning Inspector who shall forward the application to the Board of Zoning Appeals. Application forms shall be available from the Zoning Inspector, and at a minimum, shall contain the following information:

1. Name, address, and telephone number of the applicant;
2. Legal description of property;
3. Description of existing use;
4. Zoning District;
5. Description of proposed conditional use;
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the intent and requirements of this Resolution.
7. A narrative statement evaluating the effects on adjoining lots; the effect of such elements as noise, odor and fumes on adjoining lots; a discussion of the general compatibility with adjacent and other lots in the district. (Amnd. 10-20-2020, 12-21-2021)

240.02 Notice and Hearing

The Board of Zoning Appeals shall hold a public hearing within a reasonable period of time following its receipt of a completed application. Notice shall be given at least 10 days in advance of the public hearing by publication in at least one newspaper of general circulation in the area. The notice shall state the date, time and place and the nature of the proposed hearing. The same information shall be mailed by first class mail to the applicant and all owners of property within and contiguous to and directly across the street from the property in question to the addresses of those owners appearing on the county auditor's current tax list. Any party may appear in person, or by attorney or authorized agent. (Amnd. 10-20-2020)

240.03 Action by the Board of Zoning Appeals

The Board of Zoning Appeals shall, within a reasonable time, approve, approve with supplementary conditions, or disapprove the application as was submitted. If approved with supplementary conditions, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions stipulated by the Board. (Amnd. 12-21-2021)

240.04 General Standards Applicable to all Conditional Use Permits

The Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Is in fact a conditional use as established by the regulations of the applicable zoning district;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
3. Will not be hazardous or disturbing to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors;
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares. (Amnd. 10-20-2020, 12-21-2021)

240.05 Supplementary Conditions and Safeguards

In granting any conditional use permit, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use permit is granted, shall be deemed a violation of this Resolution. (Amnd. 12-21-2021)

240.06 Expiration of Conditional Use Permit

A conditional use permit shall be deemed to authorize only one particular conditional use, and said permit shall automatically expire if such conditionally permitted use has not be instituted or utilized with one (1) year of the date on which the permit was issued, or if for any reason such use shall cease for more than six (6) months. Change of ownership shall have no effect on the validity of the conditional use. (Adopted 10-20-2020)

Chapter 245 – Variances

245.001 Variances Generally

Upon application, the Board of Zoning Appeals may authorize, in specific cases, such variance from the terms of this Resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Resolution would result in unnecessary hardship, and so that the spirit of the Resolution will be observed and

substantial justice is done. No nonconforming use of neighboring lands, structures, or buildings in the same district and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance. A variance from the terms of this Resolution shall not be granted by the Board of Zoning Appeals unless and until the procedures provided in this Chapter are completed. (Amnd. 10-20-2020)

245.01 Application Required

An application for a variance shall be submitted to the Zoning Inspector who shall forward the application to the Board of Zoning Appeals. Application forms shall be available from the Zoning Inspector and completed applications shall be accompanied by such information as required on the application form. (Amnd. 10-20-2020)

245.02 Notice and Hearing

The Board of Zoning Appeals shall hold a public hearing within a reasonable period of time following its receipt of a completed application. Notice shall be given at least 10 days in advance of the public hearing by publication in at least one newspaper of general circulation in the area. The notice shall state the date, time and place and the nature of the proposed hearing. The same information shall be mailed by first class mail to the applicant and all owners of property within and contiguous to and directly across the street from the property in question to the addresses of those owners appearing on the county auditor's current tax list. Any party may appear in person, or by attorney or authorized agent. (Amnd. 10-20-2020)

245.03 Action by the Board of Zoning Appeals

The Board of Zoning Appeals shall, within a reasonable time, approve, approve with supplementary conditions, or disapprove the application as was submitted. In granting any variance under the provisions of this Chapter, the Board of Zoning Appeals may impose such conditions, safeguards and restrictions as deemed necessary to secure the objectives of the standards set forth in this Article, and to carry out the general purpose and intent of this Resolution. Violation of the conditions, safeguards, and restrictions, when made a part of the terms under which the request for the variance is granted, shall be deemed a violation of this Resolution. (Amnd. 10-20-2020)

245.04 Standards for Variances

A variance from the terms of this Resolution shall not be granted by the Board of Zoning Appeals unless and until the applicant demonstrates the following:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
2. That literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution;
3. That the special conditions and circumstances do not result from the actions of the applicant;
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district;
5. That the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; (Amnd. 12-21-2021)

6. That the granting of the variance will be in harmony with the general purpose and intent of this Resolution and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. (Amnd. 10-20-2020, 6-15-2021)

245.05 Supplementary Conditions and Safeguards

In granting any variance, the Board of Zoning Appeals 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 variance is granted, shall be deemed a violation of this Resolution and punishable under Chapter 260 of this Resolution. Under no circumstances shall the Board of Zoning Appeals grant a variance to allow a use not permissible under the terms of this Resolution in the district involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. (Amnd. 10-20-2020)

Chapter 250 – Fees

250.01 Schedule of Zoning Fees

The Board of Township Trustees shall establish a fee schedule, which shall be known as the Schedule of Zoning Fees, listing the charges and expenses, and a collection procedure for zoning certificates, zoning amendments, appeals, conditional use permits, variances, and other matters pertaining to this Resolution. The Schedule of Zoning Fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal. (Amnd. 10-20-2020)

Chapter 255 – Violations of this Resolution

255.01 Violations Generally

Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector.

Chapter 260 – Penalties for Violation

260.01 Penalty for Violation of Zoning Resolution

Any person violating any provision of any article of this 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 Inspector to cease work, shall be guilty of a misdemeanor, and subject to the penalty provided in Section 519.99, Ohio Revised Code. (Amnd. 10-20-2020)

260.02 Remedies for Violation of Zoning Resolution

In case any building is, or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is, or is proposed to be used in violation of any regulation or provisions of this Resolution or any amendment thereto, the Board of Township Trustees, the Zoning Inspector, Prosecuting Attorney of the County, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

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Chapter 300 – Definitions

300.001 Interpretation of Terms

Except where specifically defined herein, all words used in this Resolution shall carry their customary meaning. The following listed words are specifically defined for use in this Resolution.

For the purposes of this Resolution certain terms or words used herein shall be interpreted as follows:

- a) The word "person" or "person of interest" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- b) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- c) The word "shall" is mandatory; the word "may" is permissive.
- d) The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied".
- e) The word "lot" includes the words "plot" or "parcel".

300.01 Letter A

Adult – An individual eighteen years of age or older.

Adult Care Facility – An adult family home or an adult group home. For the purposes of this Resolution, any residence, facility, institution, hotel, congregate housing project, or similar facility that provides accommodations and supervision to three to sixteen unrelated adults, at least three of whom are provided personal care services. Adult care facility does not include:

- a) A facility operated by a hospice care program licensed under ORC 3712.04 that is used exclusively for care of hospice patients.
- b) A nursing home or home for the aging as defined in ORC 3721.01.
- c) A community alternative home as defined in ORC 3724.01.
- d) An alcohol and drug addiction program as defined in ORC 3793.01.

Adult Family Home – As defined in ORC 3722.01, a residence or facility that provides accommodations for three to five unrelated adults and supervision and personal care services to at least three adults.

Adult Group Home – As defined under ORC 3722.01, an adult group home means a residence or facility that provides accommodations for six to sixteen unrelated adults and provides supervision and adult personal care services to at least three of the unrelated adults.

Agriculture – For the purposes of this Resolution the definition of Agriculture shall be that prescribed by Section 519.01 of the Ohio Revised Code. As used herein, agriculture generally 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; 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. (Amnd. 10-20-2020)

Agricultural Production – Commercial animal or poultry husbandry, aquaculture, algaculture meaning the farming of algae, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth; land devoted to biodiesel production, biomass energy production, electric or heat energy production, or biologically derived methane gas production if the land on which the production facility is located is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use, provided that at least fifty (50) percent of the feedstock used in the production was derived from parcels of land under common ownership or leasehold. Agricultural production includes conservation practices, provided that the tracts, lots, or parcels of land or portions thereof that are used for conservation practices comprise not more than twenty-five (25) percent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed under Section 929.02 of the Ohio Revised Code. (Adopted 6-17-2021)

Agritourism - An agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity. (Adopted 6-17-2021)

Attached – “Attached” means:

- (1) a use, room or space that has at least one (1) wall in common with the remainder of a building;
- (2) a use, room or space that can be entered from and/or through other rooms and spaces within a building. An unenclosed roof connection shall not be considered attached. (Amnd. 12-17-2018)

Awning – A hood or cover that projects from the wall of a building against the face of the supporting building.

300.02 Letter B

Basement – A story all or partly underground but having at least one-half of its height below the average level of the adjoining ground.

Buffer – A man-made or natural vegetated area, between the side or rear lot line and the required side or rear setback line, where mounding, planting, walls, fences or a combination thereof are installed and constructed to protect adjacent uses from noise, odor, dust, fumes, glare, or unsightly storage of materials in commercial or industrial districts.

Building – Any structure, whether portable or fixed, having been designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building, Accessory – A subordinate building detached from, but located on the same lot as the principal use or structure, the use of which is incidental and accessory to that of the principal use or structure. (Amnd. 12-17-2018)

Building Addition – "Building Addition" means a part added to a building, either by being built so as to form one (1) architectural whole with it, or by being joined with it in some way, as by a passage, and so that one is a necessary adjunct or appurtenant to the other or so that both constitute the same building. (Amnd. 12-17-2018)

Building, Height of – The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.

Building, Principal – A building in which is conducted the main or principal use of the lot on which the building is situated.

300.03 Letter C

Common Access Drive – A common access drive (CAD) is a privately constructed, privately owned, and privately maintained driveway within an ingress/egress easement serving more than one lot but not more than five lots, properly installed in accordance with the requirements of the County Engineer and for which the County and Township accept no responsibility for maintenance, either initially or at any time in the future; a common access drive provides an alternative to construction of public or private streets for accessing small numbers of lots and reduces the number of driveways along public roads. (Adopted 12-21-21)

Conditional Use – A use that, because of special requirements or characteristics, may be allowed in a particular zoning district after review by the Board of Zoning Appeals and granting of conditional use permit. (Amnd. 10-28-2020)

Conditional Use Permit – The documented evidence of authority granted by the Board of Zoning Appeals to locate, operate, and maintain a Conditional Use on a particular lot. (Amnd. 10-20-2020)

Comprehensive Plan – Any document or documents, adopted by the Board of Township Trustees, intended to guide growth and development of the Township, and containing development analysis, proposals, projections, or policies in the form of text, maps or other graphics. The term Comprehensive Plan shall also include the terms area plan, community plan, land-use plan, or master plan. (Adopted 10-28-2020)

300.04 Letter D

Density – A unit of measurement; the number of dwelling units per acre of land.

- a) Gross Density – The number of dwelling units per acre of total land to be developed.
- b) Net Density – The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses and open space accessory to that residential development. (Adopted 9-5-2023)

Detached – “Detached” means:

- (1) a use, room, space, building or assembly of buildings that is completely surrounded by open space;
- (2) a use, room, space, building or assembly of accessory buildings that is not attached or connected to a principally permitted use or building. (Amnd. 12-17-2018)

District – A part, zone, or geographic area within the Township within which certain zoning or development regulations apply.

Drive-Through Business or Window – An establishment or part of an establishment designed for the conduct of business with customers who remain within a vehicle during the transaction.

Dwelling – Any building or structure which is wholly or partly used or intended to be used for living or sleeping quarters by one or more human occupants.

Dwelling, Detached Single-Family – Detached, individual dwelling units, which accommodate one family, as defined herein, living as one housekeeping unit. The type of construction of such units shall conform to the Residential Code of Ohio, or be classified as an Industrialized Unit under the Ohio Building Code, or conform to the definition of permanently-sited manufactured home as provided for in ORC 519.212. (Amnd. 10-20-2020, 6-15-2021)

Dwelling, Multi-Family – A residential building arranged or designed for 3 or more dwelling units as separate and complete housekeeping units.

Dwelling, Two-Family – A building arranged or designed to be occupied by 2 families, the structure having only 2 dwelling units living independently of each other. (Amnd. 6-15-2021)

Dwelling Unit – Space, within a dwelling, comprising living, dining, sleeping room or rooms, storage closets, as well as, space and equipment for cooking, bathing, and toilet facilities, all used by only one family and its household employees.

Dwelling Unit, Accessory – A dwelling unit subordinate to and located on the same lot as single-family dwelling or two-family dwelling. (Adopted 9-5-2023)

300.05 Letter E

Enclosed Storage – Any building such as a warehouse, pole barn, etc., fully enclosed on all sides and with roof where equipment, materials, or goods are stored.

Essential Services – The erection, construction, alterations, or maintenance, by public utilities or municipal or other governmental agencies, of underground gas, electrical or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, drains, mains, sewers, pipes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

300.06 Letter F

Family – A person living alone, or any of the following groups living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

- a) any number of people related by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship;
- b) 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.

Fair Market Value – The “Fair Market Value” as used herein shall first be determined to be the current value of structures as carried by the County Auditor. If such value is disputed by the owner of the structures, or the Township, the Township may elect to hire a licensed third-party licensed appraiser to determine the value. Said appraiser shall be hired by the Township and, in the event of a dispute by the property owner, may require reimbursement from the property owner for such fees as necessary. If the Township shall require reimbursement, the Township shall solicit fees for the appraisal in advance of the start of work, and shall provide the property owner with a copy of the fee proposal and a notice to deliver a check to the Township for such fees prior to the commission of the appraisal.

Farm – Land that is composed of tracts, lots, or parcels totaling not less than ten (10) acres devoted to agricultural production or totaling less than ten (10) acres devoted to agricultural production if the land produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production. (Amnd. 6-15-2021)

Floor area, Non-Residential – A square footage calculation of the floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, display windows and similar areas.

Floor area, Residential – Floor area of a residential structure shall be computed as the sum of the gross horizontal area, in square feet, of the several floors of the residential structure, excluding finished or unfinished basements, breezeways, carports, garages, storage areas with only outside access, porches, unfinished attics, and other unheated and/or unfinished areas attached to the principal use or structure.

300.07 Letter G

Gasoline Station – That portion of property where flammable or combustible liquids or gases

used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity and may also include a freestanding automatic car wash.

Group Residential Facility – A group residential facility, as defined by ORC 5119.34, is a community residential facility, licensed and/or approved and regulated by the State of Ohio, which provides rehabilitative services.

Gun Club (Public or Private) – Any private or public facility for the discharge of firearms operated on a fee or membership basis.

300.08 Letter H

Hazardous Wastes – Those substances which, singly or in combination, pose a significant present or potential threat or hazard to human health or to the environment, and which, singly or in combination, require special handling, processing, or disposal, because they are or may be flammable, explosive, reactive, corrosive, toxic, infectious, carcinogenic, bioconcentrative, or persistent in nature, potentially lethal, or an irritant or strong sensitizer.

Home Occupation – Home Occupation means an accessory use which is an activity, profession, occupation, service craft, or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, and is conducted entirely within the dwelling unit, or elsewhere on the premises, without any significant adverse effect upon the surrounding neighborhood.

300.9 Letter I

300.10 Letter J

Junk – Old scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, junk/inoperable, dismantled automobiles, equipment or parts thereof, construction salvage, mechanical salvage, iron or steel and other old or scrap ferrous or non-ferrous materials. (Amnd. 10-20-2020, 12-21-2021)

Junk Yard – An establishment or place of business which is maintained or operated or any other land used for the purpose of storing, keeping, buying, or selling junk or for the maintenance or operation of an automobile graveyard. It shall also include scrap material, processing facilities which are located within one thousand (1,000) feet of the nearest edge of the right of way of a highway or street. (Amnd. 10-21-2020)

300.11 Letter K

Kennel/Animal Boarding – Any lot or premise, on which dogs, cats or other household pets are boarded, bred or exchanged for monetary compensation.

300.12 Letter L

Loading Dock – An unobstructed area or platform within or attached to a building or structure, usually coinciding with large openings in the building wall, which are provided and

maintained for the temporary parking of trucks and other motor vehicles for the purpose of loading and unloading goods, wares, materials, and merchandise. Loading docks may be configured in a single arrangement or with multiple loading docks grouped together as typically seen in large warehouse or distribution facilities.

Loading Space, Off-Street – Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lot – For the purposes of this Resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- a) A single lot of record;
- b) A portion of a lot of record;
- c) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Lot Coverage – The area of a lot covered by a building or buildings, expressed as a percentage of the total lot area.

Lot Frontage – The uninterrupted linear or curvilinear extent of a lot measured along the street right-of-way, or property line adjacent to the street on which the lot fronts, from the intersection of one side lot line to the intersection of the other side lot line.

Lot Measurements – A lot shall be measured as follows:

- a) The depth of a lot shall be considered to be the average horizontal distance between the front lot line or street right-of-way line and the rear lot line.
- b) The width of a lot shall be considered to be the horizontal distance between side lot lines measured at the required front yard setback. For pie shaped lots the width between side lot lines where they intersect the front lot line or street right-of-way line shall not be less than eighty (80) percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs or on the radius of a loop street.
- c) The area of a lot shall be the total horizontal area within the exterior lines of the lot, exclusive of any right-of-way, usually expressed in square footage or acreage. (Amnd. 10-20-2020)

Lot, Minimum Area – The lot area required within each zoning district determined to be the minimum necessary to support the permitted use.

Lot of Record – A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded. (Amnd. 10-20-2020)

Lot Types – Terminology used in this Resolution with reference to corner lots, interior lots, and through lots is as follows:

- a) A corner lot is defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.
- b) An interior lot is a lot with only one frontage on a street.
- c) A through lot is a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots. (Amnd. 12-17-2018)

300.13 Letter M

Manufacturing, Heavy – Manufacturing, processing, assembling, storing, testing and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, dust, glare, air pollution, odor, but not beyond the district boundary to any large extent. (Adopted 9-5-2023)

Manufacturing, Light – Manufacturing or other industrial uses which are usually controlled operations; relatively clean, quiet and free of objectionable or hazardous elements such as smoke, noise, odor or dust; operate and store within enclosed structures; and generate little industrial traffic and no major nuisances. (Adopted 9-5-2023)

Manufactured Home – A non-self-propelled building unit or assembly of closed construction 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 (HUD) 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 permanently affixed to it as specified in 42 U.S.C.A 5415, certifying compliance with all applicable federal construction and safety standards. A manufactured home is transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis, designed to be used as a dwelling with or without permanent foundation when connected to required utilities. Calculations used to determine the number of square feet in a structure's exterior dimensions are measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. (ORC 4501.01) For the purposes of this Section, chassis means a steel frame specifically designed and constructed with wheels or running gear and towing tongue installed for transportation on public streets or highways and designed without the need for a permanent foundation arriving at the site complete and ready for residential occupancy except for minor and incidental unpacking and assembly operations; location on wheels, jacks, blocks, or other foundation, connection to utilities and the like. (Amnd. 10-20-2020)

Mining, Commercial Quarries, Sand and Gravel Pits – Any mining, quarrying or processing of limestone, clay, sand and gravel or other mineral resources. Also referred to as mineral extraction. Such use shall include surface mining operations as defined by Chapter 1514.01 of the Ohio Revised Code. (Adopted 12-6-2022)

Mobile Food Unit – Any apparatus or equipment that is used to cook, prepare or serve food, and that routinely changes or can change location and is operated from a moveable vehicle or apparatus, including but not limited to motorized vehicles, trailers, and hand propelled carts. (Adopted 9-5-2023)

Mobile Home – A building unit or assembly of closed construction that is fabricated in an off-site facility, 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 division (C)(4) of Section 3781.06 of the Revised Code or as an industrialized unit as defined in division (C)(3) of Section 3781.06 of the Revised Code. (Amnd. 10-20-2020)

Model Home – A dwelling used as a temporary showroom or display model that is used for marketing purposes by a commercial homebuilder during the sales period of a new residential development. (Amnd. 10-20-2020)

Motor Vehicle – Any vehicle, including mobile homes and recreational vehicles, which is propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires. "Motor vehicle" does not include utility vehicles, motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well-drilling machinery, ditch-digging machinery, farm machinery, and trailers that are designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a public road or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.

Motor Vehicle, Inoperable – A car, truck, bus, van or other motor vehicle that cannot be started and moved under its own power or does not meet Ohio Revised Code requirements for operation on public streets. A vehicle that is without a valid, current registration decal and/or license, including recreational vehicle or travel trailer that is designed for travel on the public roads is also considered an inoperable vehicle.

300.14 Letter N

Non-Commercial Recreation – Any public or quasi-public related recreational use.

Non-Conforming Use – A building, structure or use of land lawfully existing at the time of enactment or amendment of this Resolution, and which does not conform to the current regulations of the district or zone in which it is situated.

Nuisance – As used herein nuisance refers to a building or property that is structurally unsafe, unsanitary, or not provided with adequate safe egress; that constitutes a fire hazard, is otherwise dangerous to human life, or is otherwise no longer fit and habitable; or that, in relation to its existing use, constitutes a hazard to the public health, welfare, or safety by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment. As used

herein a nuisance could constitute an offensive activity on a property that reduces the property value of neighboring properties or results in a lessening of normal use and enjoyment to neighboring properties. Examples include, noise, junk, automobile storage, accumulation of rodents and/or insects or mosquitoes, rubbish, refuse, and debris. The above includes those nuisances as identified in the Ohio Revised Code Sections 505.86, 505.87, and 505.871. Additionally, "Nuisance" means any of the following:

- a) That which is defined and declared by statutes to be a nuisance;
- b) Any place in or upon which lewdness, assignation, or prostitution is conducted, permitted, continued, or exists, or any place, in or upon which lewd, indecent, lascivious, or obscene films or plate negatives, film or plate positives, films designed to be projected on a screen or exhibition films, or glass slides either in negative or positive form designed for exhibition by projection on a screen, are photographed, manufactured, developed, screened, exhibited, or otherwise prepared or shown, and the personal property and contents used in conducting and maintaining any such place for such purpose.
- c) Any room, house, building, boat, vehicle, structure, or place where beer or intoxicating liquor is manufactured or sold, bartered, possessed, or kept in violation of law and all property kept and used in maintaining the same, and all property designed for the unlawful manufacture of beer or intoxicating liquor and beer or intoxicating liquor contained in the room, house, building, boat, structure, or place, or the operation of such a room, house, building, boat, structure or place where the operation of that place substantially interferes with public decency, sobriety, peace, and good order. "Violation of law" includes, but is not limited to, sales to any person under the legal drinking age.

300.15 Letter O

Office, Corporate – An establishment primarily engaged in providing internal office administration services as opposed to customer service in a single building or a campus setting; for example, the headquarters, regional offices or the administrative offices for a corporation. Generally, the majority of the traffic generated from corporate offices comes from employees and not the general public.

Office, Freeway Oriented – An office building(s), located on a lot that borders the right-of-way of a state or federal highway, that is designed and located on the lot in such a way to maximize the visibility and/or recognition of the office structure from the highway.

Office Park – A large tract of land that is planned, developed, and operated as an integrated facility for a number of separate office buildings uses and may incorporate internal circulation, joint parking facilities, shared utility needs, and common areas, and may pay special attention to aesthetics and compatibility.

Open Space – A dedicated area, substantially open to the sky, which may or may not be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, and other recreational facilities, but shall not include parking areas, dwellings, or similar improvements unless otherwise provided for by this Resolution. (Adopted 9-5-2023)

Outlot – An individual lot or structure located within a retail center but apart from the main structure, typically located along the right-of-way line of the public street serving the retail

center, which may share driveway access, internal circulation, or internal parking with the retail center, and may or may not be under the same ownership. (Amnd. 10-20-2020)

300.16 Letter P

Parking Space, Off-Street – For the purposes of this Resolution, an off-street parking space shall consist of an off-street space available for the parking of one motor vehicle conforming to the requirements of Chapter 610. (Amnd. 10-20-2020)

Patio – A level, surfaced area at or within three (3) feet of the finished grade, without a permanent roof intended for outdoor lounging, dining, recreation, or similar activities. (Adopted 6-15-2021)

Pond – Any man-made body of water in which water is impounded by a dam, embankment or excavated pit. A pond as defined herein shall include but not be limited to retention basins designed to permanently hold water but shall not include a detention basin or bio-swales designed for short-term storm water containment. (Amnd. 10-20-2020)

Public Service Facility – The erection, construction, alteration, operation or maintenance of buildings, power plants, substations, water treatment plant or pump station, sewage disposal plant or pump station, communications facilities and/or equipment, electrical, gas, water and sewerage service and other similar public service structures or facilities whether publicly or privately owned; but excluding sanitary landfills. (Amnd. 12-21-2021)

Public Use – A public school, park, administrative, cultural or recreational building, excluding public service facilities.

300.17 Letter Q

Quasi-public Use – Churches, Sunday schools, parochial schools, colleges, hospitals, and other institutions of an educational, religious, charitable, philanthropic or non-profit nature.

300.18 Letter R

Recreational Vehicle - A vehicle type unit primarily designed as temporary living quarters for recreational, camping, or travel use only, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, motor home, or any similar vehicle as defined by Ohio Revised Code Section 4501.01(Q). (Amnd. 12-21-2021)

Refuse – Anything thrown away or rejected as worthless or useless, waste (combustible and noncombustible) trash or rubbish. “Refuse” also includes all foreign substances and pollutants in water other than liquid sewage.

Research Activities – Research, development and testing related to such fields as chemicals, pharmaceutical, medical, electrical, transportation and engineering, all of which are conducted within entirely enclosed buildings.

Retail Business, Convenience Type – A small retail business whose market area is the neighborhood or part of the community, which provides convenience-type goods and personal

services for the daily needs of the people within the residential area. Examples of convenience-type businesses are drug stores, food stores, cleaners and barber shops.

Retail Center (Shopping Center) – A group of retail and other commercial establishments that are planned, owned, and managed as a single property. On-site parking is provided. The center's size and orientation are generally determined by the market characteristics of the trade area served by the center. The two main configurations of shopping centers are indoor malls and open-air strip centers.

Right-of-Way – A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn stripes, sidewalks, lighting, drainage facilities, and many include special features required by the topography or treatment such as grade separation, landscaped areas, viaducts, and bridges. (Adopted 12-17-2018)

300.19 Letter S

Sanitary Landfill – A disposal site employing a method of disposing of solid wastes on land in a manner intended to minimize environmental hazards by spreading the solid wastes in thin layers, compacting the solid wastes to the smallest practical volume, and applying and compacting cover material daily. (Amnd. 10-20-2020)

Setback Line – A line established by this Zoning Resolution, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided elsewhere by this Resolution. – See "Yard" (Amnd. 12-17-2018, 9-5-2023)

Sewers, Central or Group – A public or private sewage disposal system, approved by the county, which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sewers, On-Site – A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

Sign – Any visual communication display, object, device, graphic, structure, or part thereof, situated outdoors, or attached to, painted on, or displayed from or within a structure, in order to direct or attract attention to, or to announce or promote, an object, person, service, product, event, location, organization or the like, by means of letters, words, designs, colors, symbols, fixtures, images or illuminations.

- a) Sign, On-Premises - Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
- b) Sign, Off-Premises - Any sign unrelated to a business or profession conducted or to a commodity or service sold or offered upon the premises where such sign is located.
- c) Banner – Any sign using a flexible or non-rigid substrate to display sign copy, but not including a flag.

- d) **Billboard** - Any off-premises sign for the purposes of outdoor advertising, which generally consists of one or more sign faces primarily intended to be available for sale, lease or rental for the purpose of promoting any business or other activity which is not situated on the same premises as the billboard or of promoting any product or service which is not primarily available on the same premises as the billboard.
- e) **Sign, Illuminated** - Any sign illuminated by electricity, gas or other artificial light including reflection or phosphorescent light.
- f) **Sign, Lighting Device** - Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
- g) **Sign Copy** - Any combination of letters, numerals, words, symbols, pictures, emblems or other characters that constitute a message in either permanent or removable form.
- h) **Changeable Copy, Manual** - Any portion of a sign on which characters, letters or illustrations are changed manually in the field without altering the face or surface of the sign, including without limitation, a reader board with changeable letters.
- i) **Changeable Copy, Automatic** – Any portion of a sign on which characters, letters or illustrations are changed mechanically or electronically in the field without altering the face or surface of the sign, including without limitation, an electronic or mechanical message center.
- j) **Sign, Ground** - Any freestanding detached sign whose support structure is imbedded in the ground.
- k) **Sign, Pole** - Any ground sign which is installed on or attached to a pole or poles.
- l) **Sign, Portable** - Any sign not permanently attached to the ground or to a building or building wall.
- m) **Sign, Monument** - Any ground sign which is usually low in profile, with a monolithic, base.
- n) **Sign, Projecting** - Any sign that is mounted on or attached to a building façade, including any sign which is part of or attached to an awning or canopy, and which extends more than twelve inches from the face of the wall.
- o) **Sign, Roof** - Any sign which is installed and attached above the roof of the building.
- p) **Sign, Temporary** - Any sign having a specific limitation provided for by this Resolution as to the length of time it may be displayed.
- q) **Sign, Wall** - Any sign that is mounted on or attached to the wall of a building including any sign which is part of or attached to an awning or canopy.
- r) **Sign, Window** - Any sign affixed to the glass on the outside or inside of a window or door, or inside a building within three feet of a window or door so as to be readable from outside the building. (Amnd. 10-20-2020, 12-6-2022)

Solar Energy – The following are solar energy related definitions:

- a) Solar Energy, Accessory – A solar collection system consisting of one or more roof/structure mounted and/or ground/pole mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- b) Principal Solar Energy Production Facility - An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. These production facilities primarily produce electricity to be used off-site. Principal solar energy production facilities consist of one or more roof/building mounted, ground/pole mounted, and/or other structure mounted solar collector devices, solar related equipment, and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. Examples include “Small Solar Facility” and “Community Solar Facility” as defined by statute or herein. (Amnd. 9-5-2023)
- c) Solar Energy Equipment - Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter, batteries, mounting brackets, framing and/or foundation used for or intended to be used for the collection of solar energy.
- d) Solar Photovoltaic (PV) - The technology that uses a semiconductor to convert light directly into electricity.
- e) Clear Fall Zone (Solar Energy) - An area surrounding a ground/pole mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure’s failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the lot and will not intrude onto an adjacent lot. (Adopted 12-6-2022, Amnd. 9-5-2023)
- f) Small Solar Facility - Pursuant to ORC 519.213 (A) (2), “Small Solar Facility” means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than 50 MW. (Adopted 9-5-2023)
- g) Community Solar: Also known as shared solar, or solar gardens, is an energy model that allows customers to buy or lease part of a larger off-site shared solar photovoltaic (PV) system. For the purposes of this Resolution, “Community Solar” is considered to be a “Principal Solar Energy Production Facility”. (Adopted 9-5-2023)

Solid Wastes – Means such unwanted residual solid or semisolid material as results from residential, industrial, commercial, agricultural and community operations, excluding earth or material from construction, mining or demolition operations, and slag and other substances which are harmful or inimical to public health, and includes, but is not limited to, garbage, combustible and non-combustible material, street dirt, and debris. For purposes of this definition, "material from construction operations" and "material from demolition operations" are those items affixed to the structure being constructed or demolished, such as brick, concrete, stone, glass, wallboard, framing and finishing lumber, roofing materials, plumbing, plumbing fixtures, wiring, and insulation material.

Story – The part of a building, except a mezzanine, included between the surface of one floor and the surface of the next floor above; or if there is no floor above, then the ceiling next above. The floor of a story may have split levels provided that there shall not be more than four feet difference in elevation between the different levels of the floor. A basement shall not be counted as a story.

Structure – Anything constructed or erected, the use of which requires location on, above, or below the surface of a lot or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, manufactured homes, walls, fences and billboards. (Amnd. 12-17-2018)

Structure, Accessory – A subordinate structure detached from, but located on the same lot as the principal use or structure, the use of which is incidental and accessory to that of the principal use or structure. (Amnd. 12-17-2018)

Structure, Principal – A structure, or group of structures, in which is conducted the primary use of the lot on which the structure is located. As regulated in zoning districts, the principal structure contains the principally permitted use. (Amnd. 12-17-2018)

Supply Yard - A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. (Adopted 12-21-2021)

Swimming Pool – Any outdoor structure intended for swimming or recreational bathing that contains or is capable of containing water to a depth of at any point greater or equal to twenty-four (24) inches. (Adopted 6-15-2021)

300.20 Letter T

Telecommunication Tower - Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions:

- a) It is constructed on or after October 31, 1996;
- b) It is owned or principally used by a public utility engaged in the provision of telecommunication services;
- c) It is a free-standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located. (Adopted 9-5-2023)

Toxic or Hazardous Material – See definition for Hazardous Wastes.

Trailer – A trailer is any vehicle with an integrated frame, either open or closed to the elements, which has or has had an axle(s) and/or wheels and/or electric brakes and/or a towing device (tongue or hitch), and is designed to be drawn by a motor vehicle.

Trailer, Travel – A vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, and of such size or weight as not to require special highway movement permits when drawn by a motorized vehicle.

300.21 Letter U

Use – The specific activity for which land or a structure is designated, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use. (Amnd. 12-17-2018)

Use, Accessory – A use which is located on the same lot as a principal use, subordinate to or serves the principal use, and is customarily incidental to the principal use. Except as otherwise required in the Resolution, an accessory use shall be a permitted use. (Amnd. 12-17-2018)

Use, Principal – A use which is the primary use and chief activity of the lot or structure. As regulated in zoning districts, the use of a lot which is permitted within the district. This is often referred to as the principally permitted use, or uses, within the district. (Amnd. 12-17-2018)

300.22 Letter V

Variance – A variance is a modification of the Zoning Resolution where such variance will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the Resolution would result in unnecessary and undue hardship. (Amnd. 10-20-2020)

Veterinary Hospital and Clinic – A place for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodation on the premises for treatment, observation and/or recuperation. It may also include boarding that is incidental to the primary activity.

300.23 Letter W

Wall – A vertical element with a horizontal length-to-thickness ratio greater than three, used to enclose space. (Amnd. 12-17-2018)

Warehouse, Wholesale and Distribution Facility – A facility which houses a business which primarily stores, sells and distributes large quantities of goods or commodities to customers throughout a regional territory.

300.24 Letter X

300.25 Letter Y

Yard – An open space other than a court unoccupied and unobstructed by any structure or portion of a structure from the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height installations and requirements limiting obstruction of visibility.

- a) Yard, Front – A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.
- b) Yard, Rear – A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
- c) Yard, Side – A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards. (Amnd. 9-5-2023)

300.26 Letter Z

Zoning Certificate – A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristic of the uses. (Adopted 10-20-2020)

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Chapter 400 – Adoption of the Zoning District Regulations

400.01 District Regulations Generally

Regulations are hereby established and adopted pertaining to the use of land and/or structures and the physical development of such land and structures within each of the zoning districts. Article 4 and Article 5 of this Resolution establish and provide specific regulations for the various zoning districts. Article 6 establishes general development standards that shall apply within all zoning districts.

Chapter 405 – Interpretation of Regulations

405.001 Interpretation of Regulations Generally

The standard regulations set forth in Article 4 and Article 5 of this Resolution shall be interpreted and enforced as provided for in this Chapter. (Amnd. 10-20-2020)

405.01 Identification of Uses

Uses are listed by their customary name or identification, except where they are specifically defined or limited in this Resolution.

When a listed use has a number preceding the name, said number shall indicate the designation provided by the North American Industry Classification System (NAICS), U.S. Department of Commerce, United States Census Bureau, 2012 edition. The NAICS is a 2 through 6 digit hierarchical classification system where each digit in the code is part of a series of progressively narrower categories. In this system the first two digits indicate the economic sector, the third digit indicates the subsector, the fourth digit indicates the industry group, the fifth digit indicates the NAICS industry title, and the sixth digit indicates the national industry title. Where such numbers are listed in this Resolution the following shall apply:

1. Numbers listed by sector and subsector only (2 or 3 digit numbers) shall be deemed to include all industry groups and industry titles (fourth, fifth and sixth digits) listed within the sector and subsector unless those groups and titles are specifically excepted within this Resolution.
2. Numbers listed with industry group, and industry titles (4 and 5 digit numbers) shall include all activities listed under the industry code other than those specifically excepted by this Resolution.

The full text of the listings in the 2012 North American Industry Classification System (NAICS) shall be a part of the definition of the uses listed in this Resolution and is hereby adopted as a part of this Resolution.

405.02 Permitted Uses

Only a use designated as a permitted use shall be allowed as matter of right in any zoning district and any use not so designated shall be prohibited.

405.03 Accessory Uses and Structures

An accessory use or structure is a use or structure which is clearly subordinate to the principal use as defined in Chapter 300 of this Resolution. Accessory uses or structures may be allowed only in accordance with the specific district regulations, the requirements of Chapter 645 of this Resolution, and other applicable regulations provided for by this Resolution. (Amnd. 10-20-2020, 6-15-2021)

405.04 Conditional Uses

A use designated as a conditional use may, if approved by the Board of Zoning Appeals, be permitted in the zoning district where the designation occurs. The approval of a conditional use shall be subject to the requirements of Chapter 240 of this Resolution and to the additional development standards outlined in each zoning district. (Amnd. 10-20-2020)

405.05 Development Standards

The development standards as set forth in this Resolution shall be the minimum allowed for uses permitted in a zoning district. If the development standards are in conflict with the requirements of any lawfully adopted rules, regulations, or laws, the more restrictive or higher standard shall govern.

Chapter 410 - Zoning Districts Established

410.001 Zoning Districts Established

The following zoning districts are hereby established for Jerome Township, Union County, Ohio:

410.01 Agricultural Zoning Districts

AG – Agricultural District

410.02 Residential Zoning Districts

RU – Rural Residential District
LDR – Low Density Residential District
MDR – Medium Density Residential District

410.03 Office and Industrial Zoning Districts

ORM – Office / Research / Medical District
COM – Commerce District

410.04 Commercial Zoning Districts

LR – Local Retail District
RR – Regional Retail District

410.05 Recreation Districts

SRE – Special Recreation District

410.06 Special Zoning Districts

PD – Planned Development District
OS – Open Space District
IPD – Innovation Planned Development District

Chapter 415 - Official Zoning Map

415.001 Official Zoning Map Adopted

The districts and their boundary lines are indicated upon a map entitled "Zoning Map of Jerome Township, Union County, Ohio", hereinafter called the "Official Zoning Map", which is hereby made a part of this Resolution. The Official Zoning Map, together with all notations, references, and other matters shown thereon, are hereby declared a part of this Resolution. The Official Zoning Map shall be held and maintained in the office of Zoning Inspector and shall be identified by the signature of the Chairperson of the Board of Township Trustees and attested by the Fiscal Officer. (Amnd. 10-20-2020, 12-6-2022)

415.01 Rules for Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Official Zoning Map, the following rules shall apply:

1. Where district boundaries are indicated approximately following the center lines of streets or highways, street lines or highway right-of-way lines, such as center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
3. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines of right-of-way lines of highways, such district boundaries shall be construed parallel thereto and at such distance as indicated on the Official Zoning Map. If no such distance is given, the dimension shall be determined by the use of the scale shown on said Official Zoning Map.
4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of said railroad lines.
5. Where the boundary of a district follows a stream or other body of water, the centerline of the body of water shall be deemed to be the boundary of the zoning district unless otherwise indicated.
6. Where the boundary of a district follows a metes and bounds description approved as a part of a rezoning or annexation of any territory, said metes and bounds description shall have control over all of the foregoing.
7. Questions concerning the exact location of district boundary lines shall be determined by the Zoning Inspector, subject to the owners' right of appeal to the Board of Zoning Appeals as provided herein. (Amnd. 10-20-2020)

415.02 Vacation of Public Ways

Whenever any street or public right-of-way is vacated by official action of the County Commissioners or other public authority, the zoning districts adjoining each side of the street or public right-of-way shall be automatically extended to the center of such vacations and all area included in the vacation shall thereafter be subject to all regulations of the extended districts. (Amnd. 10-20-2020)

415.03 Replacement of Official Zoning Map

In the event that for some reason the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret, the Board of Township Trustees may by resolution adopt a new map which shall supersede the prior map. The new map may correct errors in the prior map, but no such correction shall have the effect of amending the original map or any subsequent amendment thereof. The new map shall be identified by the signature of the Chairperson of the Board of Township Trustees, attested to by the Fiscal Officer, and bearing the following words: This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted ___(date)___ as part of the Zoning Resolution Jerome Township, Union County, Ohio. (Adopted 10-20-2020)

Chapter 420 – Agricultural District (AG)

420.001 Agricultural District Generally

The purpose and intent of the Agricultural District (AG) is to; encourage the continuance of agricultural uses, protect prime farmland and agricultural soils, protect the rights of farmers, preserve rural character, and provide for land which is suitable to be used for agriculture as defined in the Comprehensive Plan. Residential land use in the AG District is related to dwellings owned by the persons farming the property. Lots in the AG District are anticipated to be served by on-site water and sewer systems. (Amnd. 10-20-2020, 9-5-2023)

420.01 Agricultural Uses Defined

“Agricultural Use” is as defined in the Ohio Revised Code Section 519.01, as may be amended, includes farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

420.02 Permitted Uses

Within the AG District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. One (1) single-family dwelling per lot.
2. Limited home occupation subject to the requirements of Chapter 635 of this Resolution.
3. Public Use
4. Quasi-public Use, not including hospital.
5. The use of land for conservation, preservation, or wetland restoration.
6. Agriculture (Amnd. 10-20-2020, 12-6-2022, 9-5-2023)

420.03 Accessory Uses and Structures

Within the AG District the following accessory uses and structures, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. Accessory buildings or structures normally associated with single-family residential use including detached garages, tool or garden sheds, playhouses, and swimming pools subject to the requirements of Chapter 645 of this Resolution. (Amnd. 10-20-2020)

420.04 Conditional Uses

The following uses may be permitted as conditional uses in the AG District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein:

1. 423820 – Farm Machinery and Equipment Merchant Wholesalers
2. 444220 – Farm Supply Stores
3. 444220 – Feed Stores (except pet)
4. Veterinary Hospital and Clinic
5. 721191 – Bed-and-Breakfast Inns
6. Kennel/Animal Boarding
7. Expanded home occupation subject to the requirements of Chapter 635 of this Resolution.

8. Accessory dwelling units subject to the requirements of Chapter 645 of this Resolution.
9. Small wind projects (less than 5 mw) subject to the requirements of Chapter 650 of this Resolution.
10. Private landing fields for private or agricultural aircraft use.
11. Mining, Commercial Quarries, Sand and Gravel Pits (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

420.05 Lot Area, Lot Width, and Yard Setback Standards

The following lot area, lot width, and yard setback standards shall apply to all lots in the AG District:

1. Minimum Lot Area

The minimum lot area for lots in the AG District shall be 5 acres. (Amnd. 6-15-2021)

2. Minimum Lot Width

Lots in the AG District shall have a minimum width of 300 feet. (Amnd. 10-20-2020)

3. Lot Depth-to-Width Ratio

Any lot in the AG District shall have a depth-to-width ratio as provided for in Section 600.08. (Amnd. 10-20-2020, 9-5-2023)

4. Front Yard Setbacks

All front yard setbacks, as defined in Chapter 300, shall be measured from the right-of-way line. Front yard setbacks for the AG District shall be as follows:

- a) **Type 'A'** – The setback for farm markets shall be a minimum of 15 feet as provided for Chapter 605.
- b) **Type 'B'** – The setback for single-family dwellings shall be a minimum of 50 feet.
- c) **Type 'C'** – The setback for all other buildings or structures, with the exception of agricultural buildings, supporting a permitted, conditional, or accessory use of the lot shall be 80 feet. (Amnd. 10-20-2020, 6-15-2021, 12-21-2021)

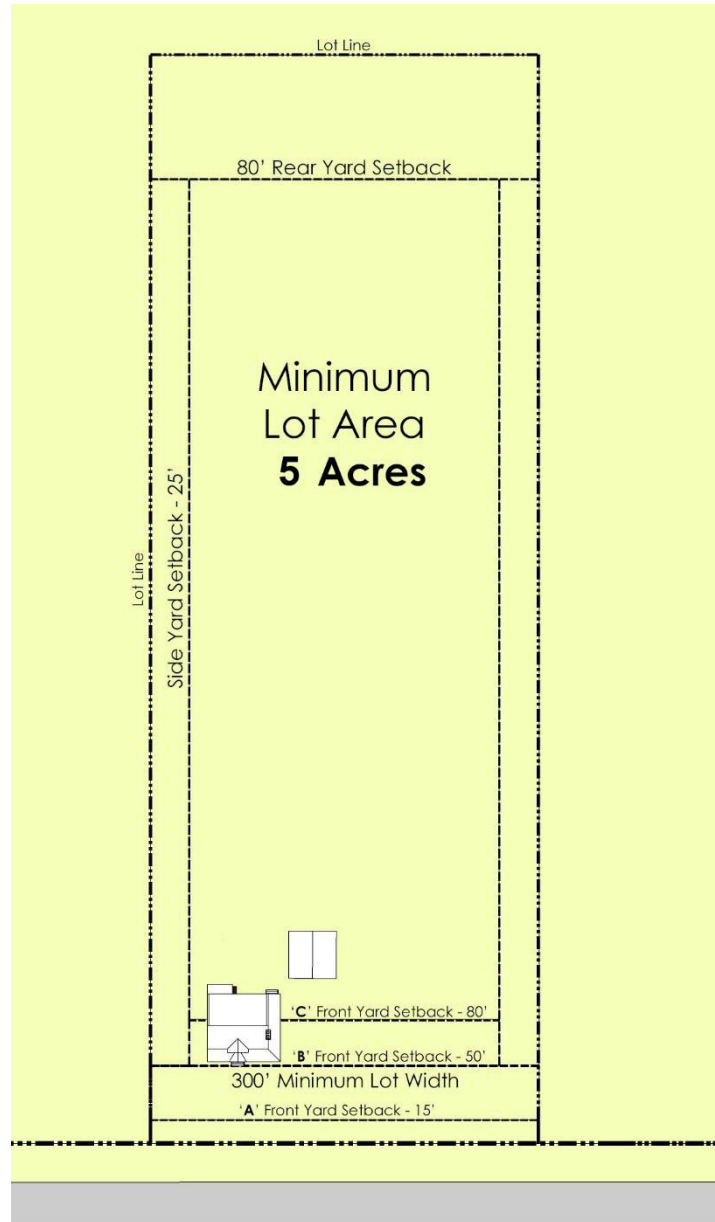


Figure 420.01: Lot area and setback diagram for the AG District

5. Side Yard Setbacks – The minimum side yard setback for principal buildings and structures shall be twenty-five (25) feet. Accessory buildings and structures shall be set back from a side lot line in accordance with the provisions of Article 6. (Amnd. 6-15-2021)

6. Rear Yard Setbacks

The minimum rear yard setback for principal buildings and structures shall be eighty (80) feet. Accessory buildings and structures shall be set back from a rear lot line in accordance with the provisions of Article 6. (Amnd. 6-15-2021)

7. Architectural Projections

Regulations for architectural projections and similar regulations shall be as provided for in Chapter 600 of this Resolution. (Amnd. 6-15-2021, 6-15-2021)

420.06 Building and Site Development Standards

The following standards shall apply to the development of all permitted uses and accessory uses and structures within the AG District:

1. Minimum and Maximum Floor Area

- a) Residential Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single-family Dwellings – Single-family dwellings in the AG District shall provide a minimum of 1,200 square feet of floor area for a single-story dwelling and a minimum of 1,600 square feet of floor area for a split-level or multi-story dwelling. (Amnd. 10-20-2020, 12-21-2021)

2. Maximum Building Height

The maximum height of buildings and structures shall be measured as defined in Chapter 300 of this Resolution and shall meet the requirements listed below:

- a) Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single-family Dwellings – The maximum building height for single-family dwellings in the AG District shall be 35 feet.
- c) All other Permitted Uses and approved Conditional Uses – The maximum building height for all other permitted uses and approved conditional uses shall be 35 feet. (Amnd. 10-20-2020)

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Chapter 425 – Rural Residential District (RU)

425.001 Rural Residential District Generally

The purpose and intent of the Rural Residential District (RU) is to preserve rural character and provide for land which is suitable or used for very low density residences as defined in the Comprehensive Plan. On-site water and sewer facilities are permitted, provided such facilities comply with all applicable regulations of the County Health Department. This District supersedes the U-1 Rural District in existence prior to the enactment of this Resolution. (Amnd. 10-20-2020)

425.01 Permitted Uses

Within the RU District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. One (1) single-family dwelling per lot.
2. Limited home occupation subject to requirements of Chapter 635 of this Resolution.
3. Public Use
4. Quasi-public Use, not including hospital.
5. The use of land for conservation, preservation, or wetland restoration. (Amnd. 12-6-2022, 9-5-2023)

425.02 Accessory Uses and Structures

Accessory buildings or structures normally associated with single-family residential use including detached garages, tool or garden sheds, playhouses and swimming pools subject to the requirements of Chapter 645 of this Resolution.

425.03 Conditional Uses

The following uses may be permitted as conditional uses in the RU District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein.

1. 721191 – Bed-and-Breakfast Inns
2. Telecommunications towers subject to the requirements of Chapter 655 of this Resolution
3. Expanded home occupations subject to the requirements of Chapter 635 of this Resolution.
4. Accessory dwelling units subject to the requirements of Chapter 645 of this Resolution.
5. Small wind projects (less than 5 mw) subject to the requirements of Chapter 650 of this Resolution.
6. Veterinary Hospitals and Clinic
7. Kennel/Animal Boarding (Amnd. 10-20-2020, 12-6-2022)

425.04 Lot Area, Lot Width, and Yard Setback Standards

The following lot area and yard setback standards shall apply to all lots in the RU District:

1. Minimum Lot Area

The minimum lot area for lots in the RU District shall be 1.5 acres. When a lot is proposed to be served by on-site water and sewer systems, the minimum lot area may be such larger area as may be required by the County Health Department. In addition, the minimum lot area for all permitted and conditional uses shall be adequate to allow for the development of the lot in accordance with the applicable development standards of the RU District and this Resolution. (Amnd. 8-17-2015,10-20-2020, 6-15-2021, 9-5-2023)

2. Minimum Lot Width

Lots in the RU District shall have a minimum width of 150 feet. (Amnd. 8-17-2015,10-20-2020)

3. Lot Depth-to-Width Ratio

Any lot in the RU District shall have a depth-to-width ratio as provided for in Section 600.08. (Amnd. 8-17-2015, 10-20-2020, 9-5-2023)

4. Front Yard Setbacks

All front yard setbacks, as defined in Chapter 300, shall be measured from the right-of-way line. Such setbacks for the RU District shall be as follows:

- a) **Type 'A'** – The setback for farm markets shall be a minimum of 15 feet as determined by Chapter 605 of this Resolution. (Amnd. 6-15-2021)
- b) **Type 'B'** – The setback for single-family dwellings shall be a minimum of 50 feet.
- c) **Type 'C'** – The setback for all other buildings or structures supporting a permitted, conditional, or accessory use of the lot shall be 75 feet. (Amnd. 10-20-2020, 6-15-2021)

5. Side Yard Setbacks

The minimum side yard setback for principal buildings and structures shall be twenty (20) feet. Accessory buildings and structures shall be set back from a rear lot line in accordance with the provisions of Article 6. (Amnd. 6-15-2021)

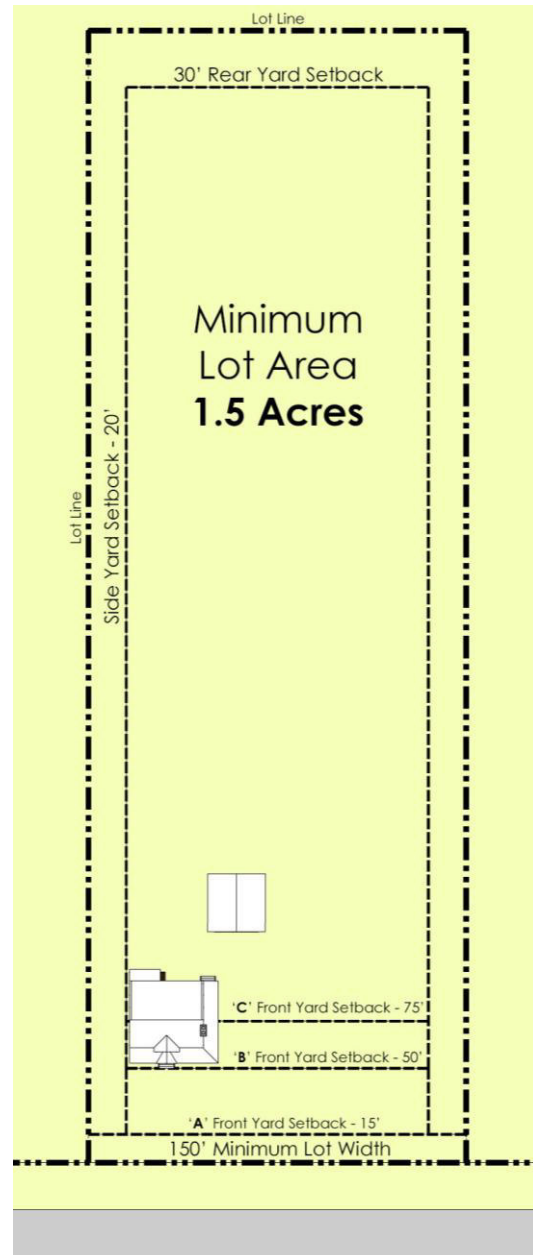


Figure 425.01: Lot area and setback diagram for the RU District

6. Rear Yard Setbacks

The minimum rear yard setback for principal buildings and structures shall be thirty (30) feet. Accessory buildings and structures shall be set back from a rear lot line in accordance with the provisions of Article 6. (Amnd. 6-15-2021)

7. Architectural Projections

Regulations for architectural projections and similar regulations shall be as provided for in Chapter 600 of this Resolution. (Amnd. 6-15-2021)

425.05 Building and Site Development Standards

The following standards shall apply to the development of all permitted uses and structures, accessory uses and structures, and approved conditional uses and structures within the RU District:

1. Minimum and Maximum Floor Area

- a) Residential Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single-family Dwellings – Single-family dwellings in the RU District shall provide a minimum of 1,200 square feet of floor area for a single-story dwelling and a minimum of 1,600 square feet of floor area for a split-level or multi-story dwelling. (Amnd. 10-20-2020, 12-21-2021)

2. Maximum Building Height

The maximum height of buildings and structures shall be measured as defined in Chapter 300 of this Resolution and shall meet the requirements listed below:

- a) Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single-family Dwellings – The maximum building height for single-family dwellings in the RU District shall be 35 feet.
- c) All Other Permitted Uses and Approved Conditional Uses – The maximum building height for all other permitted uses and approved conditional uses shall be 35 feet.

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Chapter 430 – Low Density Residential District (LDR)

430.001 Low Density Residential District Generally

The purpose and intent of the Low Density Residential District (LDR) is to provide areas for larger lot, lower density residential uses and/or estate lots that may or may not have access to centralized sewer services as outlined in the Comprehensive Plan. The Low Density Residential District will provide a transition between agricultural and rural residential uses, and more urbanized areas. This District supersedes the R-1 Low Density Residential District in existence prior to the enactment of this Resolution.

430.01 Permitted Uses

Within the LDR District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. One (1) single-family dwelling per lot.
2. Limited home occupation subject to the requirements of Chapter 635 of this Resolution.
3. Public Use
4. Quasi-public Use, not including hospital.
5. Open space, including the use of land for conservation, preservation, or wetland restoration. (Amnd. 10-20-2020, 12-6-2022, 9-5-2023)

430.02 Accessory Uses and Structures

Accessory buildings or structures normally associated with single-family residential use including detached garages, tool or garden sheds, playhouses and swimming pools subject to the requirements of Chapter 645 of this Resolution. (Amnd. 10-20-2020)

430.03 Conditional Uses

The following uses may be permitted as conditional uses in the LDR District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein.

1. Telecommunications towers subject to the requirements of Chapter 655 of this Resolution.
2. Expanded home occupation subject to the requirements of Chapter 635 of this Resolution.
3. Accessory dwelling units subject to the requirements of Chapter 645 of this Resolution.
4. Small wind projects (less than 5 mw) subject to the requirements of Chapter 650 of this Resolution. (Amnd. 10-20-2020, 12-6-2022)

430.04 Lot Area and Yard Setback Standards

The following lot area and yard setback standards shall apply to all lots in the LDR District:

1. Minimum Lot Area

The minimum lot area for lots having access to central sewers shall be one half (1/2) acre. When a lot is proposed to be served by one-site water or sewer systems, the minimum lot area shall be 1.5 acres, or such larger area as may be required by the County Health Department. In addition, the minimum lot area for all permitted and conditional uses shall be adequate to allow for the development of the lot in accordance with the applicable development standards of the LDR District and this Resolution. (Amnd. 6-15-2021, 12-21-2021, 9-5-2023)

2. Minimum Lot Width

All lots in the LDR District shall have a minimum width of 120 feet. (Amnd. 10-20-2020)

3. Lot Depth-to-Width Ratio

Any lot in the LDR District shall have a depth-to-width ratio as provided for in Section 600.08. (Amnd. 9-5-2023)

4. Front Yard Setbacks

All front yard setbacks, as defined in Chapter 300, shall be measured from the right-of-way line. Front yard setbacks for the LDR District shall be as follows:

- a) Single-family Dwellings - The front yard setback for single-family dwellings shall be 35 feet.
- b) The front yard setback for all other buildings or structures supporting a permitted, conditional, or accessory use of the lot shall be 45 feet. (Amnd. 10-20-2020, 6-15-2021)

5. Side Yard Setbacks

The minimum side yard setback for principal buildings and structures shall be twenty (20) feet. Accessory buildings and structures shall be set back from a side lot line in accordance with the provisions of Article 6. (Amnd. 6-15-2021)

6. Rear Yard Setbacks

The minimum rear yard setback for principal buildings and structures shall be thirty (30) feet. Accessory buildings and structures shall be set back from a rear lot line in accordance with the provisions of Article 6. (6-15-2021)

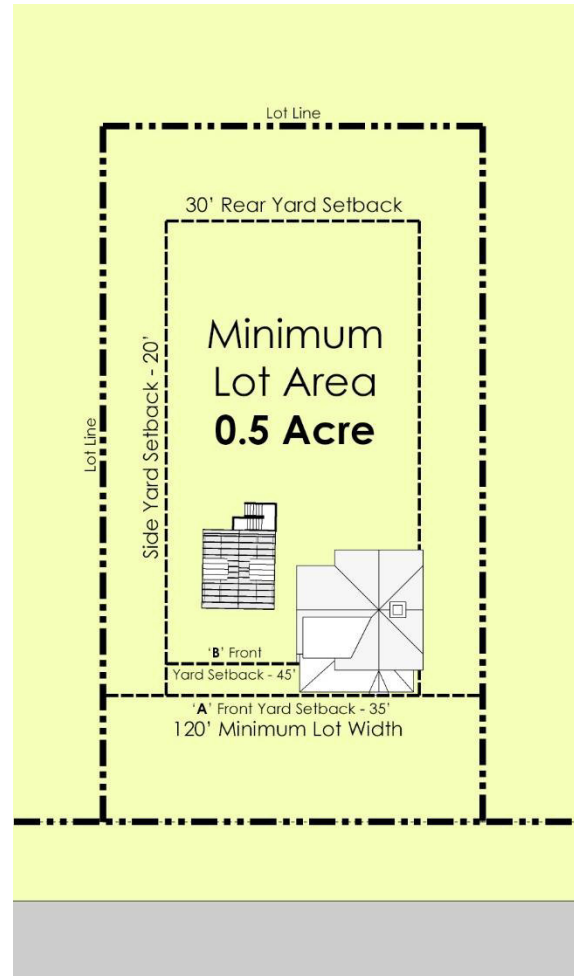


Figure 430.01: Lot area and setback diagram for the LDR District

7. Architectural Projections

Regulations for architectural projections and similar regulations shall be as provided for in Chapter 600 of this Resolution. (Amnd. 6-15-2021)

430.05 Building and Site Development Standards

The following standards shall apply to the development of all permitted uses and structures, accessory uses and structures, and approved conditional uses and structures within the LDR District:

1. Minimum and Maximum Floor Area

- a) Residential Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single-family Dwellings – Single-family dwellings in the LDR District shall provide a minimum of 1,200 square feet of floor area for a single-story dwelling and a minimum of 1,600 square feet of floor area for a split-level or multi-story dwelling. (Amnd. 10-20-2020, 12-21-2021)

2. Maximum Building Height

The maximum height of buildings and structures shall be measured as defined in Chapter 300 of this Resolution and shall meet the requirements listed below:

- a) Accessory Structures – See Chapter for regulations concerning accessory structures.
- b) Single-family Dwellings – The maximum building height for single-family dwellings in the LDR District shall be 35 feet.
- c) All Other Permitted Uses and Approved Conditional Uses – The maximum building height for all other permitted and approved conditional uses shall be 35 feet. (Amnd. 10-20-2020)

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Chapter 435 – Medium Density Residential District (MDR)

435.001 Medium Density Residential District Generally

The purpose and intent of the Medium Density Residential District (MDR) is to provide opportunity to develop single-family residential lots at more traditional suburban densities where appropriate, as defined by the Comprehensive Plan. Because of the smaller lot area allowed, these properties are required to be served by centralized sewer and water services and will provide a transition between more intense commercial uses and lower density residential or agricultural uses. This district supersedes the R-2 Medium Density Residential District in existence prior to the enactment of this Resolution. (Amnd. 10-20-2020)

435.01 Permitted Uses

Within the MDR District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. One (1) single-family dwelling per lot.
2. Limited home occupation subject to the requirements of Chapter 635 of this Resolution.
3. Public Use
4. Quasi-public Use, not including hospital.
5. Open space, including the use of land for conservation, preservation, or wetland restoration. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022, 9-5-2023)

435.02 Accessory Uses and Structures

Accessory buildings or structures normally associated with single-family residential use including detached garages, tool or garden sheds, playhouses and swimming pools subject to the requirements of Chapter 645 of this Resolution. (Amnd. 10-20-2020)

435.03 Conditional Uses

The following uses may be permitted as conditional uses in the MDR District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein.

1. 623110 – Nursing Care Facilities
2. 623312 – Assisted Living Facilities for the Elderly
3. Telecommunications towers subject to the requirements of Chapter 655 of this Resolution.
4. Expanded home occupation subject to the requirements of Chapter 635 of this Resolution.
5. Accessory dwelling units subject to the requirements of Chapter 645 of this Resolution. (Amnd. 10-20-2020)

435.04 Lot Area, Lot Width, and Yard Setback Standards

The following lot area, lot width, and yard setback standards shall apply to all lots in the MDR District:

1. Minimum Lot Area

The minimum lot area for parcels in the MDR District shall be 12,000 square feet. In addition, the minimum lot area for all permitted and conditional uses shall be adequate to allow for the development of the lot in accordance with the applicable development standards of the MDR District and this Resolution. (Amnd. 6-15-2021, 9-5-2023)

2. Minimum Lot Width

All lots within the MDR District shall have a width of 80 feet. Corner lots having frontage on two roads shall provide a minimum lot width of 90 feet. (Amnd. 10-20-2020)

3. Lot Depth-to-Width Ratio

Any lot in the MDR District shall have a depth-to-width ratio as provided for in Section 600.08. (Amnd. 9-5-2023)

4. Front Yard Setbacks

All front yard setbacks, as defined in Chapter 300, shall be measured from the right of way of the dedicated public road. The minimum front yard setback for all buildings and structures in the MDR District shall be 25 feet. (Amnd. 10-20-2020)

5. Side Yard Setbacks

The minimum side yard setbacks for buildings and structures in the MDR District shall be as follows:

- a) For lots having a width of less than 90 feet the minimum side yard setback for principal buildings and structures shall be 6 feet.
- b) For lots having a width of 90 feet or greater, but less than 100 feet the minimum side yard setback for principal buildings and structures shall be 8 feet.
- c) For lots having a width of 100 feet or greater the minimum side yard setback for principal buildings and structures shall be 10 feet.
- d) Accessory buildings and structures shall be set back from a side lot line in accordance with provisions of Article 6. (Amnd. 6-15-2021)

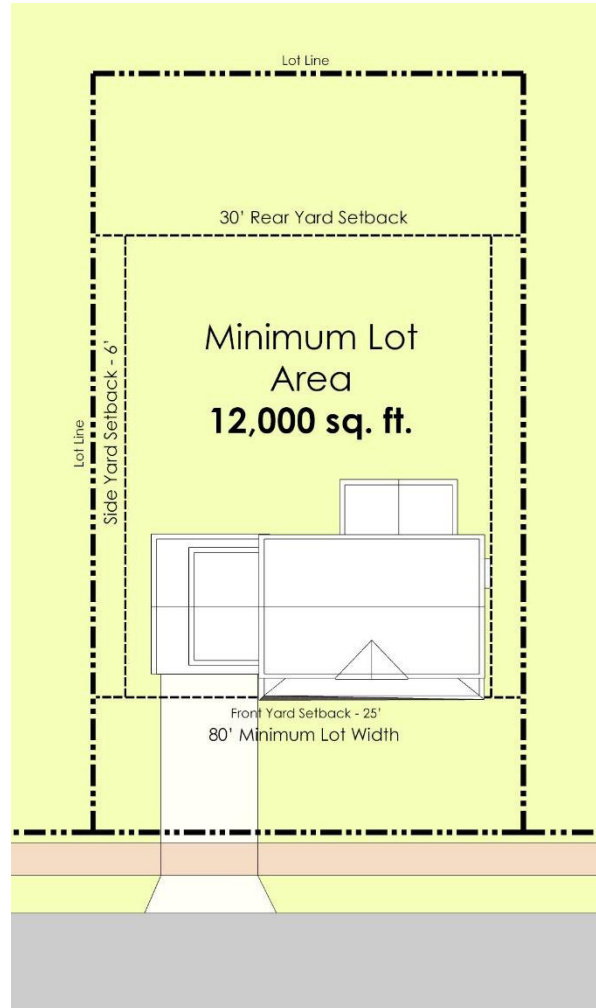


Figure 435.01: Lot area and setback diagram for the MDR District

6. Rear Yard Setbacks

The minimum rear yard setback for principal buildings and structures shall be thirty (30) feet. Accessory buildings and structures shall be set back from a rear lot line in accordance with the provisions of Article 6. (Amnd. 6-15-2021)

7. Architectural Projections

Regulations for architectural projections and similar regulations shall be as provided for in Chapter 600 of this Resolution. (Amnd. 10-20-2020, 6-15-2021)

435.05 Building and Site Development Standards

The following standards shall apply to the development of all permitted uses and accessory uses and structures within the MDR District:

1. Minimum and Maximum Floor Area

- a) Residential Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single Family Dwellings – Single family dwellings in the MDR District shall provide a minimum of 1,200 square feet of floor area for a single-story dwelling and a minimum of 1,600 square feet of floor area for a split-level or multi-story dwelling. (Amnd. 10-20-2020, 12-21-2021)

2. Maximum Building Height

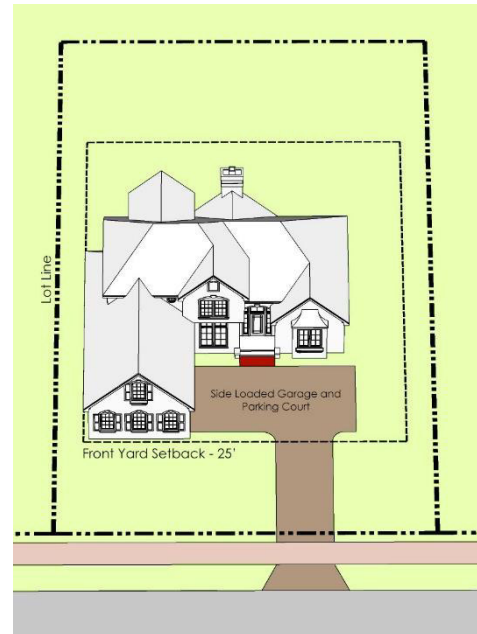
The maximum height of buildings and structures shall be measured as defined in Section 300 of this Resolution and shall meet the requirements listed below:

- a) Accessory Structures – See Chapter 645 for regulations concerning accessory structures.
- b) Single Family Dwellings – The maximum building height for single family dwellings in the MDR District shall be 35 feet.
- c) All Other Permitted Uses and Approved Conditional Uses – The maximum building height for all other permitted uses and approved conditional uses shall be 35 feet. (Amnd. 10-20-2020)

3. Residential Building Standards

The following standards apply to all single-family dwellings within the MDR District:

- a) Attached Garages – The following standards apply to all single-family dwellings with attached garages.
 - (i) The face of all front-loaded garages shall be set back from the face of the principal residence a minimum of 2 feet in the case of 1 and 2 car garages. 3 car front-loaded garages are permitted on lots 90 feet and larger provided the third garage bay is set back a minimum of an additional 2 feet from the first two garage bays.
 - (ii) Side-loaded garages are permitted to extend past the front of the principal residence to create a front parking court provided that the elevation of the garage facing the street is treated with windows and the garage meets the front yard setback for the District.



4. Platted Residential Subdivisions

The following standards shall apply to all new platted subdivisions having 20 or more lots within the MDR District.

- a) Architectural Diversity – In the Medium Density Residential District, a single-family dwelling with the same or similar front elevation shall not be repeated within 4 houses on the same side of the street and within 2 houses in either direction of the house on the opposite side of the street. The builder is permitted to construct homes that use an identical elevation, but use a different main exterior material or main exterior color, provided that the homes shall be separated by at least 2 homes of a different elevation on the same side of the street and by at least 1 home in either direction of the house on the opposite side of the street.
- b) Open Space – Within any new residential development platted within the Medium Density Residential District, there shall be a dedicated open space area of no less than 10% of the gross lot area at the time of platting.

Chapter 440 – Office/Research/Medical District (ORM)

440.001 Office/Research/Medical District Generally

(a) The purpose of the Office/Research/Medical District (ORM) is to provide opportunities for higher density corporate offices or lower density professional, research and medical uses as identified by the Comprehensive Plan. These uses provide employment, economic development, and community access to professional services and are typically located in areas easily accessed by commuters and close to support type uses. This District supersedes the B-11 Professional Services District in existence prior to the enactment of this Resolution.

(b) In this District hours of operation are typically limited to normal business hours and do not include overnight operations. Developments can be planned with individual buildings on single sites, or as part of a campus development, and provide a good transition between higher intensity retail uses and residential districts. Appropriate sites include areas where access to busier streets is available, where higher density retail uses or lower density residential uses are not appropriate and access to services and restaurants is available. (Amnd. 10-20-2020)

440.01 Permitted Uses

Within the ORM District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. 511 – Publishing Industries
2. 517 – Telecommunications
3. 518 – Data Processing, Hosting, and Related Services
4. 519 – Other Information Services
5. 522 – Credit Intermediation and Related Activities
6. 523 – Securities, Commodity Contracts, and other Financial Investments and Related Activities
7. 524 – Insurance Carriers and Related Activities
8. 525 – Funds, Trusts, and other Financial Vehicles
9. 531 – Real Estate, all with the exception of the following uses which are prohibited:
 - a) 53113 – Lessors of Mini-warehouses and Self-storage units
10. 533 – Lessors of Nonfinancial Intangible Assets
11. 54 – Professional, Scientific, and Technical Services, all with the exception of the following uses:
 - a) 54185 – Outdoor Advertising
 - b) 54186 – Direct Mail Advertising
 - c) 54187 – Advertising Material Distribution Services
 - d) 54189 – Other Services Relating to Advertising
 - e) 54192 – Photographic Services
 - f) 54194 – Veterinary Services
12. 55 – Management of Companies and Enterprises (all)
13. 5611 – Office Administrative Services
14. 5613 – Employment Services
15. 5614 – Business Support Services with the exception of
 - a) 561491 – Repossession Services
16. 561492 – Court Reporting and Stenotype Services
17. 5615 – Travel Arrangement and Reservation Services
18. 621 – Ambulatory Health Care Service, All with the exception of the following:
 - a) 62191 – Ambulance Services

19. 622 – Hospitals
20. 71132 – Promoters of Performing Arts, Sports, and Similar Events Without Facilities
21. 7114 – Agents and Managers for Artists, Athletes, Entertainers, and other Public Figures
22. 813110 Church or other places of religious worship
23. 8132 – Grant making and Giving Services
24. 8133 – Social Advocacy Organizations
25. 8134 – Civic and Social Organizations
26. 8139 – Business, Professional, Labor, Political, and Similar Organizations
27. 92 – Public Administration, all except for the following:
 - a) 92214 – Correctional Institutions
 - b) 92215 – Parole Offices and Probation Offices

440.02 Conditional Uses

The following uses may be permitted as conditional uses in the ORM District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein.

1. 51211 – Motion Picture and Video Production
2. 51219 – Postproduction Services and Other Motion Picture and Video Industries
3. 51222 – Integrated Record Production /Distribution
4. 51224 – Sound Recording Studios
5. 5151 – Radio and Television Broadcasting
6. 5152 – Cable and Other Subscription Programming
7. 54192 – Photographic Services
8. 54194 – Veterinary Services
9. 6112 – Junior Colleges
10. 6113 – Colleges, Universities and Professional Schools
11. 6114 – Business Schools and Computer and Management Training
12. 61161 – Fine Arts Schools
13. 61163 – Language Schools
14. 611691 – Exam Preparation and Tutoring
15. 6117 – Educational Support Services
16. 6241 – Individual and Family Services (non-residential facilities only)
17. 6243 – Vocational Rehabilitation Services
18. 6244 Child Day Care Services
19. 922 – Justice, Public Order, and Safety Activities with the exception of:
 - a) 92214 – Correctional Institutions
 - b) 92215 – Parole Offices and Probation Offices (Amnd. 10-20-2020)

440.03 Lot Area, Lot Width, and Yard Setback Standards

The following lot area, lot width, and yard setback standards shall apply to all lots within the ORM District:

1. Minimum Lot Area

All lots within the ORM District shall be a minimum of 1.5 acres in area, or such larger area as necessary to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all applicable regulations. (Amnd. 10-20-2020, 6-15-2021, 9-5-2023)

2. Minimum Lot Width

The minimum width for all lots in the ORM District shall be applied based upon the functional classification of the road upon which the lot fronts. Functional road classifications shall be those indicated on the road classification map published by the County Engineer. The following minimum lot widths shall apply:

Table 440.03.2 Lot Width Requirements for the ORM District		
Road / Street Classification	Minimum Lot Width	
	Lots without CAD	Lots with CAD*
Local Road	150 feet	150 feet
Minor Collector Road	200 feet	150 feet
Major Collector Road	300 feet	200 feet
Minor Arterial Road	400 feet	250 feet
Principal Arterial Road	500 feet	250 feet
Freeway	N/A	N/A

** Lots sharing a common access drive (CAD) with (an) adjacent lot(s) shall be permitted to have a reduced width as shown in the above table.*

(Amnd. 9-5-2023)

3. Maximum Lot Coverage

The maximum lot coverage in the ORM District shall be thirty-five percent (35%). (Amnd. 9-5-2023)

4. Front Yard Setbacks

The front yard setback for all lots in the ORM District shall be applied based upon the functional classification of the road upon which the lot fronts. The functional roadway classifications shall be those assigned by the County Engineer. The minimum front yard setbacks for the ORM District shall be as follows:

Road / Street Classification	Minimum Front Setbacks For:	
	All Buildings / Structures	Parking and Circulation
Local Road	40 feet	20 feet
Minor Collector Road	40 feet	20 feet
Major Collector Road	40 feet	20 feet
Minor Arterial Road	50 feet	30 feet
Principal Arterial Road	60 feet	40 feet
Freeway	N/A	N/A

(Amnd. 9-5-2023)

5. Side Yard Setbacks

The side yard setbacks in the ORM District shall be as follows:

- a) When any lot in the ORM District adjoins any lot less than 5 acres in area zoned in any residential district, or where the side lot line exists within 100 feet of any residential structure, the minimum side yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 30 feet for any loading, delivery, and service areas.
 - (iii) 50 feet for all buildings and structures.
- b) For all other lots in the ORM District the side yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for any loading, delivery, and service areas.
 - (iii) 20 feet for all buildings and structures. (Amnd. 6-15-2021)

6. Rear Yard Setbacks

The minimum rear yard setbacks in the ORM District shall be as follows:

- a) When any lot in the ORM District adjoins any lot less than 5 acres in area zoned in any residential district, or where the rear lot line exists within 100 feet of any residential structure, the minimum rear yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 50 feet for all buildings, structures, loading, delivery, and service areas.
- b) For all other lots in the ORM District the minimum rear yard setbacks shall be 20' for all buildings, structures, parking, vehicular circulation and loading, delivery, and service areas. (Amnd. 10-20-2020, 6-15-2021)

440.04 Building and Site Development Standards

The following standards shall apply to the development of all permitted uses and structures, accessory uses and structures, and approved conditional uses and structures within the ORM District:

1. Building Construction

All uses within the ORM District shall be housed in permanent structures constructed on solid foundations meeting all applicable regulations for the construction of such structures within the State of Ohio and Union County. (Amnd. 12-21-2021)

2. Temporary Buildings and Structures

All temporary buildings and structures shall comply with the provisions of Chapter 600, Chapter 640, and all other applicable provisions of this Resolution. (Amnd. 12-21-2021)

3. Building Height

The maximum height of all structures in the ORM District shall be 50 feet, measured as defined in Chapter 300 of this Resolution.

4. Building Design and Orientation on the Lot

The following standards apply to the construction of all buildings within the ORM District:

- a) Main Entries – All buildings within the ORM District shall be designed and located on the lot so that the main entrance to the building is visible from the street on which the lot fronts. In an office park, where more than one building are served by an internal roadway network, the main entry of individual buildings are permitted to front the interior circulation drive. The main entrance of each building, or to individual tenant spaces of a multi-tenant building, shall be clearly delineated from the rest of the building through the use of architectural projections, a change in architectural design, a change in building materials, awnings, canopies or other such architectural features.
- b) Blank Walls – Large expanses of flat, featureless, exterior wall shall not be permitted on any building elevation within the ORM District. Buildings shall be designed so that, at a minimum, exterior walls are varied through the use of windows, changes in building mass, changes in building materials, landscaping, or a combination of the above. For any use where the side or rear of a building fronts to US Highway 33, US Highway 42, or Industrial Parkway, those elevations visible shall be treated in a similar fashion to the main façade and shall not appear as an obvious side or rear elevation. (Amnd. 12-21-2021)
- c) Loading Docks and Loading Areas – Loading docks and loading areas shall not be permitted on any building elevation that fronts to a public roadway. All loading docks and loading areas shall be located on the side or rear elevations of the building. (Amnd. 12-21-2021)

440.05 Loading, Delivery, and Service Areas

All loading, delivery, service, or similar areas shall be screened in accordance with the requirements of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

440.06 Off-Street Parking

Off-street parking for all uses in the ORM District shall be provided at the time of construction of the main structure or building with adequate provisions for ingress and egress. All parking spaces and vehicular circulation areas shall meet the requirements of Chapter 610 and the following standards:

1. Number of Parking Spaces Required

All uses in the ORM District shall provide a minimum number of off-street parking spaces in accordance with the type of use as defined in Chapter 610.

2. Parking Area Landscaping

All parking areas shall be landscaped in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

440.07 Landscaping

All uses within the ORM District shall be landscaped in accordance with Chapter 620 of this Resolution.

440.08 Signage

All signs located within the ORM District shall comply with the provisions of Chapter 615. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

440.09 Lighting

All exterior lighting within the ORM District shall strictly adhere to the requirements of Chapter 630 and the following standards:

1. Maximum Height Requirements

The total height of exterior light fixtures used for parking lot and site lighting within the ORM District shall not exceed a maximum height of 24 feet established from the average finished grade of the area intended to be illuminated surrounding the light fixture. (Amnd. 10-20-2020)

Chapter 445 – Commerce District (COM)

445.001 Commerce District Generally

(a) The purpose and intent of the Commerce District is to provide opportunities for business uses consisting of warehouse and distribution, flex offices, commercial services, and light industry as identified in the Flex Office / Light Industrial section of the Comprehensive Plan and to provide standards for the development of such uses that protect the value of adjacent properties and promote the desired character of the area as defined by the Comprehensive Plan. This district supersedes the B-15 Wholesale and Heavy Retail District, M-1 Manufacturing District, and M-2 Heavy Manufacturing District in existence prior to the enactment of this Resolution.

(b) The uses permitted in this district are appropriate for locations where access to interchanges, well designed roads and trucking or shipping routes are available to move goods. Manufacturing and industrial uses in this area will be operations which are not intrusive by way of noise, dust, odor, vibration or present a danger to surrounding uses. Commerce District uses are more intense land uses that provide employment opportunities and economic development and should be buffered from residential uses. (Amnd. 10-20-2020, 9-5-2023)

445.01 Permitted Uses

Within the COM District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. 236 – Construction of buildings
2. 238 – All Specialty Trade Contractors with the exception of:
 - a) 23811 – Poured Concrete Foundation and Structure Contractors
 - b) 23812 – Structural Steel and Precast Concrete Contractors
 - c) 23891 – Site Preparation Contractors
3. 323 – Printing and Related Support Activities
4. 327215 – Glass Product Manufacturing made of purchased glass
5. 33243 – Metal Can, Box, and Other Metal Container (Light Gauge) Manufacturing
6. 3325 – Hardware Manufacturing
7. 3326 – Spring and Wire Product Manufacturing
8. 3327 – Machine Shops; Turned Product; and Screw, Nut and Bolt Manufacturing.
9. 3329 – Other Fabricated Metal Product Manufacturing with the exception of:
 - a) 332992 – Small Arms Ammunition Manufacturing
 - b) 332993 – Ammunition (except Small Arms) Manufacturing
 - c) 332994 – Small Arms, Ordnance, and Ordnance Accessories Manufacturing
10. 334 – Computer and Electronic Product Manufacturing
11. 335 – Electrical Equipment, Appliance, and Component Manufacturing with the exception of:
 - a) 33591 – Battery Manufacturing
12. 3363 – Motor Vehicle Parts Manufacturing
13. 3364 – Aerospace Product and Parts Manufacturing.
14. 336991 – Motorcycle, Bicycle, and Parts Manufacturing.
15. 339 – Miscellaneous Manufacturing
16. 4232 – Furniture and Home Furnishing Merchant Wholesalers
17. 4234 – Professional and Commercial Equipment and Supplies Merchant Wholesalers
18. 4236 – Electrical and Electronic Goods Merchant Wholesalers

19. 4237 – Hardware, and Plumbing and Heating Equipment and Supplies Merchant Wholesalers
20. 42384 – Industrial Supplies Merchant Wholesalers
21. 42385 – Service Establishment Equipment and Supplies Merchant Wholesalers
22. 42386 – Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
23. 4239 – Miscellaneous Durable Goods Merchant Wholesalers
24. 424 – Merchant Wholesalers, Non-Durable Goods, all with the exception of the following non-permitted uses:
 - a) 42452 – Livestock Merchant Wholesalers
 - b) 4247 – Petroleum and Petroleum Products Merchant Wholesalers
25. 425 – Wholesale Electronic Markets and Agents and Brokers
26. 4413 – Automotive Parts and Accessories Stores
27. 4542 – Vending Machine Operators
28. 511 – Publishing Industries
29. 512 – Motion Picture and Sound Recording Industries with the exception of:
 - a) 51213 – Motion Picture and Video Exhibition
30. 515 – Broadcasting (except Internet)
31. 517 – Telecommunications
32. 518 – Data Processing, Hosting, and related services
33. 519 – Other Information Services
34. 52 – Finance and Insurance
35. 531 – Real Estate with the exception of:
 - a) 53113 – Lessors of Mini-warehouses and Self-Storage Units
36. 532 – Rental and Leasing Services with the exception of:
 - a) 5321 – Automotive Equipment Rental and Leasing
 - b) 5323 – General Rental Centers
 - c) 5324 – Commercial and Industrial Machinery and Equipment Rental and Leasing
37. 533 – Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)
38. 54 – Professional, Scientific, and Technical Services
39. 55 – Management of Companies and Enterprises
40. 561 – Administrative and Support Services with the exception of:
 - a) 56173 – Landscaping Services
41. 611 – Educational Services
42. 621 – Ambulatory Health Care Services
43. 622 – Hospitals
44. 624 – Social Assistance with the exception of:
 - a) 62422 – Community Housing Services
 - b) 6244 – Child Day Care Services
45. 711 – Performing Arts, Spectator Sports, and Related Industries with the exception of:
 - a) 711212 – Racetracks
46. 712 – Museums, Historical Sites, and Similar Institutions with the exception of:
 - a) 71213 – Zoos and Botanical Gardens
 - b) 71219 – Nature Parks and Other Similar Institutions
47. 7223 – Special Food Services

- 48. 811 – Repair and Maintenance
- 49. 81221 – Funeral Homes and Funeral Services
- 50. 81233 – Linen and Uniform Supply
- 51. 8129 Other Personal Services with the exception of:
 - a) 81291 – Pet Care (except Veterinary) Services
- 52. 81292 – Photofinishing
- 53. 81293 – Parking Lots and Garages
- 54. 81299 – All Other Personal Services
- 55. Quasi-public Use
- 56. Public Use
- 57. Public Service Facility (Amnd. 10-20-2020, 12-21-2021)

445.02 Conditional Uses

The following uses may be permitted as conditional uses in the COM District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein:

- 1. 237 – Heavy and Civil Engineering Construction
- 2. 23811 – Poured Concrete Foundation and Structure Contractors
- 3. 23812 – Structural Steel and Precast Concrete Contractors
- 4. 23891 – Site Preparation Contractors
- 5. 311 – Food Manufacturing less with the exception of:
 - a) 3116 – Animal Slaughtering and Processing
 - b) 3117 – Seafood Product Preparation and Packaging
 - c) 311811 – Retail Bakeries
- 6. 3121 – Beverage Manufacturing
- 7. 313 – Textile Mills
- 8. 314 – Textile Product Mills
- 9. 315 – Apparel Manufacturing
- 10. 3162 – Footwear Manufacturing
- 11. 321911 – Wood Window and Door Manufacturing
- 12. 321918 – Other Millwork (including flooring)
- 13. 3222 – Converted Paper Product Manufacturing
- 14. 3254 – Pharmaceutical and Medicine Manufacturing
- 15. 3261 – Plastics Product Manufacturing
- 16. 3271 – Clay Product and Refractory Manufacturing
- 17. 3272 – Glass and Glass Product Manufacturing
- 18. 32733 – Concrete Pipe, Brick, and Block Manufacturing
- 19. 3274 – Lime and Gypsum Product Manufacturing
- 20. 3279 – Other Nonmetallic Mineral Product Manufacturing
- 21. 3312 – Steel Product Manufacturing from Purchased Steel
- 22. 3321 – Forging and Stamping
- 23. 3322 – Cutlery and Hand tool Manufacturing

24. 3323 – Architectural and Structural Metals Manufacturing
25. 3328 – Coating, Engraving, Heat Treating, and Allied Activities
26. 332994 – Small Arms, Ordnance, and Ordnance Accessories Manufacturing except that no live fire and no explosive material are permitted.
27. 333 – Machinery Manufacturing
28. 33621 – Motor Vehicle Body and Trailer Manufacturing
29. 3363 – Motor Vehicle Parts Manufacturing
30. 3364 – Aerospace Product and Parts Manufacturing
31. 336991 – Motorcycle, Bicycle and Parts Manufacturing
32. 337 – Furniture and Related Product Manufacturing
33. 42311 – Automobile and Other Motor Vehicle Merchant Wholesalers
34. 42313 – Motor Vehicle Supplies and New Parts Merchant Wholesalers
35. 42313 – Tire and Tube Merchant Wholesalers
36. 4233 – Lumber and Other Construction Materials Merchant Wholesalers
37. 42351 – Metal Service Centers and Other Metal Merchant Wholesalers
38. 42381 – Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers
39. 42382 – Farm and Garden Machinery and Equipment Merchant Wholesalers
40. 4411 – Automobile Dealers
41. 4412 – Other Motor Vehicle Dealers
42. 44419 – Other Building Material Dealers
43. 4442 – Lawn and Garden Equipment and Supplies Stores
44. 44512 – Convenience Stores
45. 447 – Gasoline Stations, with the exception of 44719 and 447190 Marine Service Stations and Truck Stops.
46. 4541 – Electronic Shopping and Mail-Order Houses
47. 484 – Truck Transportation
48. 485 – Transit and Ground Passenger Transportation
49. 487 – Scenic and Sightseeing Transportation
50. 492 – Couriers and Messengers
51. 493 – Warehousing and Storage, with the exception of the following uses which are prohibited in the Commerce District:
 - a) 493190 – Automobile Dead Storage
 - b) 493190 – Bulk Petroleum Storage
52. 4884 – Support Activities for Road Transportation except for Motor Vehicle Towing with On-Site storage or impounding of motor vehicles.
53. 4885 – Freight Transportation Arrangement
54. 4889 – Other Support Activities for Transportation
55. 53113 – Lessors of Mini-Warehouses and Self-Storage Units
56. 5321 – Automotive Equipment Rental and Leasing
57. 5323 – General Rental Centers
58. 5324 – Commercial and Industrial Machinery and Equipment Rental and Leasing
59. 56173 – Landscaping Services
60. 6244 – Child Day Care Services
61. 71394 – Fitness and Recreational Sports Centers
62. 71395 – Bowling Centers

- 63. 71399 – All Other Amusement and Recreation Industries
- 64. 72111 – Hotels (except Casino Hotels) and Motels
- 65. 7225 – Restaurants and Other Eating Places
- 66. 81291 – Pet Care (except Veterinary) Services (with the exception of outdoor kennels)
- 67. Warehouse, Wholesale and Distribution Facility (Amnd. 6-10-2016, 10-20-2020, 12-21-2021)

445.03 Lot Area, Lot Width, and Yard Setback Standards

The following lot area, lot width, and yard setback standards shall apply to all lots within the COM District:

1. Minimum Lot Area

The minimum lot area for lots within the COM District shall be as follows:

- a) When a lot has access to centralized sewer and water systems, the minimum lot area shall be 3/4 acre.
- b) When a lot is proposed to be served by on-site water and sewers, the minimum lot area shall be 1.5 acres, or such larger area as may be required by the County Health Department for the proposed use.
- c) All lots within the COM District shall be adequate in area to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all other applicable regulations. (Amnd. 6-17-2021, 12-21-2021, 9-5-2023)

2. Minimum Lot Width

The minimum width for all lots in the COM District shall be applied based upon the functional classification of the road upon which the lot fronts. Functional road classifications shall be those assigned by the County Engineer. The following minimum lot widths shall apply:

Road / Street Classification	Minimum Lot Width	
	Lots without CAD*	Lots with CAD*
Local Road	150 feet	150 feet
Minor Collector Road	200 feet	150 feet
Major Collector Road	300 feet	200 feet
Major Arterial Road	400 feet	250 feet
Principal Arterial Road	600 feet	250 feet
Freeway	N/A	N/A

** Lots sharing a common access drive (CAD) with (an) adjacent lot(s) shall be permitted to have a reduced lot width as shown in the above table.*

(Amnd. 12-21-2021, 9-5-2023)

3. Maximum Lot Coverage

The maximum lot coverage in the COM District shall be forty-five percent (45%). (Amnd. 6-15-2021)

4. Front Yard Setbacks

All front yard setbacks, as defined in Chapter 300, shall be determined based upon the functional classification of the public roadway upon which the lot fronts and shall be measured from the right of way of said public road. The functional roadway classification shall be those determined by the County Engineer. The minimum front yard setbacks for the COM District shall be as follows:

Table 445.03.4 Front Setback Requirements for the COM District		
Road / Street Classification	Minimum Front Setbacks For:	
	All Buildings / Structures	Parking and Circulation
Local Road	40 feet	20 feet
Minor Collector Road	40 feet	20 feet
Major Collector Road	40 feet	20 feet
Minor Arterial Road	50 feet	30 feet
Principal Arterial Road	60 feet	40 feet
Freeway	N/A	N/A

(Amnd. 6-15-2021, 9-5-2023)

5. Side Yard Setbacks

The side yard setbacks in the COM District shall be as follows:

- a) When any lot in the COM District adjoins any lot less than 5 acres in area zoned in any residential district the minimum side yard setbacks shall be:
 - (i) 20 feet for all parking and pavement areas.
 - (ii) 40 feet for any outdoor storage or loading and delivery areas.
 - (iii) 40 feet for all buildings and structures.
- b) When any lot in the COM District adjoins any lot in any non-residential district the minimum side yard setbacks shall be:
 - (i) 10 feet for all parking and pavement areas.
 - (ii) 20 feet for any outdoor storage or loading and delivery areas.
 - (iii) 20 feet for all buildings and structures. (Amnd. 6-15-2021)

6. Rear Yard Setbacks

The minimum rear yard setbacks in the COM District shall be as follows:

- a) When the rear lot line of any lot in the COM District adjoins any lot less than 5 acres in area zoned in any residential district the minimum rear yard setbacks shall be as follows:
 - (i) 60 feet for all buildings and structures, loading and delivery, and outdoor storage areas.
 - (ii) 40 feet for all parking and vehicular circulation areas.

- b) When the rear lot line of any lot in the COM District adjoins any lot in any non-residential district the minimum rear yard setbacks shall be as follows:
 - (i) 30 feet for all buildings and structures, loading and delivery, and outdoor storage areas.
 - (ii) 20 feet for all parking and vehicular circulation areas. (Amnd. 6-15-2021)

445.04 Building and Site Development Standards

The following standards shall apply to the development of all permitted uses and structures, accessory uses and structures, and approved conditional uses and structures within the COM District:

1. Building Construction

All uses within the COM District shall be housed in permanent structures constructed on solid foundations meeting all applicable requirements for the construction of such structures within the State of Ohio and Union County. (Amnd. 12-21-2021)

2. Temporary Buildings and Structures

All temporary buildings and structures shall comply with the provisions of Chapter 600, 640, and all other applicable provisions of this Resolution. (Amnd. 12-21-2021)

3. Building Height

The maximum height of all structures in the COM District shall be 45 feet, measured as defined in Chapter 300 of this Resolution.

4. Building Design and Orientation on the Lot

The following standards apply to the construction of all buildings within the COM District:

- a) Main Entries – All buildings within the COM District shall be designed and located on the lot so that the main entrance to the building is visible from the street on which the lot fronts. The main entrance to each building shall be clearly delineated from the rest of the building through the use of architectural projections, a change in building materials, awnings, canopies or other such architectural treatments.
- b) Blank Walls Not Permitted – For all buildings in the COM District, blank, featureless exterior walls having a length greater than 2 times the height of the wall shall not be permitted. Buildings shall be designed to break up long expanses of exterior wall through the use of windows, doors, architectural projections, changes in materials, landscaping, or any combination of the above.
- c) Loading Docks and Loading Areas – Loading docks and loading areas shall not be permitted on any building elevation that fronts to a public roadway. All loading docks and loading areas shall be located on the side or rear elevations of the building. (Amnd. 10-20-2020, 12-21-2021)

445.05 Additional Standards for Outdoor Storage Areas

In addition to the screen and buffering requirements of Chapter 620, the outdoor storage of materials, equipment and merchandise in the COM District shall meet the following standards:

1. Location

Areas used for the outdoor storage of materials, equipment, and merchandise shall not encroach into any required front, side or rear building setback for the COM District. Outdoor storage and the required perimeter screening shall not be permitted to extend

closer to the right-of-way, or both rights-of-ways in the case of corner lots, than the front 1/3 of the side of the primary building perpendicular to the right of way as shown in Appendix 2.

2. Maximum Lot Area

The maximum lot area devoted to the outdoor storage of materials, equipment and merchandise for all uses shall not exceed 35% of the size of the lot on which the use is located.

445.06 Outdoor Loading, Delivery and Service Areas

In addition to the screen and buffering requirements of Chapter 620, outdoor loading, delivery, and service areas shall be permitted within the COM District in accordance with the following standards:

1. Area Standards

The following area standards shall apply to all outdoor loading, delivery, and service areas within the COM District:

- a) Loading, Delivery and Service Areas for Warehousing and Distribution Uses – For warehousing and distribution uses only, the size of areas dedicated to loading docks, truck circulation, and the loading and delivery of goods and materials shall not exceed 35 percent of the total lot area.
- b) Loading, Delivery and Service Areas for All Other Uses – For all other uses the size of areas dedicated to the loading and delivery of goods and materials and service uses such as dumpsters and compactors shall not exceed 10% of the total lot area.

2. Screening

All loading, delivery and service areas, outdoor storage areas, and supply yards shall be screened in accordance with the requirements of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

445.07 Off-Street Parking

Off-street parking for all uses in the COM District shall be provided at the time of construction of the main structure or building with adequate provisions for ingress and egress. All parking spaces and vehicular circulation areas shall meet the requirements of Chapter 610 and the following standards:

1. Number of Parking Spaces Required

All uses in the COM District shall provide a minimum number of off-street parking spaces in accordance with the type of use as defined in Chapter 610.

2. Parking Area Landscaping

All parking areas shall be landscaped in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

445.08 Landscaping

All uses within the COM District shall be landscaped in accordance with Chapter 620 of this Resolution. (Amnd. 10-20-2020)

445.09 Signage

All signs located within the COM District shall comply with the provisions of Chapter 615. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

Chapter 450 – Reserved for Future Use

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Chapter 455 – Local Retail District (LR)

455.001 Local Retail District Generally

The purpose and intent of the Local Retail District (LR) is to allow retail uses that would draw from residents within a three (3) mile radius of the site and typically include grocery stores, smaller retail uses, and restaurants as identified in the Comprehensive Plan. Local retail uses are typically more oriented to the automobile than the pedestrian and should be adjacent to local thoroughfares and have access to central water and sewer systems. Local retail anchors are no larger than 75,000 square feet in floor area and are often grouped with smaller “in-line” retail tenants and outlots. This District supersedes the B-13 Retail Store District in existence prior to the enactment of this Resolution. (Amnd. 10-20-2020, 9-5-2023)

455.01 Permitted Uses

Within the LR District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. 4451 – Grocery Stores
2. 4452 – Specialty Food Stores
3. 4453 – Beer, Wine, and Liquor Stores
4. 44611 – Pharmacies and Drug Stores
5. 44612 – Cosmetics, Beauty Supplies, and Perfume Stores
6. 446191 – Food (Health) Supplement Stores
68. 447 – Gasoline Stations, Except for 44719 and 447190 Marine Service Stations and Truck Stops. (Amended June 20, 2016)
7. 4512 – Book Stores and News Dealers
8. 4531 – Florists
9. 453220 – Gift, Novelty, and Souvenir Stores
10. 453910 – Pet and Pet Supplies Stores
11. 453991 – Tobacco Stores
12. 5221 – Depository Credit Intermediation (commercial and private banks and lending institutions)
13. 53223 – Video Tape and Disc Rental
14. 722511 – Full-Service Restaurants
15. 722513 – Limited-Service Restaurants
16. 8121 – Personal Care Services with the exception of the following uses which are prohibited in the Local Retail District:
 - a) 812199 – Baths, steam or Turkish
 - b) 812199 – Massage parlors
 - c) 812199 – Steam baths
 - d) 812199 – Tattoo parlors
 - e) 812199 – Turkish bathhouses
17. Drive thru windows
18. 813110 – Church or other places of religious worship

455.02 Conditional Uses

The following uses may be permitted as conditional uses in the LR District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein:

1. 44131 – Automotive Parts and Accessories Stores
2. 444120 – Paint and Wallpaper Stores
3. 44613 – Optical Goods Stores

4. 5242 – Agencies, Brokerages, and Other Insurance Related Activities
5. 541213 – Tax Preparation Services
6. 541921 – Photography Studios, Portrait
7. 811191 – Automotive Oil Change and Lubrication Shops
8. 811192 – Car Washes (Amnd. 10-20-2020)

455.03 Lot Area, Lot Width, and Yard Setback Standards

The following lot area, lot width, and yard setback standards shall apply to all lots within the LR District:

1. Minimum Lot Area

All lots within the LR District shall be a minimum of 1 acre in area or such larger area as necessary to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all other applicable regulations. (Amnd. 6-15-2021, 9-5-2023)

2. Maximum Floor Area

Within the LR District no single use structure, and no individual tenant in a multi-tenant structure, shall exceed a maximum of 75,000 square feet of floor area. No single development shall exceed a maximum of 150,000 square feet of floor area inclusive of all tenants. (Amnd. 6-15-2021)

3. Minimum Lot Width

The minimum width for all lots in the LR District shall be applied based upon the functional classification of the road upon which the lot fronts. Functional road classifications shall be those assigned by the County Engineer. The following minimum lot widths shall apply:

Table 455.03.3 Lot Width Requirements for the LR District		
Road / Street Classification	Minimum Lot Width	
	Lots without CAD*	Lots with CAD*
Local Road	200 feet	150 feet
Minor Collector Road	300 feet	200 feet
Major Collector Road	400 feet	250 feet
Minor Arterial Road	500 feet	250 feet
Principal Arterial Road	600 feet	250 feet
Freeway	N/A	N/A

** Lots sharing a common access drive (CAD) with (an) adjacent lot(s) shall be permitted to have a reduced width as shown in the above table.*

(Amnd. 12-21-2021, 9-5-2023)

4. Front Yard Setbacks

The front yard setbacks for all lots in the LR District shall applied based upon the functional classification of the road upon which the lot fronts. The functional road

classifications shall be those assigned by the County Engineer. The minimum front yard setbacks for the LR District shall be as follows:

Road / Street Classification	Minimum Front Setbacks For:	
	Principal Buildings / Structures	Parking and Circulation
Local Road	40 feet	20 feet
Minor Collector Road	40 feet	20 feet
Major Collector Road	50 feet	30 feet
Minor Arterial Road	60 feet	40 feet
Principal Arterial Road	60 feet	40 feet
Freeway	N/A	N/A

(Amnd. 9-5-2023)

5. Side Yard Setbacks

The side yard setbacks in the LR District shall be as follows:

- a) When any lot in the LR District adjoins any lot less than 5 acres in area zoned in any residential district, or where the side lot line exists within 250 feet of any residential structure, the minimum side yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 40 feet for any loading, delivery, and service areas.
 - (iii) 40 feet for all buildings and structures.
- b) For all other lots in the LR District the side yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for any loading, delivery, and service areas.
 - (iii) 20 feet for all buildings and structures. (Amnd. 6-15-2021, 12-21-2021)

6. Rear Yard Setbacks

The minimum rear yard setbacks in the LR District shall be as follows:

- a) When any lot in the LR District adjoins any lot less than 5 acres in area zoned in any residential district, or where the rear lot line exists within 250 feet of any residential structure, the minimum rear yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 40 feet for all loading, delivery and service areas.
 - (iii) 60 feet for all buildings and structures.
- b) For all other lots in the LR District the rear yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for all loading, delivery and service areas.
 - (iii) 30 feet for all structures. (Amnd. 6-15-2021)

455.04 Building and Site Development Standards

The following building and development standards shall apply to all uses and lots in the LR District:

1. Building Construction

All uses within the LR District shall be housed in permanent structures constructed on solid foundations meeting all applicable regulations for the construction of such structures within the State of Ohio and Union County. (Amnd. 12-21-2021)

2. Temporary Buildings and Structures

All temporary buildings and structures shall comply with the provisions of Chapter 600, Chapter 640, and all other applicable provisions of this Resolution. (Amnd. 12-21-2021)

3. Building Height

The maximum height of all structures in the LR District shall be 30 feet, measured as defined in Chapter 300 of this Resolution.

4. Building Design and Orientation on the Lot

The following standards apply to the construction of all buildings within the LR District:

- a) Blank Walls – Large expanses of flat, featureless, exterior wall shall not be permitted on any front or side building elevation within the LR District. Buildings shall be designed so that, at a minimum, front and side exterior walls are varied through the use of windows, changes in building mass, changes in building materials, or a combination of the above.
- b) Loading Docks and Loading Areas – Loading docks and loading areas shall not be permitted on any building elevation that fronts to a public roadway. All loading docks and loading areas shall be located on the side or rear elevations of the building. (Amnd. 10-20-2020, 12-21-2021)

455.05 Loading, Delivery, and Service Areas

All loading, delivery, service, or similar areas shall be screened in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

455.06 Off-Street Parking

Off-street parking for all uses in the LR District shall be provided at the time of construction of the main structure or building with adequate provisions for ingress and egress. All parking spaces and vehicular circulation areas shall meet the requirements of Chapter 610 and the following standards:

1. Number of Parking Spaces Required

All uses in the LR District shall provide a minimum number of off-street parking spaces in accordance with the type of use as defined in Chapter 610.

2. Joint or Combined Parking Area

Joint or combined parking areas may be utilized subject to the regulations provided in Chapter 610. (Amnd. 12-21-2021)

3. Parking Area Landscaping

All parking areas shall be landscaped in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

455.07 Landscaping

All uses within the LR District shall be landscaped in accordance with Chapter 620 of this Resolution. (Amnd. 10-20-2020)

455.08 Signage

All signs located within the LR District shall comply with the provisions of Chapter 615. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

455.09 Lighting

All exterior lighting within the LR District shall strictly adhere to the requirements of Chapter 630 and the following standards:

1. Maximum Height Requirements

The total height of exterior light fixtures used for parking lot and site lighting within the LR District shall not exceed a maximum height of 24 feet established from the average finished grade of the area intended to be illuminated surrounding the light fixture.

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Chapter 460 – Regional Retail District (RR)

460.001 Regional Retail District Generally

The purpose and intent of the Regional Retail District (RR) is to provide areas for major retail sites that serve areas larger than 5 miles in radius and are located near freeways and freeway interchanges as identified in the Comprehensive Plan. Regional retail uses are characterized by large retail uses having 75,000 square feet or more in floor area, and associated smaller retailers, and require high visibility and accommodation of high traffic volumes. This District supersedes the B-14 Heavy Retail district in existence prior to the enactment of this Resolution. (Amnd. 10-20-2020)

460.01 Permitted Uses

Within the RR District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. 4411 – Automobile Dealers
2. 4413 – Automotive Parts, Accessories, and Tire Stores
3. 442 – Furniture and Home Furnishings Stores
4. 443 – Electronics and Appliance Stores
5. 4441 – Building Material and Supplies Dealers
6. 4451 – Grocery Stores
7. 4452 – Specialty Food Stores
8. 4453 – Beer, Wine, and Liquor Stores
9. 4461 – Health and Personal Care Stores
10. 447 – Gasoline Stations, Except for 44719 and 447190 Marine Service Stations and Truck Stops. (Amended June 20, 2016)
11. 448 – Clothing and Clothing Accessories Stores
12. 451 – Sporting Goods, Hobby, Book, and Music Stores
13. 452 – General Merchandise Stores
14. 4531 – Florists
15. 4532 – Office Supplies, Stationery, and Gift Stores
16. 4533 – Used Merchandise Stores
17. 4539 – Other Miscellaneous Store Retailers except for the following uses which are prohibited in the Regional Retail District:
 - a) 45393 – Manufactured (Mobile) Home Dealers
 - b) 453998 – All Other Miscellaneous Store Retailers (except Tobacco Stores)
18. 491 – Postal Service
19. 5221 – Depository Credit Intermediation (commercial banks and credit unions)
20. 53222 – Formal Wear and Costume Rental
21. 53223 – Video Tape and Disc Rental
22. 713940 – Fitness centers
23. 72111 – Hotels (except casino hotels) including convention hotels
24. 7224 – Drinking Places
25. 722511 – Full-Service Restaurants
26. 722513 – Limited-Service Eating Places
27. 8121 – Personal Care Services with the exception of the following uses which are prohibited in the Regional Retail District:
 - a) 812199 – Baths, steam or Turkish
 - b) 812199 – Massage parlors
 - c) 812199 – Steam baths
 - d) 812199 – Tattoo parlors

- e) 812199 – Turkish bathhouses
- 28. 81292 – Photofinishing
- 29. 813110 – Church or other places of religious worship
- 30. Drive Thru Windows

460.02 Conditional Uses

The following uses may be permitted as conditional uses in the RR District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein:

1. 811192 – Car Washes
2. 811191 – Automotive Oil Change and Lubrication Shops
3. 811111 – General Automotive Repair
4. Outside display of products for sale, not including boats, recreational vehicles, farm equipment, mobile or manufactured homes, or storage buildings.

460.03 Lot Area, Lot Width, and Yard Setback Standards

The following lot area, lot width, and yard setback standards shall apply to all lots within the RR District:

1. Minimum Lot Area

All lots within the RR District shall be a minimum of 1 acre in area, or such larger area as necessary to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all other applicable regulations. (Amnd. 6-15-2021)

2. Maximum Floor Area

Within the RR District there shall be no maximum floor area for buildings. (Amnd. 6-15-2021, 12-21-2021)

3. Minimum Lot Width

The minimum width for all lots in the RR District shall be applied based upon the functional classification of the road upon which the lot fronts. Functional road classifications shall be those assigned by the County Engineer. The following minimum lot widths shall apply:

Road / Street Classification	Minimum Lot Width	
	Lots without CAD*	Lots with CAD*
Local Road	200 feet	150 feet
Minor Collector Road	300 feet	200 feet
Major Collector Road	400 feet	250 feet
Minor Arterial Road	600 feet	250 feet
Principal Arterial Road	600 feet	250 feet
Freeway	N/A	N/A

** Lots sharing a common access (CAD) with (an) adjacent lot(s) shall be permitted to have a reduced width as shown in the above table.*

(Amnd. 9-5-2023)

4. Front Yard Setbacks

The front yard setbacks for all lots in the RR District shall be applied based upon the functional classification of the road upon which the lot fronts. The functional roadway classifications shall be those assigned by the County Engineer. The minimum front yard setbacks for the RR District shall be as follows:

Table 460.03.4 Front Setback Requirements for the RR District		
Road / Street Classification	Minimum Front Setbacks For:	
	Principal Buildings / Structures	Parking and Circulation
Local Road	50 feet	20 feet
Minor Collector Road	50 feet	20 feet
Major Collector Road	60 feet	30 feet
Minor Arterial Road	60 feet	30 feet
Principal Arterial Road	60 feet	30 feet
Freeway	N/A	N/A

(Amnd. 9-5-2023)

5. Side Yard Setbacks

The side yard setbacks in the RR District shall be as follows:

- a) When any lot in the RR District adjoins any lot less than 5 acres in area zoned in any residential district, or where the side lot line exists within 250 feet of any residential structure, the minimum side yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 40 feet for any loading, delivery, and service areas.
 - (iii) 40 feet for all buildings and structures.
- b) For all other lots in the RR District the side yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for any loading, delivery, and service areas.
 - (iii) 20 feet for all buildings and structures. (Amnd. 6-15-2021, 12-21-2021)

6. Rear Yard Setbacks

The minimum rear yard setbacks in the RR District shall be as follows:

- a) When any lot in the RR District adjoins any lot less than 5 acres in size zoned in any residential district, or where the rear lot line exists within 250 feet of any residential structure, the minimum rear yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 40 feet for all loading, delivery and service areas.
 - (iii) 60 feet for all structures.
- b) For all other lots in the RR District the rear yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for all loading, delivery and service areas.
 - (iii) 30 feet for all structures.

460.04 Building and Site Development Standards

The following building and site development standards shall apply to all uses and lots in the RR District:

1. Building Construction

All uses within the RR District shall be housed in permanent structures constructed on solid foundations meeting all applicable regulations for the construction of such structures within the State of Ohio and Union County. (Amnd. 12-21-2021)

2. Temporary Buildings and Structures

All temporary buildings and structures shall comply with the provisions of Chapter 600, Chapter 640, and all other applicable provisions of this Resolution. (Amnd. 12-21-2021)

3. Building Height

The maximum height of all structures in the LR District shall be 40 feet, measured as defined in Chapter 300 of this Resolution.

4. Building Design and Orientation on the Lot

The following standards apply to the construction of all buildings within the RR District:

- a) Large Retail Buildings – Large expanses of flat, featureless, exterior wall shall not be permitted on any front or side building elevation on large retail buildings within the RR District. Large retail buildings shall be designed so that, at a minimum, front and side exterior walls are varied through the use of windows, changes in building mass, changes in building materials, or a combination of the above.
- a) Outlots and Small Retail Buildings – The exterior of all outlot buildings and free-standing small retail buildings within the RR District shall be designed and constructed with similar materials and level of architectural detail on all sides of the building.
- b) Loading Docks and Loading Areas – Loading docks and loading areas shall not be permitted on any building elevation that fronts to a public roadway. All loading docks and loading areas shall be located on the side or rear elevations of the building. (Amnd. 10-20-2020, 12-21-2021)

460.05 Loading, Delivery and Service Areas

All loading, delivery, service, or similar areas shall be screened in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

460.06 Off-Street Parking

Off-street parking for all uses in the RR District shall be provided at the time of construction of the main structure or buildings with adequate provisions for ingress and egress. All parking spaces and vehicular circulation areas shall meet the requirements of Section 610 and the following standards:

1. Number of Parking Spaces Required

All uses in the RR District shall provide a minimum number of off-street parking spaces in accordance with the type of use as defined in Chapter 610.

2. Joint or Combined Parking Areas

Joint or combined parking areas may be utilized subject to the regulations provided in Chapter 610. (Amnd. 12-21-2021)

3. Parking Area Landscaping

All parking areas shall be landscaped in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

460.07 Landscaping

All uses within the RR District shall be landscaped in accordance with Chapter 620 of this Resolution. (Amnd. 10-20-2020)

460.08 Signage

All signs located within the RR District shall comply with the provisions of Chapter 615. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

460.09 Lighting

All exterior lighting within the RR District shall strictly adhere to the requirements of Chapter 630 and the following standards:

1. Maximum Height Requirements

The total height of exterior light fixtures used for parking lot and site lighting within the RR District shall not exceed a maximum height of 32 feet established from the average finished grade of the area intended to be illuminated surrounding the light fixture.

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470 Special Recreation District (SRE)

470.001 Special Recreation District Generally

The purpose and intent of the Special Recreation District (SRE) is to provide opportunities for a variety of active recreational and entertainment uses not otherwise permitted in the standard zoning districts. These uses provide limited employment opportunities, opportunities for recreation, promote healthy and desirable communities, and based upon design can fit into a variety of settings and land use patterns. Appropriate locations for these uses may vary by use and each application for rezoning to the Special Recreation District shall be required to demonstrate the compatibility of the proposed use with the surrounding land uses. This District supersedes the SR-1 and SR-2 Special Recreation Districts in existence prior to the enactment of this Resolution. (Amnd. 10-20-2020)

470.01 Permitted Uses

Within the SRE District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. 611620 – Sports and Recreation Instruction
2. 712 – Museums, Historical Sites, and Similar Institutions
3. 71391 – Golf Courses and Country Clubs
4. 71394 – Fitness and Recreational Sports Centers
5. 71395 – Bowling centers
6. 713990 – Amateur Sports Teams
7. 713990 – Ballrooms
8. 713990 – Recreational Sports Clubs including baseball, soccer, basketball, softball, lacrosse, hockey, volleyball, football and tennis.
9. 713990 – Billiard Parlors
10. 713990 – Bocce courts
11. 713990 – Day camps
12. 713990 – Driving Ranges
13. 713990 – Fishing clubs
14. 713990 – Miniature Golf Courses
15. 713990 – Golf Driving Ranges
16. 713990 – Recreational Horse Rental Services
17. 713990 – Recreational Horseback Riding
18. 713990 – Recreational sports teams and leagues both youth and adult
19. 713990 – Riding clubs & stables
20. 813110 – Church or other places of religious worship

470.02 Conditional Uses

The following uses may be permitted as conditional uses in the SRE District by the Board of Zoning Appeals in accordance with the requirements of Chapter 240 of this Resolution and subject to the development standards for such uses as established herein.

1. 71121 – Spectator Sports
2. 713990 – Archery Ranges
3. 713990 – Hunting and Gun clubs
4. 713990 – Shooting Ranges indoor or outdoor
5. 713990 – Trap and skeet shooting facilities (Amnd. 10-20-2020)

470.03 Conditional Use Standards

All conditional uses in the SRE District shall comply with the general standards applicable to all conditional uses provided for in Section 240.04, and all applicable standards for such uses provided for in Article 6 of the Resolution. (Amnd. 9-5-2023)

470.04 Lot Area, Lot Width, and Yard Setback Standards

The following lot area, lot width, and yard setback standards shall apply to all lots within the SRE District:

1. Minimum Lot Area

All lots within the SRE District shall be a minimum of 1 acre in area, or such larger area as necessary to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all other applicable regulations. (Amnd. 6-15-2021, 12-21-2021, 9-5-2023)

2. Minimum Lot Width

The minimum width for all lots in the SRE District shall be applied based upon the functional classification of the road upon which the lot fronts. Functional road classifications shall be those assigned by the County Engineer. The following minimum lot widths shall apply:

Table 470.04.2 Lot Width Requirements for the SRE District		
Road / Street Classification	Minimum Lot Width	
	Lots without CAD*	Lots with CAD*
Local Road	200 feet	100 feet
Minor Collector Road	300 feet	150 feet
Major Collector Road	400 feet	200 feet
Minor Arterial Road	600 feet	200 feet
Principal Arterial Road	600 feet	200 feet
Freeway	N/A	N/A

** Lots sharing a common access drive (CAD) with (an) adjacent lot(s) shall be permitted to have a reduced width as shown in the above table.*

(Amnd. 12-21-2021, 9-5-2023)

3. Maximum Lot Coverage

The maximum lot coverage in the SRE District shall be thirty-five percent (35%). (Amnd. 6-15-2021)

4. Front Yard Setbacks

The front yard setbacks in the SRE District shall be applied based upon the functional classification of the road upon which the lot fronts. The functional road classifications shall be those assigned by the County Engineer. The minimum front yard setbacks for the SRE District shall be as follows:

Table 470.04.4 Front Setback Requirements for the SRE District			
Road / Street Classification	Minimum Front Setbacks For:		
	Principal Buildings / Structures	Parking and Circulation	Sports Fields
Local Road	40 feet	20 feet	40 feet
Minor Collector Road	40 feet	20 feet	80 feet
Major Collector Road	50 feet	30 feet	100 feet
Minor Arterial Road	60 feet	40 feet	120 feet
Principal Arterial Road	n/a	n/a	150 feet
Freeway	N/A	N/A	

(Amnd. 9-5-2023)

5. Side Yard Setbacks

The side yard setbacks in the SRE District shall be as follows:

- a) When any lot in the SRE District adjoins any lot zoned in any residential district the minimum side yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 30 feet for any loading, delivery, and service areas.
 - (iii) 50 feet for all buildings and structures.
 - (iv) 50 feet for any outdoor sports field or court.
- b) When any lot in the SRE District adjoins any lot zoned in any non-residential district the minimum side yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for any loading, delivery, and service areas.
 - (iii) 30 feet for all buildings and structures.
 - (iv) 30 feet for any outdoor sports field or court.

6. Rear Yard Setbacks

The minimum rear yard setbacks in the SRE District shall be as follows:

- a) When the rear lot line of any lot in the SRE District adjoins any lot zoned in any residential district the minimum rear yard setbacks shall be as follows:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 50 feet for all structures, loading, delivery and service areas.
 - (iii) 50 feet for any outdoor sports field or court.

- b) When the rear lot line of any lot in the SRE District adjoins a lot in any non-residential district the minimum rear yard setbacks shall be as follows:
 - (i) 30 feet for all buildings, parking, vehicular circulation and loading, delivery, and service areas.
 - (ii) 30 feet for any outdoor sports field or court.

470.05 Building and Site Development Standards

The following building and site development standards shall apply to all uses and lots in the SRE District:

1. Building Construction

All uses within the SRE District shall be housed in permanent structures constructed on solid foundations meeting all applicable regulations for the construction of such structures within the State of Ohio and Union County. (Amnd. 12-21-2021)

2. Temporary Buildings and Structures

All temporary buildings and structures shall comply with the provisions of Chapter 600, Chapter 640, and all other applicable provisions of this Resolution. (Amnd. 12-21-2021)

3. Building Height

The maximum height of all structures in the SRE District shall be 28 feet, measured as defined in Chapter 300 of this Resolution.

4. Building Design and Orientation on the Lot

The following standards apply to the construction of all buildings within the SRE District:

- a) Main Entries – All buildings within the SRE District shall be designed and located on the lot so that the main entrance to the building is visible from the street on which the lot fronts. The main entrance of each building shall be clearly delineated from the rest of the building through the use of architectural projections, a change in architectural design, a change in building materials, awnings, canopies or other such architectural features.
- b) Blank Walls – Large expanses of flat, featureless, exterior wall shall not be permitted on any building elevation within the SRE District. Buildings shall be designed so that, at a minimum, exterior walls are varied through the use of windows, changes in building mass, changes in building materials, or a combination of the above.
- c) Loading Docks and Loading Areas – Loading docks and loading areas shall not be permitted on any building elevation that fronts to a public roadway. All loading docks and loading areas shall be located on the side or rear elevations of the building. (Amnd. 10-20-2020, 12-21-2021)

470.06 Loading, Delivery and Service Areas

All loading, delivery, service, or similar areas shall be screened in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

470.07 Off-Street Parking

Off-street parking for all uses in the SRE District shall be provided at the time of construction of the main structure, building, or outdoor sports facility with adequate provisions for ingress and egress. All parking spaces and vehicular circulation areas shall meet the requirements of Chapter 610 and the following standards:

1. Number of Parking Spaces Required

All uses in the SRE District shall provide a minimum number of off-street parking spaces in accordance with the type of use as defined in Chapter 610.

2. Parking Area Landscaping

All parking areas shall be landscaped in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 6-21-2021)

470.08 Landscaping

All uses within the SRE District shall be landscaped in accordance with Chapter 620 of this Resolution.

470.09 Signage

All signs located within the SRE District shall comply with the provisions of Chapter 615. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

470.10 Lighting

All exterior lighting within the SRE District shall strictly adhere to the requirements of Chapter 630 and the following standards:

1. Maximum Height Requirements

The total height of exterior light fixtures used for parking lot and site lighting within the SRE District shall not exceed a maximum height of 24 feet established from the average finished grade of the area intended to be illuminated surrounding the light fixture. (Amnd. 10-20-2020)

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Chapter 500 – Planned Development District (PD)

500.001 Planned Development District (PD) Generally

The Planned Development District (PD) is established under the provisions of Ohio Revised Code 519.021(B) to promote the general public welfare, encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in planning and building of all types of development in accordance with the Comprehensive Plan. The regulations set forth herein are based on the premise that the ultimate quality of a built environment or development proposal is determined not only by the general classification of land uses, but also by the specific way in which such land uses are executed. In many cases, the subdivision regulations and standard zoning district classifications do not adequately regulate the design of buildings, the mix of uses, and the general character of development that are desirable in the Township. In accordance with the Comprehensive Plan and the above statements it is the intent of the Planned Development District to promote development that:

1. Provides an opportunity for a mix of open space and other uses not otherwise permitted within the standard zoning district classifications; and
2. Allows the creation of development standards that respect the unique characteristics, natural quality and beauty of the site and the immediate vicinity and protects the community's natural resources by avoiding development on, and destruction of, sensitive environmental areas; and
3. Enables more extensive review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development; and
4. Assures compatibility between proposed land uses within and around the PD through appropriate development controls; and
5. Enhances the economy of the Township by making available a variety of employment opportunities and providers of goods and services; and
6. Encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district, yet are imaginative in architectural design and are consistent with applicable plans for the area and are compatible with adjacent and nearby land uses. (Amnd. 10-20-2020)

500.01 Residential Development Purpose and Intent

Along with the general purpose and intent of this District, the following additional purposes relative to residential development are applicable:

1. A clustered neighborhood design is encouraged with a gross density which is in keeping with the Comprehensive Plan and the physical development potential of the area.
2. The utilization of conservation design principles and preservation of a substantial amount of permanent open space is encouraged, integrated into the development and providing for a pedestrian friendly environment.
3. In larger developments, a variety of different lot areas and architectural styles are encouraged to create an integrated and imaginative residential environment.
4. Master planning is encouraged that focuses on a much broader scale than a single development site, taking into account the larger physical context within which the proposed development is to occur.
5. In areas identified on the comprehensive plan as "Higher Density Residential" it may be appropriate to consider single family or multi-family development at densities higher than those appropriate in other areas of the Township and where the Planned Development District will allow more creative site planning to accommodate these densities and provide

appropriate transitions between adjacent higher intensity uses and lower intensity uses.
(Amnd. 10-20-2020, 12-6-2022)

500.02 Commercial and Office Development Purpose and Intent

Along with the general purpose and intent of this District, the following additional purposes relative to commercial and office development are applicable:

1. Commercial and office development shall be properly managed and the development standards of the PD District clearly specified so that Township officials completely understand the design and impact of a development proposal.
2. A flexible and creative approach to commercial development is encouraged. This flexibility is intended to minimize potential negative impacts and conflicts with rural agriculture and residential development.
3. A pedestrian friendly environment is encouraged, interconnecting with adjacent neighborhoods.
4. Master planning is encouraged that focuses on a much broader scale than a single development site, taking into account the larger physical context within which the proposed development is to occur. (Amnd. 12-6-2022)

500.03 Industrial Development Purpose and Intent

Along with the general purpose and intent of this District, the following additional purposes relative to industrial development are applicable:

1. The clustering of industrial uses is encouraged, along with flexibility and creativity in site design, in order to ensure that development is sensitive to and compatible with the Township's rural environment.
2. Industrial development shall be properly managed and the development standards of the PD District clearly specified so that Township officials completely understand the design and impact of a development proposal.
3. Master planning of an extended area is encouraged, which ensures a stable, unified industrial development having all necessary services and facilities.
4. A unified design is encouraged which allows for greater design flexibility and better integration into the Township's rural environment. This flexibility is intended to minimize potential negative impacts and conflicts with rural agriculture and residential development. (Amnd. 12-6-2022)

500.04 General Provisions

1. Preliminary Development Plan and Detailed Development Plan

For purposes of this Chapter, plans including all supporting documentation adopted by the Township at the time of amendment of the Official Zoning Map to Planned Development District shall be referred to as the "preliminary development plan," and plans including all supporting documentation approved subsequent to such amendment but prior to the initiation of any development activities are referred to as the "detailed development plan."

2. Effect of PD District Approval

Each PD District is considered a separate and unique zoning district wherein a preliminary development plan, including associated regulation text describing the allowable uses and specific development standards, is adopted simultaneously with the application requesting amendment of the Official Zoning Map to apply the PD District designation. The preliminary development plan, as approved by the Township and as provided under Ohio Revised Code

Section 519.021(B), shall constitute the zoning regulations for and shall apply only to the property included within that particular PD District. Whenever there is a conflict or difference between the provisions of this Chapter and those of other provisions of this Zoning Resolution, the provisions of this Chapter shall prevail for the development of land within the PD District. Subjects not expressly covered by this Chapter or the applicable preliminary development plan shall be governed by the respective provisions found elsewhere in this Zoning Resolution that are most similar to the proposed use.

3. Subareas

Depending upon the size and complexity of the proposed development, different subareas may be established within a PD District. Each subarea may, if requested, be treated as a separate district with individual standards. However, only one preliminary development plan approval shall be issued for the entire development. For each subarea, the applicant shall indicate gross density, dwelling type, minimum development standards, and all other uses by type, size and location, and such information shall be reflected within the conceptual site plan, regulation text, or other appropriate documents contained in the preliminary development plan.

4. Type of Action

The action of the Board of Township Trustees approving an amendment of the Official Zoning Map to Planned Development District pursuant to this Chapter and Chapter 230 of the Zoning Resolution shall be considered a legislative act, and subject to a referendum. After property has been rezoned to the PD District, any action related to the subsequent use or development of such property, as being in compliance with the regulations authorized to be established by this Chapter including any action taken on a detailed development plan, shall not be considered to be an amendment to the Zoning Resolution for the purpose of Section 519.12 of the Ohio Revised Code, but may be appealed pursuant to Chapter 2506 of the Ohio Revised Code.

5. Zoning Amendment

A change to an adopted preliminary development plan shall be considered to be a zoning amendment and shall be processed and reviewed according to the procedures set forth in Section 519.12 of the Ohio Revised Code and Chapter 230 of this Zoning Resolution. Whenever a preliminary development plan contains multiple subareas, an application for zoning amendment may be filed applicable to one or more subareas provided that the requested change will have no effect on the remaining subareas.

6. Detailed Development Plan

An application for approval of a detailed development plan shall be required to be submitted to the Township for approval prior to the initiation of construction and development in each phase or subarea of a PD District. Such detailed development plan shall be in substantial compliance with and consistent with the approved preliminary development plan for that PD District or any subarea thereof with respect to land uses, densities, architectural and landscape standards, and open space. Minor deviations from the approved preliminary development may be considered for approval during the detailed development plan review process by the Zoning Commission without requiring an applicant file for an amendment to the preliminary development plan as noted on Subsection 5 above. Deviations that may be considered minor, but do not limit the Commission's discretion in such matters, include:

- a) Adjustments to the layout or alignment of new roads or to the site layout that does not affect number of buildable lots, density, setbacks, or open space and does not increase access points to existing public roadways unless required by the County Engineer.

- b) Increases in residential lot areas or reductions in residential density provided such changes do not reduce the required setbacks, decrease the required open space, or change the required architectural or development standards.

500.05 Previously Approved Planned Developments

Chapter 500 of the Zoning Resolution was amended on and the amendment in effect from and after April 20, 2015. Previously approved Planned Developments and all associated preliminary development plans, detailed development plans and supporting documentation adopted and in effect prior to April 20, 2015 shall continue in effect and be considered legally conforming under this Zoning Resolution. These previously approved Planned Development Districts shall continue to be governed pursuant to the regulations contained within any previously approved zoning plans, preliminary development plans, detailed development plans, and supporting documents. The regulations contained within any previously approved zoning plans, preliminary development plans, detailed development plans, and supporting documents may be modified in accordance with this Chapter, as amended. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

500.06 General Standards for Planned Developments

In order to achieve the purpose and intent of the Planned Development District and the Comprehensive Plan, the following general standards are hereby established for all Planned Developments within the Township.

1. Uses

Within the Planned Development District a creative mix of uses is encouraged provided it will establish an efficient and sustainable use of the land and infrastructure, and result in a well-integrated, pedestrian friendly development. Single use PD's may also be established by the applicant to encourage development that is more responsive to the land and environment than may be permitted through a standard zoning district. The following standards are established for uses in the PD District:

- a) Permitted Uses – Permitted uses within each PD District shall be clearly identified in the regulation text contained in the preliminary development plan submitted with the application for amendment the Official Zoning Map to Planned Development District. Any use not specified as a permitted or conditional use in the approved preliminary development plan shall be prohibited.

2. Densities

Densities within a PD District should be in conformance with the recommendations of the Comprehensive Plan and shall promote the efficient use of land and infrastructure. Proposed densities shall be clearly identified in the preliminary development plan submitted with the application for amendment of the Official Zoning Map to Planned Development District.

3. Setbacks and Yard Areas

All proposed required setbacks and yard areas within a PD District shall be identified in the preliminary development plan submitted with the application for amendment of the Official Zoning Map to Planned Development District. Setbacks and yard areas within PD developments shall be established to meet the following requirements:

- a) Setbacks within a PD District shall support the goals of the Comprehensive Plan for development that respects the rural character of the Township while promoting efficient use of the land and its resources.
- b) Setbacks shall be configured to appropriately balance open space and provide safe

separation between buildings and uses.

- c) When a commercial or industrial use is proposed to be located adjacent to residential uses, perimeter setbacks and/or appropriate screening from the adjacent tract should be established within the PD District.
- d) To maintain the rural character of the Township, the setbacks from existing public roads should be larger than those established for new public roads established within the PD District.
- e) To the greatest extent possible new residential developments should be designed to minimize the number of homes where the rear lot lines or rear of the proposed dwellings front to existing and proposed roads. Where such conditions are to exist along existing public roads a minimum setback of 50' between the right-of-way of the public road and the rear lot lines, and a minimum of 80' between the right-of-way of the public road and the rear yard setback line of the lot. An increased landscape buffer shall be established for the entire length of road affected.

4. Public Improvements

A PD District should be developed at a minimum with the following improvements meeting the design standards of the County Engineer:

- a) Public roads shall be designed and constructed to the standards established by the County Engineer's Office.
- b) Means for safe pedestrian and bicycle access and circulation shall be provided. Pedestrian paths should be integrated into open space where applicable or allowed, with ownership and maintenance dedicated to the entity holding title to the open space.
- c) Storm water management facilities shall be provided as required by the County Engineer and State of Ohio.

5. Access

The preliminary development plan should require direct access, not through easement, to one or more dedicated and improved public roads. Provisions for future connections to other public roads or adjacent land shall be required if recommended by the Township, County Engineer or Regional Planning Commission.

6. Buildings

To promote the purpose and intent of the Planned Development District and the goals of the Comprehensive Plan, all applications for amendment of the Official Zoning Map to PD District shall detail the proposed design and development standards for all residential and non-residential buildings within the PD District. The following standards apply to all residential and non-residential buildings within a PD District.

- a) The physical relationship of buildings and other site improvements to one another and the surrounding area, as created by building mass, floor area, height, shape, location on the site, and setback, shall result in a harmonious development both within the PD District and in relation to its surroundings.
- b) The bulk and height of buildings within the proposed development shall be compatible with the surrounding area.
- c) Buildings, structures, and parking areas shall be designed and located in such a way to conserve environmentally sensitive or unique natural, historic or cultural features.
- d) The preliminary development plan shall specify for all buildings and residences, at a minimum, the proposed exterior materials, floor area, height, roof shape and pitch.

7. Lighting

If applicable, a preliminary development plan shall include the type and description of all proposed street and parking lot lighting. Street lighting shall conform to the standards of the Union County Engineer and all lighting within the proposed PD District shall conform to the following:

- a) The lighting plan contained within the preliminary development plan shall specify the proposed pole and luminary design, maximum height, lighting source, wattage, shielding and any other information necessary to evaluate the lighting as proposed.
- b) The lighting plan be designed to promote an overall cohesiveness in the development of the plan and to minimize the amount of light pollution affecting the neighboring properties and the rural character of the township.
- c) Where no other regulations are provided within a preliminary development plan, the provisions of Chapter 630 of this Resolution shall govern exterior lighting.

8. Signage

All preliminary development plans shall include a signage plan and or standards for all uses and subareas within the PD District. Signage design and standards shall ensure a constant and comprehensive character throughout the project and compatible with the character of the Township and shall meet the following:

- a) All signs and graphics within the PD District shall be compatible in size, location, material, height, shape, color, and illumination.
- b) A detailed sign plan and standards shall be including within a preliminary development plan and shall include the design, layout and dimensions of all proposed ground, window and wall signs as well as the setbacks from the rights-of-way and the type and intensity of illumination.
- c) Signs shall contribute to an overall cohesive design, reflect simplicity, reduce visual clutter and compliment the rural character of the Township.
- d) Wall signs shall be controlled and designed in a manner to compliment the architecture of any proposed buildings. Ground signs shall be designed to relate to and share common elements with the proposed architecture.

9. Parking and Loading Areas

Parking and access requirements and standards shall be as defined in the preliminary development plan and shall meet the requirements of the Union County Engineer, the applicable fire regulations, and the following standards:

- a) Off-street parking and loading shall be provided for all non-residential buildings with adequate provisions for ingress and egress.
- b) Parking areas shall be designed to discourage large single expanses of parking and shall encourage smaller defined parking areas within the total parking system. Such parking areas shall be delineated and accentuated by landscaped areas.
- c) The layout of parking areas, service areas and related entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of the area as well as those areas adjacent to the PD District.
- d) To minimize the environmental impacts of large parking areas shared parking between uses shall be encouraged and supported within the PD District. Where shared parking is desired the applicant shall submit a statement identifying how the parking is to be shared between the uses, and the percentage of parking and hours of parking allocated for each use.

- e) All service and delivery and loading areas for all uses shall be arranged and located to minimize the impacts and view of such uses throughout the development.

10. Landscaping

All preliminary development plans shall include a detailed landscape plan and standards for all areas, sub-areas, open spaces and uses with the proposed development. The following standards shall apply:

- a) All yards and open space not covered by structure, paving and the like shall be landscaped with lawn as a minimum.
- b) All vacant and undeveloped areas shall be kept seeded and maintained in such a manner as to prevent erosion of the property and excess drainage on adjacent land.
- c) Landscaping shall be designed to enhance architectural features, screen incompatible uses, emphasize pedestrian environments, provide shade for streets and parking lots and strengthen views and vistas.
- d) The landscape plan shall be designed to preserve and capitalize on the existing natural characteristics of the site and to promote overall unity in design.
- e) Landscape design and the specification and use of trees and plant materials shall discourage monoculture. For the purpose of this Section monoculture is defined as the dominance or overabundance of any one species that may expose the development to a substantial loss of plant material should said plant material be affected by pest or disease (ex. Emerald Ash Borer)
- f) Plant material specified in the landscape plan shall be indigenous and hearty to the area and shall be harmonious to the design and consistent with adjacent land uses.
- g) Street tree species native to the area shall be provided by the developer for all existing and proposed public streets and placed outside the public right-of-way in a maintenance easement. Size, shape, type and location of street trees shall be specified in the preliminary development plan.
- h) Landscape buffers between lots and the public road serving the PD District and buffers between lots and adjacent land should be placed in landscape easements or in dedicated open space areas.

11. Flood Plains and Environmentally Sensitive Areas

Floodplains within a PD District shall be protected from building or pavement encroachment through the following standards:

- a) A riparian buffer, having a width of not less than 50' as measured from the centerline of the stream, shall be provided along the entire length and on both sides of a river or perennial stream channel.
- b) Buffer areas shall be restricted from development and managed to promote the growth of vegetation indigenous to the stream area capable of maintaining the structural integrity of the stream bank.
- c) A wetlands buffer should be provided for all wetlands required to be retained by the Army Corps of Engineers or the Ohio EPA. The buffer area should have a width of not less than 25' measured from the edge of the designated wetland. The buffer areas should not be disturbed other than necessary to establish and natural landscape and existing trees should be preserved and protected to the extent practicable.

12. Open Space

A PD District should have an open space component which is compatible with the size, nature and design of the development. A recommended minimum of 20 percent of the gross land area of a PD District containing a residential component, except as outlined in Section 500.07(4), should be set aside as open space for common use, preferably interconnected with other similar spaces within this or adjacent developments. For a PD District without a residential component, a minimum of 10 percent open space set aside is recommended. Open space shall be prohibited from further subdivision or development by deed restriction, conservation easement or other agreement, in a form satisfactory to the Township. This restriction from further subdivision or development shall also be noted in the preliminary development plan and the recorded plat.

a) Design Standards – The following design standards for open space should be followed:

- (i) Open space shall be fully integrated into the overall design and should, absent unique and special circumstances, meet all standards and guidelines contained herein. The types of uses, buildings and structures proposed to be permitted in the open space shall be specified in the preliminary development plan.
- (ii) Within a PD District, public uses may be proposed for natural areas and preserves, parks and other active recreational areas, and public facilities such as public schools, libraries and community centers may likewise be proposed. Access to all public uses shall be specified.
- (iii) In identifying the location of open space, the developer shall consider as priorities existing natural features such as natural woodlands, wetlands, identified species habitat, tree lines, stream and creek corridors, and FEMA designated 100-year floodplains.
- (iv) Retention ponds (wet basins) may be permitted in an open space reserve provided such ponds are designed and maintained as natural features that blend into the landscape. A landscape design for each retention pond shall be submitted with the preliminary development plan. Detention ponds (dry basins) should ordinarily not be permitted in the designated open space unless a part of a bioswale corridor.
- (v) Except for bike paths and pedestrians trails, open space should be unified and massed so that no open space is narrower in any direction than the development's average lot width. Open space should be platted as an open space reserve, including appropriate conservation easements.
- (vi) Open space should, when practicable, be interconnected with open space areas on adjacent parcels.
- (vii) In order to encourage the creation of large areas of contiguous open space, areas that should not be considered as open space include:
 1. Private road and public road rights-of-way;
 2. Parking areas, access ways, and driveways;
 3. Required setbacks between buildings, parking areas, and project boundaries;
 4. Required setbacks between buildings and streets;
 5. Easements for overhead power transmission lines unless containing bike paths as part of an overall coordinated trail network;
 6. Minimum spacing between buildings, and between buildings and parking areas;
 7. Private yards;

8. Areas of fee simple lots to be conveyed for residential dwelling uses;
 9. Other small fragmented or isolated open space areas that have a dimension less than 75 feet in any direction. (Excessive gaps and non-usable spaces between buildings are discouraged, or pedestrian walkways should be established.)
- (viii) Any open space intended to be devoted to active recreational activities should be of usable size and shape for the intended purposes.
- (ix) Any area within the open space that is proposed to be disturbed during construction or otherwise not preserved in its natural state, other than required setback areas, should be noted on the preliminary development plan and the method and timing of any restoration shall be set forth.
- (x) The open space, including any recreational structures and public facilities proposed to be constructed in such space, shall be clearly shown on the preliminary development plan.
- b) Open Space Ownership – Open space may be proposed to be owned by an association, the Township or other governmental entity, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership if appropriately restricted. The ownership of the open space shall be specified in the preliminary development plan and shall be subject to the approval of the Township. The methods of ownership, if approved as part of the preliminary development plan, may be as follows:
- (i) Offer of Dedication – The Board of Township Trustees or other governmental agency may, but shall not be required to, accept conveyance in the form of fee simple ownership of the open space.
 - (ii) Associations – Open space may be held by the individual members of a condominium association as tenants-in-common or may be held in common ownership by a homeowners’ association, community association, or other similar legal entity. Documents shall be submitted with the preliminary development plan which will ensure compliance with the following requirements:
 - 1) Membership in the association shall be mandatory for all purchasers of lots in the development or units in the condominium.
 - 2) The association shall be capable of and responsible for maintenance, control, and insurance of common areas, including the open space.
 - 3) The association shall have the right and obligation to impose assessments upon its members, enforceable by liens, in order to ensure that it will have sufficient financial resources to provide for proper care and maintenance of the open space.
 - (iii) Transfer of Easements to a Public Agency or Private Conservation Organization – With the approval of the Board of Township Trustees, an owner may transfer interest in conservation easements to a public agency or private non-profit organization, among whose purposes it is to conserve open space or natural resources, provided that:
 - 1) The organization is acceptable to the Board of Township Trustees, and is public agency or a bona fide conservation organization that exists in perpetuity;
 - 2) The conveyance contains appropriate provisions for the interests to be conveyed to another acceptable public agency or organization, or to revert to an association as provided herein in the event that organization becomes unwilling or unable to continue carrying out its function; and

- 3) A maintenance agreement approved by the Board of Township Trustees is entered into by the developer and the organization.
- c) Open Space Management and Maintenance – The owner of the open space shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space through annual dues, special assessments, and valid and enforceable collection methods. The owner shall be authorized, under appropriate restrictions and covenants, to place liens on the property of residents within the PD District or any subarea thereof, who fall delinquent in payment of such dues and assessments. In the event that the organization established to own, operate and maintain the open space shall at any time after the establishment of the PD District fail to maintain the open space in reasonable order and condition in accordance with the approved detailed development plans, such failure shall constitute a violation of this Zoning Resolution.
- d) Transfer of Title of Open Space – Title to any open space required within a PD District which is included within any recorded subdivision plat of any section of the land zoned PD District shall be transferred to the entity approved for ownership of the open space prior to the sale of more than 75% of the lots or units within that subdivision section. (Amnd. 10-20-2020, 12-6-2022)

500.07 Use-Specific Development Standards

In addition to the general development standards for Planned Development District provided for in this Chapter, the following use specific development standards are hereby established to further fulfill the purpose and intent of the PD District through the application of flexible land development techniques in the arrangement, design and construction of structures and their intended uses and the integration of open space within the development. These standards, as well as applicable plans for the area, are intended as general standards as circumstances dictate. The development standards filed and approved as part of the preliminary development plan shall establish the final requirements. The development policies include the following:

1. Low and Medium Density Residential Land Use

Future development of clustered subdivisions is anticipated to occur in those areas with central water and sewer systems shall be managed to protect the area's unique quality of life and semi-rural character. The density of these developments will be based upon several factors, including, without limitation, the availability of central water and sewer systems, the recommendations of the Comprehensive Plan, and whether the proposed development will be compatible in use and appearance with surrounding or planned land uses. The following shall apply when calculating residential density within a PD District:

- a) Calculating Residential Density – While the densities of individual residential areas may vary within a large PD District, the calculation of density for the entire PD District shall be based upon the gross density proposed of total area devoted exclusively to residential use, including open space. Where open space is included within the calculation for residential density, such open space shall permanently remain as open space within the PD District unless specifically included in another duly approved zoning amendment in accordance with the provisions of this Resolution.
- b) Additional Density Considerations – Additional density for residential developments to be serviced by centralized water and sewer systems may be permitted in certain unique and special instances such as those where: the open space set-aside far exceeds the minimum recommended ; additional and substantial site amenities are

provided; the development incorporates rural design elements that help preserve and retain the rural character of the area into the overall design of the site and maintains compatibility with the surrounding or planned land uses; the design of the development preserves, protects and enhances the natural and historic resources located on the site; and storm water and other environmental impacts are minimized and mitigated and natural features are enhanced.

- c) Lower Density Considerations – In addition to the consideration for additional density as mentioned above, lower densities may be required for a residential development in certain unique and special instances such as those where: a large portion of the site is undevelopable due to its physical features such as existing bodies of water, steep slopes and similar characteristics, and where proposed residential development is not compatible with adjacent residential development patterns. (Amnd. 9-5-2023)

2. Higher Density Residential Land Use

Future development of higher density land uses is expected to occur in areas so designated in the Comprehensive Plan as being suitable for such uses. These areas provide an opportunity to serve differing housing needs within the community and establish an effective transition between more intense commercial and office land uses, and lower density residential uses. The density of these developments will be based upon several factors, including, without limitation, the availability of centralized water and s, the recommendations of the comprehensive plan, and whether the proposed development will be compatible in use and appearance with surrounding or planned land uses. In addition, increases in density should be supported for increased architectural and landscape standards and creative site planning that contributes to the desirability of the community.

3. Agriculture and Rural Residential Land Use

It is anticipated that portions of the Township will remain principally agricultural in nature, especially in those areas where centralized utilities are not anticipated to be provided. Development standards within these areas should encourage a development pattern that minimizes impacts and intrusions to agriculture, such as clustering homes on new streets and not along existing road frontage and designating agricultural-exclusive areas.

4. Residential Conservation Development

Within the Comprehensive Plan there exists recommendations for residential development in certain areas that adheres to conservation development principles. These principles promote more compact development patterns in exchange for the preservation of important existing environmental and natural features and the set aside of significant amounts of open space. These types of developments reduce infrastructure costs for the developer, help to maintain a more open, rural feel for the Township, promote a more efficient use of land, and provide a mechanism to preserve important natural features and incorporate them into a development strategy. Land developed with conversation development principles shall adhere to the following standards:

- a) Uses – PD Districts designed using conservation development principles may be permitted to contain a mix of uses provided that all proposed uses are identified in the preliminary development plan and application as specified in Section 500.08.
- b) Density – The overall residential density of a PD District designed using conversation development principles should conform to the recommendations and intent of the Comprehensive Plan and shall be identified in the preliminary development plan and application per Section 500.08.
- c) Lot Area – The intent of a PD District designed using conservation development principles is to allow smaller lot areas and more compact development patterns in

exchange for a higher percentage of dedicated open space and natural lands. To accomplish this goal, lot shall be flexible within a PD District designing using conversation development principles and shall be established by the approved preliminary development plan. All lots less than two acres in area shall be serviced by public sewer and water systems. Proposed lots with an area of 2 acres or more shall be served by either public sewer and water services or on site treatment and well systems subject to the approval of the Union County Engineer and Union County Health Department.

- d) Dedicated Open Space – All PD Districts designed using conversation development principles shall comply with the following minimum requirements regarding open space:
- (i) The minimum amount of open space to be provided is recommended to be 40% of the total acreage of the property being included in the PD District. Development of smaller parcels may be considered for a reduction in the open space requirements provided that the recommendations of (ii), (iii), and (iv) below still apply.
 - (ii) All PD Districts designed using conservation development principles shall strive to utilize open space to preserve natural features including but not limited to floodplains, waterways, stream buffers, steep slopes, woodlands, wetlands and natural habitats or shall be designed to preserve significant amounts of agricultural lands.
 - (iii) Open space shall meet all other requirements of Section 500.06(12).

5. Commercial and Office Land Use

Commercial and office development should be clustered in areas serviced by centralized utilities and adequate roadway systems. The density of general commercial development should not exceed 10,000 square feet per acre, absent special circumstances. This density calculation will ordinarily be based upon the total square footage proposed for the entire area devoted exclusively to commercial and office development. However, a lower density may be mandated due to the nature of the project, the physical features of the site or the compatibility of the project with surrounding or planned land uses. In addition a higher density may be approved to accommodate mixed use projects and other innovative and sustainable planning features. Design standards should be incorporated into the preliminary development plan which will improve the aesthetic quality of this type of development.

6. Industrial Land Use

Light industry, research and development, and related office uses should be clustered in areas serviced by centralized utilities and adequate highway accessibility. Absent special circumstances, density should not exceed 10,000 square feet per acre. This density calculation will ordinarily be based upon the total floor area proposed for the entire area devoted exclusively to industrial development. However, a lower density may be mandated due to the nature of the project, the physical features of the site or the compatibility of the project with surrounding or planned land uses. The industrial areas should only develop in conjunction with centralized utilities. These areas should be master planned and well-coordinated, and not developed in a piecemeal (lot by lot) way. Access should be shared. Design standards should be incorporated into the preliminary development plan which will improve the aesthetic quality of this development type. In addition, all industrial uses developed under the PD District shall conform to the following standards:

- a) Fire and Explosion Hazards – All activities, including storage, involving flammable or explosive materials shall include the provision of adequate safety devices against hazard of fire and explosion. All standards enforced by the Occupational Safety and Health Administration shall be adhered to. Burning of waste materials in open fire is prohibited, as enforced by the Ohio Environmental Protection Agency.

- b) Air Pollution – No emission of air pollutants shall be permitted which violate the Clean Air Act of 1977 or later amendments as enforced by the Ohio Environmental Protection Agency.
- c) Glare, Heat, and Exterior Light – Any operation producing intense light or heat, such as high temperature processing, combustion, welding, or other shall be performed within an enclosed building and not visible beyond any lot line bounding the property whereon the use is conducted.
- d) Dust and Erosion – Dust or silt shall be minimized through landscaping or paving in such a manner as to prevent their transfer by wind or water to points off the lot in objectionable quantities.
- e) Liquid or Solid Wastes – No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply or interfere with bacterial processes in sewage treatment, shall be permitted. The standards of the Ohio Environmental Protection Agency shall apply.
- f) Vibrations and Noise – No uses shall be located and no equipment shall be installed in such a way as to produce intense, earth-shaking vibrations which are discernable without instruments at or beyond the property line of the subject premises. Noise standards of the Ohio Environmental Protection Agency shall be adhered to.
- a) Odors – No use shall be operated so as to produce the continuous, frequent or repetitive emission of odors or odor causing substances in such concentrations as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located. The applicable standards of the Ohio Environmental Protection Agency shall be adhered to. (Amnd. 10-20-2020, 12-6-2022)

500.08 Procedure for Amending to the PD District

In addition to the procedure set forth in Chapter 230 of this Resolution, all applications for amendments of the Official Zoning Map to PD District shall follow the procedures hereinafter set forth in Section 500.08, hereof.

1. Pre-application Meeting

The applicant is encouraged to engage in informal consultations with staff from the Township and the Union County subdivision authorities (e.g., Regional Planning Commission, County Engineer, Board of Health, etc.) prior to formal submission of an application for amendment of the Official Zoning Map to PD District. No statement or action by Township or County officials in the course of these informal consultations shall be construed to be a waiver of any legal obligation of the applicant or of any procedure or formal approval required by Township or County regulations. Ohio's Open Meetings Law (Section 121.22 of the Revised Code) is required to be observed at pre-application meetings involving a quorum of members of the Zoning Commission.

2. Application

The owner(s) of any property may request that the property be rezoned by amending the Official Zoning Map to Planned Development District for that property by filing fifteen (15) copies of an application for such amendment with the Zoning Commission, which application shall contain:

- a) Name, address and telephone number of the owner and applicant;
- b) Name, address and telephone number of the urban planner, architect, landscape architect, surveyor and/or engineer assisting in the preparation of the application or preliminary development plan;
- c) Legal description of the property and the address of the property;

- d) Description of existing uses;
- e) Present zoning district;
- f) A vicinity map at a scale approved by the Zoning Commission showing the relationship of the proposed PD District to the adjacent properties, existing roads and public service facilities in the area;
- g) A list of the names and addresses of the owner or owners of the property, the applicant, and all owners of property which are within, contiguous to and directly across the street from the subject property as such addresses appear on the County Auditor's current tax list; and
- h) Any other matter or information deemed necessary or relevant by the Zoning Commission for the proposed amendment.

3. Proposed Preliminary Development Plan

In addition to the application required herein, fifteen (15) copies of the proposed preliminary development plan shall be submitted with the application. The proposed preliminary development plan shall be prepared and endorsed by a certified or licensed planner, architect, landscape architect, engineer and/or surveyor, with all mapping to be at a scale of at least 1" = 100', and shall include, in text and map form, the following:

- a) A conceptual site plan of the proposed PD District, including any proposed subareas, any proposed buildings other than single-family dwellings or two-family dwellings, any functional use areas, circulation patterns, and their relationship.
- b) Proposed densities, number of lots and dimension parameters, and building intensities.
- c) Proposed parks, playgrounds, schools and other public facilities or open spaces including woodland preservation and natural topography preservation areas with their suggested ownership.
- d) Locations of stream channels, watercourses, wooded areas and buffer areas shall be designated. Existing topography and drainage patterns shall also be shown.
- e) Relation to existing and future land use in surrounding area.
- f) Proposed provision of water, sanitary sewers, surface drainage, and street lighting.
- g) Proposed traffic and pedestrian circulation pattern, indicating both public and private streets and highways, access points to public rights-of-ways, bike paths and trails, sidewalks and any off-site street improvements.
- h) An anticipated schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed phase for various uses, the number of housing units proposed by type; building heights; open space; building intensity; parking areas; density and public improvements proposed.
- i) Engineering feasibility studies and schematic plans showing, as necessary, water, sewer and other utility installations, waste disposal facilities, surface drainage, and street improvements.
- j) A preliminary traffic study completed to the requirements of the Union County Engineer or correspondence from the County Engineer's Office or other relevant public agency that a traffic study is not required for the proposed development.
- k) General architectural design criteria for proposed buildings, structures, signs and exterior lighting with proposed control features.
- l) 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.
- m) Projected schedule of site development.
- n) Evidence that the applicant has sufficient control over the land to carry out the proposed development.

- o) Regulation text for development in the proposed Planned Development District. That text shall set forth and define the uses to be permitted in the proposed Planned Development District and the development standards applicable to the proposed District. The regulation text is intended to guide all development of the property proposed to be designated as a Planned Development District by the application.
- p) The regulation text provided for in subsection (o), above, shall cover all appropriate zoning regulations for the proposed PD District including, without limitation, the following:
 - (i) All required setbacks including, but not limited to, buildings, service areas, off-street parking lots and signage, including rear, front and side yard areas.
 - (ii) All maximum height and size requirements of buildings, mechanical areas and other structures.
 - (iii) All parking and loading space standards per building square footage or dwelling unit type, including dimensions of all parking stalls, aisles and loading spaces.
 - (iv) All street and road right-of-way and pavement width dimensions, curb cut spacing and other related circulation standards.
 - (v) All pedestrian and bicycle walkway, trail and sidewalk dimensional standards, including rights-of-way and pavement width, and pavement standards.
 - (vi) All screening and landscaping standards, including buffer dimensions, height, landscape material, maintenance standards, and screening standards for off-street parking areas, loading docks, trash receptacles and dumpsters, ground- and roof-mounted mechanical units and adjacent areas.
 - (vii) All proposed signage and graphic standards, including height, setback, square footage, colors, corporate logos and type.
 - (viii) All exterior lighting standards, including light intensity, placement, height and materials for parking lots, walkways, sidewalks and accent lighting.
 - (ix) All exterior architectural design standards, including material, color and styles.
 - (x) A list and description of the precise uses proposed for the development. Listed uses shall be defined by their customary name or identification, except where they are specifically defined or limited elsewhere in the preliminary development plan or this Zoning Resolution. Any listed use may be limited to specific areas delineated in the proposed preliminary development plan;
 - (xi) Frontage requirements, minimum lot area requirements, yard areas, lot coverage restrictions and perimeter setback requirements.
 - (xii) Accessory structure standards and limitations.
 - (xiii) Open space area, uses and structures, including proposed ownership and sample controlling instruments.
 - (xiv) Any other regulatory area or matter deemed necessary or relevant by the Zoning Commission.
 - (xv) The regulation text should contain the following provision: All development standards not specifically addressed by the regulation text shall be regulated by those general development standards set forth in the Zoning Resolution.

4. Basis of Approval

In determining whether or not to approve an application for amendment of the Official Zoning Map to Planned Development District, the reviewing authorities shall consider all relevant factors and circumstances including, without limitation, the following:

- a) Whether the proposed development is consistent in all aspects with the purpose, policies, criteria, intent, and standards of this Zoning Resolution;

- b) Whether the proposed development is in conformity with the applicable plans for the area or such portion thereof as may apply, or whether the benefits, improved arrangement and design of the development justify any deviation there from;
- c) Whether the proposed development promotes the public health, safety and general welfare of the Township and the immediate vicinity;
- d) Whether the proposed plan meets the design features contained in this Resolution;
- e) Whether the proposed development is in keeping with the existing or planned land use character and physical development potential of the area;
- f) Whether the proposed development will be compatible in use and appearance with surrounding or planned land uses;
- g) Whether the development will have a beneficial or an adverse effect upon the Township and other governmental services;
- h) Whether the area surrounding the development can be planned, zoned and developed in coordination and substantial compatibility with the proposed development;
- i) Whether the existing and proposed utility and governmental services are adequate for the population densities and nonresidential uses proposed;
- j) Whether the development promotes greater efficiency in providing public and utility services and encouraging innovation in the planning and building of all types of development;
- k) Whether the development can be made accessible through existing or future roadways without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township;
- l) Whether the development is located and designed in such a way as to minimize any unreasonable adverse impact on existing residential or agricultural areas of the Township; and
- m) Whether the benefits, improved arrangement and design of the property to be developed justify rezoning the tract to the PD District.

5. Effect of Approval

- a) The action of the Board of Township Trustees in approving an application for amendment to a PD District and a preliminary development plan shall constitute an amendment of the Official Zoning Map for the subject tract to the PD District permitting development and use of said land and any structures thereon in accordance with the development standards contained in the preliminary development plan. However, in a PD District, no use shall be established and no structure shall be constructed or altered on any part of said tract, until there is submitted a detailed development plan for said part of said tract, and until the detailed development plan is approved by the Zoning Commission.
- b) The approval of the preliminary development plan shall be for a period of five (5) years, to allow for the preparation of a required detailed development plan(s). Unless the Board of Township Trustees approves such an extension of this time limit, upon the expiration of such period, no use shall be established and no building, structure or improvement shall be constructed until an application accompanied by a new preliminary development plan has been filed with and approved by the Board of Township Trustees, and such application for approval shall be subject to the same procedures and conditions as an original application for the preliminary development plan approval. This new application shall comply with the terms of the Zoning Resolution then in effect at the time of filing, including, without limitation, any zoning amendments enacted from and after the date of the initial request to designate the property Planned Development District. In addition, the Board of Township Trustees or Zoning Commission may initiate a zoning amendment to amend the Official Zoning

Map for the tract to a previous zoning district or to another similar standard zoning district upon expiration of the preliminary development plan approval period.

6. Extension of Time for Preliminary Development Plan

Upon application by the owner(s), the Board of Township Trustees may extend the time limit provided by Section 500.08 5(b), above. Such extension may be given after application by the applicant showing the purpose and necessity for same and upon evidence that the owner(s) has made reasonable efforts toward the accomplishment of the original approved preliminary development plan, and that such extension is not in conflict with the general health, safety and welfare of the public. (Amnd. 10-20-2020, 12-6-2022)

500.09 Detailed Development Plan

1. Application

In a PD District, no use shall be established and no structure shall be constructed or altered until a detailed development plan for each such use and/or structure has been approved by the Zoning Commission. An application, in a form approved by the Zoning Commission, shall be completed by the property owner and submitted with the Development Plan. A total of 15 copies of the application and supporting material shall be submitted. The application form shall be provided by the Zoning Inspector. All mapping shall be prepared using the County's graphic standards.

2. Proposed Detailed Development Plan Contents

In addition to the application required herein, 15 copies of the detailed development plan shall be submitted with the application. The detailed development plan, which may be submitted for the entire development or an individual phase, shall contain, in text and map form, the following information at a minimum:

- a) Proposed name of the development and its location;
- b) Names and addresses of owners and developers;
- c) Date, north arrow and plan scale. Scale shall be one-inch equals 100 feet or larger scale;
- d) Boundary lines of the proposed development and the total acreage encompassed therein;
- e) Locations, widths and names of all existing public streets or other public ways, railroad and utility rights of way or easements, parks and other public open spaces, permanent structures, and section and corporation lines within or adjacent to the tract;
- f) Existing sewers, water mains, culverts and other underground facilities within the tract, adjacent to the tract or that will be used in developing the tract, indicating pipe sizes, grades and locations;
- g) The lot lines of adjacent tracts, parcels or lots;
- h) Residential density, dwelling types, nonresidential building intensity and specific uses to be included within the proposed development, specified according to area or specific building location;
- i) Existing ground configuration, drainage channels, wooded areas, watercourses and other significant physical features;
- j) Layout of proposed streets, including their names and rights of way, easements, sewers, water lines, culverts, street lighting and other major improvements;
- k) Layout, numbering and dimensions of lots if more than one;
- l) Anticipated building envelope and general architectural style and character of proposed structures;

- m) Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the condition proposed for such covenant and for the dedications;
- n) Building setback lines with dimensions;
- o) Tentative street grades and sewer size slope;
- p) Traffic circulation, parking areas, curb cuts and pedestrian walks;
- q) Landscaping plans, including site grading and landscape design;
- r) Engineering feasibility studies of any anticipated problems which may arise due to the proposed development as required by the Zoning Commission;
- s) For other than detached single-family structures, provide:
 - (i) Drawings for buildings to be constructed in the current phase, including floor plans, exterior elevations and sections;
 - (ii) Color rendering of buildings(s), complete with a listing of all colors, including Pantone 1999-2000 Reference Numbers or if Pantone is not available, the manufacturer's reference/serial number with sample, and materials, with samples to be used;
 - (iii) Building locations depicting the bulk, height and spatial relationships of building masses with adjacent development;
 - (iv) Intended measures to screen rooftop mechanical equipment from view;
- t) A detailed signage and exterior lighting plan;
- u) Accommodations and access for emergency and firefighting apparatus;
- v) The management plan or mechanism to provide for the perpetual maintenance of all open space, landscaping, buffers and shared parking areas by the ultimate owner and/or user and the controlling instruments;
- w) Location of open space area and designation of intended uses; and
- x) Any additional information as may be required by the Zoning Commission.

3. Zoning Commission Action on Detailed Development Plan

After receipt of the completed application materials and payment of required fees, the Zoning Commission shall schedule a public hearing to be held within a reasonable amount of time and shall provide the applicant written notice at least ten (10) days prior to the date of the hearing. The Zoning Commission shall render a decision on the application within thirty (30) days after the conclusion of the public hearing. In determining whether or not to approve an application for detailed development plan approval, the Zoning Commission shall consider and approve a detailed development plan upon a finding of substantial compliance with the approved preliminary development plan.

4. Commencement of Development

The approval of a detailed development plan shall be effective for a period of five (5) years in order to allow for the preparation and recording of a subdivision plat (if required under applicable law) and the commencement of construction following the issuance of a zoning certificate(s). If no plat has been recorded within this approval period or, if platting is not required, if construction or other affirmative actions, efforts, planning or other expenditures has not commenced, or unless the Zoning Commission approves an extension of this time limit, a detailed development approval shall expire. Upon the expiration of a detailed development, the subject parcel(s) shall remain zoned PD District, but no use shall be established or changed, and no building, structure or improvement shall be constructed until an application for a detailed development plan, accompanied by a new detailed development plan and all information required therewith, has been filed with and approved by the Township using the procedures and process established herein for the approval of a detailed development plan.

5. Extension of Time for Detailed Development Plan

Upon application by the owner(s), the Zoning Commission may extend the time limit provided by Section 500.09(4), above. Such extension may be given upon a showing of the purpose and necessity for same and upon evidence that the owner(s) has made reasonable efforts toward the accomplishment of the original approved preliminary development plan, and that such extension is not in conflict with the general health, safety and welfare of the public or the development standards of the PD District.

6. Modification of Detailed Development Plan

An applicant seeking to modify an approved detailed development plan shall file an application for modification of the detailed development plan utilizing the same procedures and criteria as established for the approval of the initial detailed development plan. (Amnd. 10-20-2020, 12-6-2022)

500.10 Fees

A fee as established by Schedule of Zoning Fees shall accompany an application requesting approval of an amendment the Official Zoning Map to Planned Development District or approval of a detailed development plan. In addition, the applicant shall also be responsible for all reasonable and necessary expenses incurred by the Township in using professional consulting services to review the preliminary development plan or detailed development plan. These expenses may include, without limitation, costs for professional consultants such as architects, landscape architects, planners and engineers utilized by the Township in connection with reviewing the preliminary development plan or detailed development plan and related application materials. As soon as reasonably practicable following the submission of an application for approval of a preliminary development plan or detailed development plan, the Zoning Commission shall decide if it needs a professional consultant(s) to assist it in reviewing the application. If the Zoning Commission decides it needs professional consulting services, it shall designate the person(s) to be consulted and make an initial estimate of the expenses anticipated to be incurred in reviewing the application materials. The Zoning Commission shall provide the applicant with notice of its initial estimate of such expenses. This initial estimate will be reviewed, and may be revised, from time to time during the review process, and, if such review results in an increase in the estimated professional consulting fees and charges which will be incurred in the Township's review of the application materials, the Zoning Commission shall send the applicant written notice of the revised estimate of fees and charges. Within fourteen (14) days of the date of the notice of the initial estimate of fees and charges (and, if applicable, within fourteen (14) days of the date of the notice of any revised estimate), the applicant shall deposit in the office of the Fiscal Officer, an amount equal to the estimated cost of the Township's expenses. In making the estimate of the professional consulting fees and charges anticipated to be incurred, the Zoning Commission shall consider the reasonable commercial rates of qualified professionals and reasonable estimates of time to complete the review. Any unused portion of the estimated amount received to cover the professional consulting fees and charges shall be returned to the applicant as soon as practicable following the final disposition of the application, along with a summary of the fees and charges expended for such services. (Amnd. 10-20-2020, 12-6-2022)

500.11 Phases

Developments within a Planned Development District may be approved for development in phases. Each phase shall require approval of a detailed development plan for that phase pursuant to the procedures set forth herein. Absent an extension of a preliminary

development plan approved by the Board of Township Trustees, all phases shall be submitted for and receive approval of a detailed development plan within the time frame set forth in Section 500.09(4). (Amnd. 10-20-2020, 12-6-2022)

Chapter 510 – Open Space District (OS)

510.001 Open Space District (OS) Generally

The purpose and intent of the Open Space District (OS) is to preserve and enhance public and private open space, natural areas, and improved park and recreation areas primarily for more passive recreational uses and preservation. These uses contribute to the open and rural character of the township and the quality of life for its residents and visitors. The establishment of this district promotes the Environmentally Sensitive areas & Open space objectives of the Jerome Township Comprehensive Plan. This district may be applied to lands owned by public and private entities that have been reserved for open space uses such as landscape corridors, habitat migration, wetlands, wildlife, lakes trails, parks, nature preserves, and similar uses. This district supersedes the SR-3 Special Recreation District in existence prior to the enactment of this Resolution.

510.01 Permitted Uses

Within the OS District the following uses, developed in accordance with all other provisions of this Resolution, shall be permitted:

1. 712130 – Arboreta, Arboretums, Aviaries, Botanical Gardens, and Botanical Conservatories
2. 712190 – Nature Parks and Other similar Institutions
3. 713990 – Day camps
4. 713990 – Fishing clubs
5. 713990 – Recreational Horse Rental Services
6. 713990 – Recreational Horseback Riding
7. 713990 – Picnic Grounds
8. 713990 – Recreational camps
9. 713990 – Riding clubs & stables
10. 713990 – Trail riding
11. 812220 – Cemeteries, Mausoleums, and Memorial Gardens

510.02 Lot Area, Lot Width, and Yard Setback Standards

The following lot area, lot width, and yard setback standards shall apply to all lots within the OS District:

1. Minimum Lot Area

All lots within the OS District shall be a minimum of 1.5 acres in area, or such larger area as necessary to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all other applicable regulations. (Amnd. 6-15-2021, 9-5-2023)

2. Minimum Lot Width

The minimum lot widths for all lots in the OS District shall be applied based upon the functional classification of the road upon which the lot fronts. Functional road classifications shall be those assigned by the County Engineer. The following minimum lot widths shall apply:

Table 510.02.1 Lot Width Requirements for the OS District	
Road / Street Classification	Minimum Lot Width
Local Road	100 feet
Minor Collector Road	100 feet
Major Collector Road	200 feet
Minor Arterial Road	300 feet
Principal Arterial Road	300 feet
Freeway	N/A

(Amnd. 10-20-2020, 9-5-2023)

3. Maximum Lot Coverage

The maximum lot coverage in the OS District shall be fifteen percent (15%). (Amnd. 9-5-2023)

4. Front Yard Setbacks

The front yard setbacks shall be applied based upon the functional classification of the roadway upon which the lot fronts. The functional roadway classifications shall be those assigned by the County Engineer. The minimum front yard setbacks for the OS District shall be as follows:

Table 510.02.2 Front Setback Requirements for the OS District		
Road / Street Classification	Minimum Front Setbacks For:	
	Principal Buildings / Structures	Parking and Circulation
Local Road	30 feet	20 feet
Minor Collector Road	30 feet	20 feet
Major Collector Road	40 feet	30 feet
Minor Arterial Road	50 feet	30 feet
Principal Arterial Road	50 feet	50 feet
Freeway	N/A	N/A

(Amnd. 10-20-2020, 9-5-2023)

5. Side Yard Setbacks

The side yard setbacks in the OS District shall be as follows:

- a) When any lot in the OS District adjoins any lot less than 5 acres in area zoned in any residential district, or where the side lot line exists within 250 feet of any residential structure, the minimum side yard setbacks shall be:

- (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 30 feet for any loading, delivery, and service/maintenance areas.
 - (iii) 50 feet for all buildings and structures.
- b) For all other lots in the OS District the side yard setbacks shall be:
- (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for any loading, delivery, and service/maintenance areas.
 - (iii) 30 feet for all buildings and structures.

6. Rear Yard Setbacks

The minimum rear yard setbacks in the OS District shall be as follows:

- a) When any lot in the OS District adjoins any lot less than 5 acres in area zoned in any residential district, or where the rear lot line exists within 250 feet of any residential structure, the minimum rear yard setbacks shall be:
- (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 50 feet for all structures, loading, delivery and service / maintenance areas.
- b) For all other lots in the OS District the rear yard setbacks shall be:
- (i) 30 feet for all buildings, parking, vehicular circulation and loading, delivery, and service/maintenance areas.

510.03 Building and Site Development Standards

The following building and site development standards shall apply to all uses and lots in the OS District:

1. Building Construction

All uses within the SRE District shall be housed in permanent structures constructed on solid foundations meeting all applicable regulations for the construction of such structures within the State of Ohio and Union County. (Amnd. 10-20-2020, 12-21-2021)

2. Temporary Buildings and Structures

All temporary buildings and structures shall comply with the provisions of Chapter 600, Chapter 640, and all other applicable provisions of this Resolution. (Amnd. 10-20-2020, 12-21-2021)

3. Building Height

The maximum height of all structures in the OS District shall be 30 feet, measured as defined in Chapter 300 of this Resolution. (Amnd. 10-20-2020)

4. Building Design and Orientation on the Lot

The following standards apply to the construction of all buildings within the OS District:

- a) Main Entries – All buildings within the OS District shall be designed and located on the lot so that the main entrance to the building is visible from the street on which the lot fronts. The main entrance of each building shall be clearly delineated from the rest of the building through the use of architectural projections, a change in architectural design, a change in building materials, awnings, canopies or other such architectural features.
- b) Blank Walls – Large expanses of flat, featureless, exterior wall shall not be permitted on any building elevation within the OS District. Buildings shall be designed so that, at a minimum, exterior walls are varied through the use of windows, changes in building mass, changes in building materials, or a combination of the above.
- c) Loading Docks and Loading Areas – Loading docks and loading areas shall not be permitted on any building elevation that fronts to a public roadway. All loading docks

and loading areas shall be located on the side or rear elevations of the building.
(Amnd. 12-21-2021)

510.04 Loading, Delivery and Service Areas

All loading, delivery, service, or similar areas shall be screened in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

510.05 Off-Street Parking

Off-street parking for all uses in the OS District shall be provided at the time of construction of the main structure, building, or outdoor facility with adequate provisions for ingress and egress. All parking spaces and vehicular circulation areas shall meet the requirements of Chapter 610 and the following standards:

1. Number of Parking Spaces Required

All uses in the OS District shall provide a minimum number of off-street parking spaces in accordance with the type of use as defined in Chapter 610.

2. Parking Area Landscaping

All parking areas shall be landscaped in accordance with the provisions of Chapter 620. (Amnd. 10-20-2020, 12-21-2021)

510.06 Landscaping

All uses within the OS District shall be landscaped in accordance with Chapter 620 of this Resolution.

510.07 Signage

All signs located within the OS District shall comply with the provisions of Chapter 615. (Amnd. 10-20-2020, 12-6-2022)

510.08 Lighting

All exterior lighting within the OS District shall strictly adhere to the requirements of Chapter 630 and the following standards:

1. Maximum Height Requirements

The total height of exterior light fixtures used for parking lot and site lighting within the OS District shall not exceed a maximum height of 24 feet established from the average finished grade of the area intended to be illuminated surrounding the light fixture. (Amnd. 10-20-2020)

Chapter 525 – Innovation Planned Development District (IPD)

525.01 Nature of the District

This Innovation Planned Development District (“IPD”) is an overlay district created pursuant to Section 519.021(C) of the Ohio Revised Code and intended to reflect the Board of Trustees’ comprehensive plan and vision for the IPD until such time as the Township decides to pursue a Township-wide comprehensive planning review into which this IPD would be incorporated. This IPD is intended to further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting public and utility services, and encouraging innovation in the planning and building of appropriate Business Park, office and industrial uses. For purposes of this IPD, these uses are referred to generally as “Innovation Planned Development District Principal Business Park Uses” or “Business Park Uses”. This IPD also encourages the planning of appropriate Residential development which, for purposes of this IPD, are referred to generally as “Residential” uses. The IPD achieves these purposes by allowing for a unified development that:

1. Establishes an entry corridor standard for the Township.
2. Establishes signature greenways.
3. Integrates open space within developments with an emphasis on connectivity through the use of thoughtful multi-use paths and sidewalk connections.
4. Encourages the efficient use of infrastructure including paved surfaces and utility easements necessary for development.
5. Provides an opportunity for an appropriate mix of Residential and Business Park Uses.
6. Enables a review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development.
7. Assures compatibility between proposed land uses within and around the IPD through appropriate development controls.
8. Encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district yet are imaginative in architectural design, consistent with applicable public plans for the area and are compatible with surrounding land uses.

The IPD is intended to emphasize the development of the Business Park Uses in order to attract quality jobs and quality economic development opportunities to Jerome Township. The IPD provides for limited Residential Uses in support of the Business Park Uses by offering high quality housing to Township residents and persons employed within the Township.

Targeted quality developments include, but are not limited to, the following industries:

1. Advanced Manufacturing
2. Focused Innovation and Technology
3. Clean Manufacturing and Distributing
4. Insurance and Financial Services
5. Health Care Companies and Education
6. Corporate Headquarters
7. Research & Development

This IPD is specifically intended to preclude bulk warehousing uses in favor of advanced manufacturing, manufacturing, office, technology, and related uses. The advanced manufacturing, manufacturing, office, technology, and related uses are considered more compatible with the essential character of the area. These uses are also consistent with the Township’s economic development planning for the area. It will generally establish a strong

financial base for the Township now and in the future by maximizing income tax revenues applicable under a Joint Economic Development District. (Adopted 10-5-2021)

525.02 Overlay District Area Established

The IPD is created pursuant to Section 519.021(C) of the Ohio Revised Code. The IPD encompasses, includes, overlays and rezones the area shown on the IPD overlay map entitled: "Innovation Planned Development District Map" (the "IPD Map"). The IPD Map is attached hereto and incorporated herein as Attachment 1, and is hereby adopted as the Official Zoning Map for the IPD as part of this amendment. The existing zoning regulations and zoning districts for such area shall continue to apply to all parcels within the IPD unless the Zoning Commission approves an application under this Chapter to subject the parcels to the provisions of the IPD. Subject to all applicable laws and regulations, existing residential properties using septic systems in the IPD will not be required to tap into water and sewer lines that may be extended to or through property within the IPD. The supporting roadway network consists of Kile-Warner Road, Warner Road, and the future extended Houchard Road which will be developed through detailed development plans(s) or infrastructure agreements. Parcels within the IPD shall apply in accordance with the provisions of this IPD for detailed development plan approval, in compliance with the provisions of this IPD. The approval of a detailed development plan by the Zoning Commission is a ministerial act and shall not be considered an amendment to the Zoning Resolution. (Adopted 10-5-2021, Amnd. 12-6-2022)

Attachment 1 - Innovation Planned Development District Map

525.03 Permitted Uses by Subarea

Permitted, Conditional and Accessory Uses, by subarea, are hereby established in Attachment 2. Uses not permitted herein are prohibited. Furthermore, Package Delivery or Parcel Delivery is expressly prohibited.

Accessory uses are permitted only in connection with a permitted or approved conditional use on the same property or within the same development and must be clearly subordinate and incidental to that use. Permitted principal uses are permitted as accessory uses.

Use-specific Standards. The following requirements shall apply in addition to all other applicable development regulations for specific types of uses as set forth in Attachment 2, for Subarea Ia, Ib, Ic, IIa, IIb, IIc, IIId, IIe, IIIa, IIIb, IIIc, IIIId:

Bicycle Facilities: Bicycle racks are an accessory use to Business Park Uses. Placement to be shown on the detailed development plan.

Conference Centers. Facilities may be either freestanding or included within permitted hotels. Uses include accessory components such as banquet facilities and restaurants.

Child Day Care, Accessory Use. May be an accessory use to a principal use and shall comply with the requirements of R.C. Chapter 5104.

Drive-In/Drive-Thru. Facilities permitted as accessory use per Attachment 2, and must comply with the following additional requirements:

- (a) Stacking may not impede on-site or off-site traffic movement or circulation.
- (c) All menu boards, speakers, or service windows must be located on the side or rear of the

principal structure.

Eating and Drinking. Principal uses as permitted in Attachment 2, as a stand-alone use or as part of a larger retail center. As an accessory use, eating and drinking uses shall be integrated on the ground floor of another principal use. The following requirements shall apply for outdoor seating:

- (a) Speakers for amplified sound must not operate at a level greater than that to provide background music;
- (b) Advertising on furniture is prohibited;
- (c) A secure, enclosed area must be provided for the storage of furniture when not in use that will not interfere with pedestrian movement.

Entertainment and Recreation-Indoor; Entertainment and Recreation-Outdoor; Exercise and Fitness. Permitted as principal or accessory uses per Attachment 2.

Helipad/Heliport. Helipads and heliports are only conditionally permitted as accessory uses in conjunction with a medical, healthcare, or similar use.

Home Occupations. Home occupations are essential to creating a diverse economy, reducing long commuting times and supporting a sense of community. Permitted home occupations shall conform to the requirements of this IPD and the following requirements. Nothing in this IPD shall prevent or restrict a resident from having a home office or working from home as a “satellite” employee when such home office has no additional employees, has no regular in-home meetings or appointments, requires no signage or identification, and all of the work functions are contained entirely within the principal dwelling. Home occupations shall not include any kind of childcare, or other day care operations. Home occupations for purposes of this IPD shall not include limited or extended home occupations as defined by Zoning Resolution. A home occupation shall be carried on entirely within the principal residence in accordance with the following standards:

1. The home occupation shall be clearly incidental and secondary to the use of the dwelling for residential occupancy and there shall be no substantial indication of the non-residential use of the premises which is visible or apparent as viewed from off the premises.
2. No person, other than those residing on the premises, shall own or operate such occupation. Not more than 1 non-resident employee shall be employed at any one time in a home occupation.
3. There shall be no change in the outside appearance of the building or premises and no signage shall be approved for the home occupation.
4. No home occupation shall be conducted in any accessory building or structure.
5. No equipment or process shall be used in such Limited Home Occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment and/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.
6. No noise associated with a home occupation, including musical instruction, shall be detectable off of the lot or premises or shall cause a nuisance to adjacent property owners.

7. No commercial vehicles having dual axles, designed for the transportation of cargo, including tractor-trailers, shall be used for the delivery of materials to or from the premises in conjunction with the conduct of a home occupation.
8. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.
9. There shall be no storage of equipment used in the home occupation.

Manufacturing and Assembly, Auxiliary Showroom. Areas constituting accessory uses associated with the principal use.

Office-flex. Space used for any combination of research and laboratory space, clean manufacturing and assembly, wholesaling and/or related showroom, warehousing and or distribution purposes and office.

Outdoor Display/Seasonal Sales. Outdoor displays and/or seasonal sales must be associated with the principal use of the property, depicted on the detailed development plan and conditional use permit must be obtained.

Personal, Repair and Rental Services; Retail. Principal uses per Attachment 2 as a stand-alone use or as part of a larger retail center. As a ground-floor accessory use to a larger permitted use, integrated establishments shall not exceed 20% of the ground floor of the structure, whichever is smaller.

Private Garages. Allowed as an accessory use to Residential Uses per Attachment 2. Private Garages may be attached to a dwelling unit(s) or stand-alone/detached from dwelling unit(s); may be single bay or 2 or more bays.

Renewable Energy equipment; Renewable Wind Equipment. Incorporation of renewable energy for individual uses or groups of uses within the IPD is highly encouraged subject to the following:

- (a) Ground-mounted equipment for the collection of geothermal energy is permitted only to the side or rear of the principal structure, and equipment must be adequately screened.
- (b) Ground-mounted equipment for the collection of solar energy (PV or thermal) is permitted to the side or rear of the principal structure and shall comply with applicable setback requirement(c) Rooftop and wall-mounted equipment for the collection of PV or thermal solar energy is permitted, and may encroach up to 18 inches beyond the maximum permitted height of the principal structure. Screening of visible structural supports without interfering in the operation of the units may be required to meet the intent of this IPD District.
- (d) Ground-mounted equipment for the collection of wind energy must be located to the rear of the principal structure. Both building-mounted and ground-mounted equipment are subject to conditional use approval in accordance with Chapter 240 of the Zoning Resolution.

Renewable Energy Facilities. Renewable energy facilities shall be located at least 750 feet from all residential districts or residential subarea of a planned development district, unless otherwise approved by the Zoning Commission. Property owners must sufficiently demonstrate that adequate measures are provided to minimize off-site impacts relating to the facility's operation. Requires conditional use permit.

Wireless Communications. Wireless communication uses, including telecommunication towers shall also comply with the standards provided in Chapter 655 of this Resolution. Requires conditional use permit.

Warehousing, Principal Use. Requires a conditional use permit.

Warehousing, Accessory Use. Warehousing may be greater than 50% of the total floor area of any other principal use, subject to conditional use approval where applicable per Attachment 2.

Wholesaling and Distribution Showroom. Any auxiliary showroom may be an accessory use associated with the principal use.

Attachment 2 – Innovation Planned Development District Uses Chart

525.04 Permitted Densities by Subarea

Permitted densities by subarea are hereby established in the IPD as provided in Section 525.06C. (Adopted 10-5-2021)

525.05 Permitted Building Size by Subarea

Maximum building size limitations by subarea are hereby established within the IPD and are designated in Attachment 3. Any use containing one or more of the following components shall be a conditional use for which a conditional use permit shall be applied for to the Board of Zoning Appeals which approval may be withheld pursuant to Section 525.11F(2) and Chapter 240 of the Zoning Resolution:

- (i) Greater than 300,000 square feet of gross floor area in one building;
- (ii) More than one (1) loading dock/bay door per 15,000 square feet in one building,
- (iii) Twenty (20) or more semitruck and/or truck trailer parking spaces not contained within the loading docks/bay doors,
- (iv) Outdoor storage
- (v) One (1) or more loading dock/bay door facing a public road

Whether or not the above component(s) are associated with a permitted or conditional use as provided on Attachment 2, the subject component(s) shall be deemed a conditional use. (Adopted 10-5-2021)

525.06 General IPD Standards

In order to achieve the stated purpose and intent of the IPD, the following general standards are hereby established for all applications within the IPD:

525.06A Setbacks, Lot Width, and Yard Areas. Setbacks, lot width, and yard areas shown on Attachment 3, Standards Chart are incorporated by reference herein.

525.06B Uses. Permitted, Conditional and/or Accessory Uses shall be clearly identified in the detailed development plan submitted with the application to apply the IPD to a given lot.

525.06C Densities. For Residential Uses, the maximum allowable density and maximum number of Dwelling Units shall be as follows:

Subareas Ic and IIb:

Two-Family and Multi-Family Dwelling Units: 12 units/gross acre (not by any particular single acre) within a development, parcel, or subarea; and, in combination with Detached Single-Family Dwelling Units, up to 600 total Two-Family, Multi-Family, and Single-Family Dwelling Units

Subarea IIb - Detached Single-Family Dwelling Units: 2 units/gross acre (not by any particular single acre); and, in combination with Two-Family and Multi-Family Dwelling Units (in both Subareas Ic and IIb), up to 600 total Two-Family, Multi-Family, and Single-Family Dwelling Units

Subareas IIc and IIe:

Detached Single-Family Dwelling Units: 2 units/gross acre; and up to 170 total Detached Single-Family Dwelling Units (Amnd. 9-5-2023)

525.06D Building Size. Business Park Uses building floor area shall be calculated as provided in the definition of Floor Area, Non-Residential in Chapter 300 of the Zoning Resolution.

525.06E Roadway, Stormwater Management and Access. The IPD shall be developed with all improvements meeting the applicable design standards of the Union County Engineer:

i) Public roads shall be designed and constructed to the standards established by the Union County Engineer's Office and/or Ohio law. Public or private roadway and pedestrian interconnectivity shall be permitted and encouraged, but not required, for Subareas Ic, IIa, and IIb to and from, among, and between adjacent properties in Madison and/or Franklin Counties.

ii) Storm water management facilities shall be provided as required by the Union County Engineer and State of Ohio. The Innovation Planned Development District shall follow applicable Ohio law and "Article 3 Drainage Design Standards" of the Union County Engineer Technical Design Standards. In addition to these standards, it should be noted that agricultural field tiles are for agricultural drainage purposes only and, in general, may not be used as an outlet of any development or stormwater facility except in instances where the field tile is the only available outlet of the site. Field tiles that are discovered or intercepted during construction shall be reconnected or connected into the proposed stormwater conveyance system. Designers preparing plans for development on existing agricultural lands shall, at a minimum, contact the respective County Engineer's Office and local Soil and Water Conservation District or if applicable, the Farm Service Agency to confirm the existence and location of existing tile systems, if any. Any plan information for field tile systems received from these agencies shall be shown on final engineering plans.

iii) A detailed development plan shall depict site access, including through easement(s), to one or more dedicated and improved public roads. Provisions for future connections to other public roads or adjacent land may be shown, as may apply. In addition, means for safe pedestrian and bicycle access and circulation shall be provided.

525.06F Buildings. The detailed development plan shall specify architecture for all Business Park Uses and residential buildings and shall include at a minimum, the proposed exterior materials, size, height, roof shape and pitch. Notwithstanding the above, vinyl with 0.044" (nominal) thickness shall be an approved material for residential uses. Buildings shall be designed to be seen from three hundred sixty degrees (360°) and have the same caliber of finish on all elevations. Building additions and accessory structures, whether attached or

detached, shall be of similar design, materials, and construction to that of the existing or principal structure. The architectural style and design of buildings shall create harmony and be compatible throughout the site. All materials used to construct buildings within the IPD shall be utilized in such a manner as to be architecturally and aesthetically compatible. Creativity in design is encouraged; however, that creativity shall be consistent with the goals and requirements established for the IPD.

525.06G Building Height. For Business Park Uses, no building or structure shall exceed fifty (50) feet in height. For Residential uses, no building or structure shall exceed two stories and a maximum of thirty-five (35) feet in height. Chimneys, flagpoles, parapets, cupolas and other similar architectural elements may exceed this height limitation by no more than eight (8) feet.

525.06H Impervious Area. The ground area occupied by all the buildings, structures, driveways, traffic circulation areas, parking areas, sidewalks and all other impervious surfaces shall not exceed in the aggregate eighty-five percent (85%) of the total area of the tract. Green roofs and pervious pavers/pavement shall not be included in impervious calculations. This calculation shall not be construed to include public rights of way.

525.06I Lighting. All detailed development plans shall include a lighting plan with the type and description of all proposed street and parking lot lighting. Lighting within the IPD shall conform with the provisions of Chapter 630 of the Resolution except as provided below:

- i) For County or Township roads, street lighting shall conform to the standards of the Union County Engineer.
- ii) The lighting plan shall specify the proposed pole and lantern design, maximum height, lighting source, wattage, shielding and any other information necessary to evaluate the lighting as proposed.
- iii) The lighting plan submitted with each detailed development plan shall be designed to promote an overall cohesiveness in the development of the plan and to minimize the amount of light pollution affecting the neighboring properties and the rural character of the Township.
- iv) Parking lot lighting specified within the IPD shall be limited in height to the minimum required to effectively illuminate the parking areas to all applicable standards and shall incorporate a "cut-off" type shielding to prevent light pollution on adjacent properties.
- v) For Residential uses, site lighting shall be required for each sub area, designed to sufficiently illuminate the site and minimize spillover from the property. Light poles shall not exceed twenty (20) feet in height and should be in harmony with the parcel, building, and parking lot size as well as the surrounding area. Parking lot lighting shall be of a standard light source and type. The style shall reflect a traditional design, ideally consistent throughout the corridor.
- vi) For Residential uses, building, pedestrian and landscape lighting may be incandescent, metal halide, LED or other sustainable lighting.
- vii) For Residential uses, all parking lot areas exclusive of driveways serving garages shall have a maximum light intensity of twenty (20) foot candles and an average light intensity between one half (0.5) foot candle and three (3) foot candles.

viii) For Residential uses, all external lighting shall be decorative, cut-off type fixtures and downcast to reduce spillover. Outdoor lighting shall be directed, reflected, or shielded so as not to be of excessive brightness or cause glare hazardous to pedestrians or drivers, create a nuisance or unreasonably interfere with a neighboring property owner's right to enjoy his property. Light spillover shall not exceed one tenth (0.1) foot candles when adjacent to a Residential zoning district or an existing Residential use.

ix) For Residential uses, luminaries should have a minimum cut-off of forty-five (45) degrees, so as to provide glare control to pedestrian and vehicular traffic, as well as distinct beam cut-off on the outer perimeter of the setback areas.

x) For Residential uses, all landscape up-light fixtures shall be screened by landscaping and cut-off in design. This type of lighting shall be equipped with automatic timing devices and shielded and focused to minimize light spillover to adjacent properties.

xi) For Residential uses, no permanent colored lights or neon lights shall be used on the exterior of the buildings. Flashing lights shall be prohibited. External building lighting shall be limited to wall-mounted sconces and wall pack fixtures.

525.06J Signage. Signage design and standards shall ensure a constant and comprehensive character throughout the project and compatible with the character of the Township. Signage within the IPD shall conform with the provisions of Chapter 615 of the Resolution except as provided below:

i) All permitted signs and graphics within the IPD shall be compatible in size, location, material, height, shape, color, and illumination.

ii) A detailed sign plan and standards shall be submitted with the detailed development plan shall include the design, layout and dimensions of all proposed ground, window and wall signs as well as the setbacks from the rights-of-way and the type and intensity of illumination.

iii) Signs shall contribute to an overall cohesive design, reflect simplicity, reduce visual clutter and complement the rural character of the Township.

iv) Wall signs shall be controlled and designed in a manner to complement the architecture of the buildings and the development. Ground signs shall be designed to relate to and share common elements with the proposed architecture.

v) Prohibited Signs. The following signs shall be prohibited:

1. Any signs not specifically permitted by the express terms of this District.
2. Any sign listed as prohibited in Section 615.03 of this Resolution

vi) Permitted Signs. Permanent signs shall be those permitted in areas clearly designated herein and subject to the regulations of this Chapter. Permanent signs are permitted as follows:

1. Ground Mounted Signs – All Business Park Uses shall be permitted one monument sign per street frontage. The setback of such monument signs shall be 10 feet from any right-of-way line. Such signs shall have a maximum height of 8 feet and maximum

display area of 64 square feet. All monuments shall be in harmony with the buildings on the site and shall not detract from the appearance of the general neighborhood.

2. Wall Signs – All Business Park Uses shall be permitted one wall. Whenever a Business Park Use fronts to two or more streets, one additional sign may be allowed per street frontage. The display area for wall signs for Business Park Uses shall be a maximum of 1 square foot per linear foot of roadway frontage, per wall/per frontage, with a maximum total display area of 200 square feet for all building frontages.

3. Joint Identification Signs – Joint identification signs shall be permitted as part of sign plan attached to an approved detailed development plan.

4. Off premise signs may be permitted as part of an approved sign plan that is part of and approved detailed development plan.

vii) Residential Development Entry Signs – A residential development shall be permitted one ground mounted monument sign at each vehicular entry to the development, subject to the following requirements:

1. Minimum Size of Development – For a residential development entry sign to be permitted, the residential development shall contain a minimum of 10 units constituting one development.

2. Setback – Such signs shall be set back a minimum of 10 feet from any right-of-way.

3. Height and Display Area – Residential development entry signs shall not exceed a total of 36 square feet in display area, and shall not exceed 10 feet in height.

4. Landscaping – Such sign shall incorporate landscaping features around the base of the sign.

viii) Temporary Signs, Permit Required

1. Construction / Development Signs – A sign advertising the construction or development of a property currently under construction shall be permitted as a temporary sign. Such signs shall be limited to 40 square feet per sign face or side in area and 8 feet in height and be a minimum of 10 feet from the public right-of-way. Permits granted for such signs shall be valid for a period of 24 months and may be renewed for 2 additional 1 year periods upon application to the Zoning Inspector.

ix) Signs Advertising the Sale of Undeveloped Land – Signs advertising the sale or lease of land available for development shall be permitted as a temporary sign. Such signs shall be limited to 32 square feet of display area per sign face or side and shall not exceed 8 feet in height. Permits granted for such signs shall be valid for a period of 1 year and may be renewed for 1 additional 1 year period upon application to the Zoning Inspector.

525.06K Parking and Loading Areas. Parking and access requirements and standards shall be as defined in the approved detailed development plan and shall meet the requirements of the Union County Engineer (if on street), the Township Fire Department, and shall conform with the provisions of Chapter 610 of the Resolution except as provided below:

i) Off-street parking and loading shall be provided for all Non-Residential buildings with adequate provisions for ingress and egress.

ii) Parking areas may be clustered in larger park fields in order to encourage the smaller the be aggregation and concentration of landscaping and other open space to create.

iii) The layout of parking areas, service areas and related entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of the area as well as those areas adjacent to the development.

iv) All service, delivery and loading areas for any use shall be arranged and located to minimize the impacts and view of such uses throughout the development.

v) Required parking shall apply as set forth in Attachment 4 and may be modified in an approved detailed development plan. Parking requirements may be calculated on a building by building basis or with aggregate considerations, as determined by the Zoning Commission and reflected in the approved detailed development plan.

vi) Landscape Islands – To reduce the effect of heat absorption and provide improved visual character in off street parking areas landscape islands shall be provided within all parking areas having 10 or more parking spaces in accordance with the following:

1. Landscape islands shall be a minimum of 8 feet in width and 19 feet in length and shall have a minimum of 2-foot radius at the outside corners.
2. Islands shall be provided at a rate of 1 island per each 12 parking spaces. Landscape areas located in the corners of parking areas shall count as ½ of a required landscape island.
3. Within double rows of parking, islands shall be combined end to end and placed at the end of parking rows as a cap or between the sides of parking spaces in a row.
4. Landscape islands shall be planted with grass and may be planted with trees or shrubs. If trees are provided, minimum size of plant materials at installations shall be as follows:
 - a. Shade Trees: 2" caliper
 - b. Ornamental Trees: 6' height

vii) Design and Location - All parking and circulation areas shall, at a minimum, be designed to meet the following standards:

1. Size – All parking spaces shall be a rectangular area not less than 9 feet in width by 18 feet in length with the exception of compact vehicle parking spaces or driveway and/or garage spaces.
2. Compact Vehicle Parking Spaces – In parking areas where more than 25 parking spaces are required the owner may provide compact vehicle parking spaces in lieu of standard vehicle parking spaces for a maximum of 10 percent of the total number of parking spaces required subject to the following requirements:
3. Compact vehicle parking spaces shall be a minimum of 8 feet in width and 16 feet in length. Compact vehicle parking spaces shall be clearly marked with an aluminum sign measuring a minimum of 12 inches by 18 inches and permanently affixed to a building or signpost at the end of each space. Such sign shall be mounted at a minimum of 3 feet and a maximum of 4 feet in height as viewed from the center of the parking space.

4. Head in parking spaces shall be a minimum 9 feet in width by 18 feet in depth, but may be reduced for subcompact car or motorcycle parking, to 8 x 16 feet and 10% of the total spaces if greater than 25 spaces in the detailed development plan. Parallel parking spaces shall be a minimum of 8 feet wide by 20 feet long.
5. Drive aisles shall be not less than 20 feet in width.
6. Location – Required off-street parking facilities shall be located on the same lot as the structure or use served, except where joint or combined parking areas are permitted elsewhere by this Resolution.

525.06L Landscaping. All detailed development plans shall include a detailed landscape plan and standards for all areas, subareas, open spaces and uses with the proposed development. Landscaping within the IPD shall conform with the provisions of Chapter 620 of the Resolution except as provided below:

- i) All yards and open spaces not covered by structure, paving and the like shall be landscaped with lawn as a minimum. Artificial turf may be an acceptable covering material in limited quantities and areas as approved in the detailed development plan.
- ii) All vacant and undeveloped areas shall be kept seeded and maintained, treed or farmed in such a manner as to prevent erosion of the property and excess drainage on adjacent land.
- iii) Landscaping shall be designed to enhance architectural features, screen incompatible uses, emphasize pedestrian environments, provide shade for streets and parking lots and strengthen views and vistas.
- iv) The landscape plan, where possible and practical, shall be designed to preserve and capitalize on the existing natural characteristics of the site and to promote overall unity in design.
- v) Landscape design and the specification and use of trees and plant materials shall discourage monoculture. For the purpose of this section monoculture is defined as the dominance or overabundance of any one species that may expose the development to a substantial loss of plant material should said plant material be affected by pest or disease (ex. Emerald Ash Borer)
- vi) Plant material specified in the detailed development plan shall be indigenous and hearty to the area and shall be harmonious to the design and consistent with adjacent land uses.
- vii) For publicly dedicated streets, street trees shall be required at a rate of 1:40 feet. Tree species native to the area shall be provided by the developer for all existing and proposed public streets and placed outside the public right-of-way. Size, shape, type and location of street trees shall be specified in the detailed development plan. Street trees shall not be placed over utility lines and shall not interfere with the function or maintenance of roadways and drainage areas.
- viii) Landscape buffer design shall be specified in the detailed development plan with terms for ownership and maintenance. The following landscape buffers shall be required:

1. Within the setback area along Industrial Parkway, in addition to the street trees required in Section 525.06K(vii), additional tree plantings shall be required at a quantity of five (5) trees per one hundred (100) linear feet. Trees may be ornamental, shade or evergreen. Additional features (mounding, fencing, walls etc. or an optional landscape treatment may be presented and approved with the detailed development plan.)

2. Within the setback area along the Houchard Road Extension, in addition to the street trees required in Section 525.06K(vii), additional tree plantings shall be required at a quantity of five (5) trees per one hundred (100) linear feet. Trees may be ornamental, shade or evergreen. In addition to these trees shall be an undulating earthen mound with a minimum height of three (3) feet. Additional features (fencing, walls etc. or an optional landscape treatment may be presented and approved with the detailed development plan.)

3. Within the setback area along the Warner Road, in addition to the street trees required in Section 525.06K(vii), additional tree plantings shall be required at a quantity of three (3) trees per one hundred (100) linear feet. Trees may be ornamental, shade or evergreen trees. In addition to these trees shall be an undulating earthen mound with a minimum height of three (3) feet. Additional features (fencing, walls etc. or an optional landscape treatment may be presented and approved with the detailed development plan.)

4. Adjacent to any property containing an existing residential dwelling, at installation, a fifty (50) foot buffer shall be required to screen the proposed use to a minimum seventy-five percent (75%) year-round opacity with a minimum height of eight (8) feet. Screening may include landscaping, mounding, fencing, walls or any combination thereof in order to achieve the opacity and height requirement. Where necessary to ensure adequate access, roads, driveways, and paths may be permitted within the fifty (50) foot buffer.

- a. The foregoing notwithstanding, in Subareas Ia, Ib, IIIa, and IIIc, for any property containing an existing residential dwelling and having frontage on Weldon Road, at installation, a one hundred (100) foot buffer shall be required to screen the proposed use to a minimum seventy-five percent (75%) year-round opacity with a minimum height of eight (8) feet. Screening may include landscaping, mounding, fencing, walls or any combination thereof in order to achieve the opacity and height requirement. Where necessary to ensure adequate access, roads, driveways, and paths may be permitted within the one hundred (100) foot buffer.

Street trees for signature entry roads (Houchard Road, Warner Road and/or Industrial Parkway) shall be maintained by the property owner, or property owner adjacent to the right-of-way wherein such street trees are planted, unless otherwise determined by the Township.

ix.) Minimum size of plant materials at installations shall be as follows:

1. Shade Trees: 2.5" caliper
2. Ornamental Trees: 8' height
3. Evergreen Trees: 8' height

525.06M Trash and Garbage Control. All trash and garbage for the Business Park Uses shall be stored in container systems (dumpsters or compactors) which are located at the rear of the building or at the side of the building if the side is not oriented towards an existing or

planned right of-way(s) and must be enclosed on all four (4) sides with either a masonry enclosure or wood fencing a minimum of six (6) feet in height.

525.06N Utilities. All utility lines constructed to service the proposed development shall be located underground. Mechanicals, whether roof mounted or on the ground, shall be screened with architectural features and/or landscaping. Notwithstanding anything to the contrary, this provision shall not apply to high-tension electric transmission lines.

525.06O Other Requirements. Conflicts between this IPD and the Zoning Resolution shall be resolved first in favor of this IPD and all approved variances from these IPD standards, definitions and the general land uses as set forth herein. Unless specifically set forth by the standards contained in this Chapter 525 or those standards approved by divergence, the general development standards found in Article 6 of the Zoning Resolution shall apply. (Adopted 10-5-2021, Amnd. 12-6-2022)

525.07 Flood Plains and Environmentally Sensitive Areas

Floodplains within the IPD shall be protected from building or pavement encroachment through the following standards:

525.07A. A riparian buffer, having a width of not less than 50' as measured from the centerline of the stream, shall be provided along the entire length and on both sides of a river or perennial stream channel.

525.07B. Buffer areas shall be restricted from development and managed to promote the growth of vegetation indigenous to the stream area capable of maintaining the structural integrity of the stream bank, with the exception of utilities, storm water management facilities and roadways. (Adopted 10-5-2021, Amnd. 12-6-2022)

525.08 Open Space and Signature Greenways

The IPD is planned to include several foundational elements, including signature greenways, that set a tone and vision for open space components of the IPD and each individual development therein.

525.08A. The IPD main roadway network will be comprised of Industrial Parkway, Kile Road/Kile-Warner Road, Weldon Road, Warner Road and Houchard Road (extension). Applicable development standards and connectivity standards shall be as follows:

Industrial Parkway (west side)	10' Multi-Use Path (asphalt)
Warner Road (south side)	10' Multi-Use Path (asphalt)
Kile Road/Kile Warner Road (both sides)	5' Sidewalk (concrete)
Weldon Road (both sides)	5' Sidewalk (concrete)
Houchard Road	One side 5' Sidewalk (concrete) Other Side 10' Multi-Use Path (asphalt)

525.08B. For Business Park Uses, a minimum of 10 percent (10%) of the total gross land area of any development proposed for detailed development plan approval is required for

open space. For Residential uses, a minimum of 15 percent (15%) of the total gross land area proposed for detailed development plan approval is required for open space. Open space is intended for common use, preferably and intentionally interconnected with other similar spaces within the IPD or adjacent developments. In accordance with the provisions of Section 525.11, the applicant may request a divergence from the minimum requirements of this Section on the basis that providing said open space would be impractical or that the required open space is provided elsewhere or in another manner, or upon other such similar good showing.

525.08C. Open space shall be prohibited from further subdivision or development. This restriction from further subdivision or development shall also be noted in the detailed development plan and the recorded plat, if applicable.

525.08D. The following design standards for open space shall apply within the IPD District:

(i) Open space, where possible, may be integrated into the overall design of the IPD and shall, absent unique and special circumstances, meet the standards and guidelines contained herein. The types of uses buildings and structures proposed to be permitted in open space shall be specified in the detailed development plan.

(ii) For the purposes of the IPD, uses may be proposed for active or passive use and may include natural areas and preserves, walkways, pathways/greenways, parks, and/or other recreational areas, public facilities such as public schools, libraries, community centers or private community recreation facilities and clubhouses and amenities associated therewith. Access to all uses shall be specified.

(iii) In identifying the location of open space, the developer shall consider as priorities existing natural features such as natural woodlands, wetlands, identified species habitat, tree lines, stream and creek corridors, and FEMA-designated 100-year floodplains.

(iv) Storm water management facilities may be permitted in open space provided such ponds are designed and maintained as natural features that blend into the landscape. A landscape design for each pond or other storm water management facility shall be submitted with the detailed development plan.

(v) Open space, when practicable, shall be interconnected with open space areas on adjacent parcels, greenbelts and/or landscape buffers, which may be included within the open space.

(vi) In order to encourage the creation of large areas of contiguous open space, areas that should not be considered as open space include:

1. Required spacing between and around Business Park Uses buildings and parking areas, and
2. Residential lots.

(vii) Any open space intended to be devoted to active recreational activities should be of usable size and shape for the intended purposes.

(viii) The open space, including any recreational structures and public facilities proposed to be constructed in such space, shall be clearly shown on the detailed development plan.

ix) Open Space Ownership - Open space may be proposed to be owned by an association, the Township or other governmental entity, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership. The ownership of the open space shall be specified in the detailed development plan.

525.08E. Open Space Management and Maintenance. The owner(s) of the open space shall be responsible for funding the operations, maintenance, or physical improvements to the open space through any valid and enforceable collection methods. In the event that the organization established to own, operate and maintain the open space shall at any time after the establishment of the development fail to maintain the open space in reasonable order and condition in accordance with the approved detailed development plan, such failure shall constitute a violation of this Zoning Resolution. (Adopted 10-5-2021, Amnd. 12-6-2022)

525.09 Free Standing Walls and Fences

The provisions of Chapters 625 and 645 of the Resolution shall apply to this IPD District, with the following exceptions:

525.09A General Requirements for Walls and Fences.

1. A fence or wall shall be permitted on any portion of a lot located behind the front wall of the principal building, or located in accordance with an approved detailed development plan. The maximum height for such fences shall be six (6) feet for fences accessory to Single- and Two-Family Dwellings, and eight (8) feet for all other uses unless otherwise provided for by this Chapter or Resolution, or by an approved detailed development plan. Whenever there is no principal building, a fence of this type shall be located no closer to the right-of-way than the front yard setback provided for by this Chapter.
2. A fence may be permitted between the front wall of a principal building and the right-of-way subject to the following regulations:
 - (a) The fence shall be no taller than five (5) feet.
 - (b) No portion of said fence shall exceed twenty-five percent (25%) opacity.
3. Fences for security purposes for any Business Park Use may be installed to a maximum height of ten (10) feet provided that the fence is either decorative in style or materials, or fully screened from view from any public right-of-way and any surrounding lots by landscaping that meets or exceeds the height of the fence within five (5) years of planting with an opacity of one hundred percent (100%), and is located no closer to the right-of-way of a road than the front yard setback provided for in this Chapter.
4. Fencing of the style depicted in Attachment 5 shall be permitted for pools associated with Residential Uses.

525.09B Prohibited Fence Types.

1. Chain link fences shall not be permitted except for the following instances: Chain link fences may be used when accessory to outdoor athletic facilities such as tennis courts, basketball courts, baseball or softball diamonds, pickle ball courts, swimming pools, dog parks or other similar outdoor facilities. Chain link installed for such uses must be black coated style and shown on an approved detailed development plan.
2. Chain link fencing shall not be used for Business Park Uses. Decorative, black security fencing (non-chain link) may be used for Business Park Uses, if shown on an approved detailed development plan. (Adopted 10-5-2021, Amnd. 12-6-2022)

525.10 Additional Development Standards

In addition to the general standards applicable to all uses in the IPD, the following additional development standards are established to further fulfill the purpose and intent of the IPD through the application of flexible land development techniques in the arrangement, design and construction of structures and their intended uses and the integration of open space within the development. These standards are intended as general standards as circumstances dictate. The development standards filed and approved as part of a detailed development plan application shall establish the final requirements.

525.10A Business Park Uses Land Use.

Design standards should be incorporated into the detailed development plan to ensure the aesthetic quality of this development type.

Site access, where desirable and appropriate, should be shared across individual properties. Design standards should be incorporated into the detailed development plan which will improve the aesthetic quality of this type of development. In addition, all Business Park Uses developed under the IPD shall, at a minimum, conform to the following standards, which shall be described and/or depicted in the detailed development plan:

- i) Fire and Explosion Hazards - All activities, including storage, involving flammable or explosive materials shall include the provision of adequate safety devices against hazard of fire and explosion. All standards enforced by the Occupational Safety and Health Administration shall be adhered to. Burning of waste materials in open fire is prohibited, as enforced by the Ohio Environmental Protection Agency.
- ii) Air Pollution - No emission of air pollutants shall be permitted which violate the Clean Air Act of 1977 or later amendments as enforced by the Ohio Environmental Protection Agency.
- iii) Glare, Heat, and Exterior Light - Any operation producing intense light or heat, such as high temperature processing, combustion, welding, or other shall be performed within an enclosed building and not visible beyond any lot line bounding the property whereon the use is conducted.
- iii) Dust and Erosion - Dust or silt shall be minimized through landscaping or paving in such a manner as to prevent their transfer by wind or water to points off the lot in objectionable quantities.
- iv) Liquid or Solid Wastes - No discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply or interfere with bacterial processes in sewage treatment, shall be permitted. The standards of the Ohio Environmental Protection Agency shall apply.
- v) Vibrations and Noise - No uses shall be located, and no equipment shall be installed in such a way as to produce intense, earth-shaking vibrations which are discernable without instruments at or beyond the property line of the subject premises. Noise standards of the Ohio Environmental Protection Agency shall be adhered to.
- vi) Odors - No use shall be operated so as to produce the continuous, frequent or repetitive emission of odors or odor causing substances in such concentrations as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located.

The applicable standards of the Ohio Environmental Protection Agency shall be adhered to. (Adopted 10-5-2021, Amnd. 12-6-2022)

525.11 Process For Detailed Development Plan Approval

All applications for detailed development plan approval of area within the IPD shall follow the procedures hereinafter set forth:

525.11A Pre-application Meeting. The applicant is encouraged to engage in informal consultations with staff from the Township and the Union County subdivision authorities (e.g., Regional Planning Commission, County Engineer, Board of Health, etc.) prior to formal submission of an application for approval of a detailed development plan. No statement or action by Township or County officials in the course of these informal consultations shall be construed to be a waiver of any legal obligation of the applicant or of any procedure or formal approval required by Township or County regulations. Ohio's Open Meetings Law (Section 121.22 of the Revised Code) is required to be observed at pre-application meetings involving a quorum of members of the Zoning Commission.

525.11B Application.

Within the IPD, the IPD District designation shall not apply, no use shall be established and no structure shall be constructed or altered until a detailed development plan for each such use and/or structure has been approved by the Zoning Commission. An application, in a form approved by the Zoning Commission, shall be completed by the property owner and submitted with the detailed development plan. A total of 15 copies of the application and supporting material shall be submitted. The application form shall be provided by the Zoning Inspector. All mapping shall be prepared using the County's graphic standards.

525.11C Proposed Detailed Development Plan Contents. In addition to the application required herein, 15 copies of the detailed development plan shall be submitted with the application. The detailed development plan shall contain, in text and map form, the following information at a minimum:

- (1) Proposed name of the development and its location;
- (2) Names and addresses of owners and developers;
- (3) Date, north arrow and plan scale. Scale shall be one-inch equals 100 feet or larger scale;
- (4) Boundary lines of the proposed development and the total acreage encompassed therein;
- (5) Locations, widths and names of all existing public streets or other public ways, railroad and utility rights of way or easements, parks and other public open spaces, permanent structures, and section and corporation lines within or adjacent to the tract;
- (6) Existing sewers, water mains, culverts and other underground facilities within the tract, adjacent to the tract or that will be used in developing the tract, indicating pipe sizes, grades and locations;
- (7) The lot lines of adjacent tracts, parcels or lots;
- (8) Residential density, dwelling types, nonresidential building intensity and specific uses to be included within the proposed development, specified according to area or specific building location;
- (9) Existing ground configuration, drainage channels, wooded areas, watercourses and other significant physical features;

- (10) Layout of proposed streets, including their names and rights of way, easements, sewers, water lines, culverts, street lighting and other major improvements;
- (11) Layout, numbering and dimensions of lots if more than one;
- (12) Anticipated building envelope and general architectural style and character of proposed structures;
- (13) Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the condition proposed for such covenant and for the dedications;
- (14) Building setback lines with dimensions;
- (15) Tentative street grades and sewer size slope;
- (16) Proposed traffic volumes, traffic circulation, parking areas, curb cuts and pedestrian walks;
- (17) Landscaping plans, including site grading and landscape design;
- (18) Engineering feasibility studies of any anticipated problems which may arise due to the proposed development as required by the Zoning Commission;
- (19) For other than Detached Single-Family structures, provide:
 - a) Drawings for buildings to be constructed in the current phase, including floor plans, exterior elevations and sections;
 - b) Color rendering of buildings(s), complete with a listing of all colors, including Pantone 1999-2000 Reference Numbers or if Pantone is not available, the manufacturer's reference/serial number with sample, and materials, with samples to be used;
 - c) Building locations depicting the bulk, height and spatial relationships of building masses with adjacent development;
 - d) Intended measures to screen rooftop mechanical equipment from view;
- (20) A detailed signage and exterior lighting plan;
- (21) Accommodations and access for emergency and firefighting apparatus;
- (22) The management plan or mechanism to provide for the perpetual maintenance of all open space, landscaping, buffers and shared parking areas by the ultimate owner and/or user and the controlling instruments;
- (23) Location of open space area and designation of intended uses; and
- (24) Any additional information as may be required by the Zoning Commission.
- (25) The applicant may request a divergence from the development standards set forth in this Chapter, or otherwise from the Zoning Resolution. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the detailed development plan, with a request that the proposed divergence be approved as part of and as shown on the detailed development plan. Unless specifically supplemented by the standards contained in the detailed development plan, the development shall comply with the requirements contained in Article 6, General Development Standards applicable to all zoning districts or that are most closely comparable to the use, as contained in the Zoning Resolution.

525.11D Zoning Commission Action. After receipt of the completed application materials and payment of required fees, the Zoning Commission shall schedule a public hearing to be held within a reasonable amount of time and shall provide the applicant written notice at least ten (10) days prior to the date of the public hearing. The Zoning Commission shall render a decision on the application and detailed development plan within thirty (30) days after the conclusion of the hearing.

525.11E Basis of Approval. In determining whether or not to approve an application for detailed development plan approval, the Zoning Commission shall consider and approve a detailed development plan upon a finding of substantial compliance based upon the following:

- i) Whether the proposed development is consistent with the purpose, policies, criteria, intent, and standards of the IPD District, and, if applicable, determine if divergence(s) are reasonably related to or facilitate the use(s), criteria and/or standards of the IPD District;
- ii) Whether the proposed development is in conformity with the plan for the IPD District or such portion thereof as may apply, or whether the benefits from a difference, improved arrangement and/or design of the development justify deviation therefrom;
- iii) Whether the development is located and designed in such a way as to minimize any unreasonable adverse impact on existing residential or agricultural areas of the Township;
- iv) Whether the development contributes to the stated purposes as expressed in in this Chapter;
- v) Whether the development is harmonious with the standards, spirit and intent of the IPD District, or whether the benefits from a difference, improved arrangement and/or design of the development justify deviation therefrom.

525.11F Effect of Approval. The Zoning Commission's determination shall not be considered an amendment to the Township Zoning Resolution for purposes of Section 519.12 of the Revised Code, but may be appealed pursuant to Chapter 2506 of the Revised Code. If the Zoning Commission makes a final determination that the detailed development plan included in the application complies with this Chapter 525, or if the Zoning Commission's final determination is one of noncompliance, then if a court of competent jurisdiction makes a final non-appealable order finding compliance, the Zoning Commission shall approve the application and upon approval shall cause the Official Zoning Map to be changed so that any other zoning district that applied to the property that is the subject of the owner's application no longer applies to that property. The removal of the prior zoning district from the Official Zoning Map is a ministerial act and shall not be considered to be an amendment or supplement to the Township Zoning Resolution for the purposes of Section 519.12 of the Revised Code and may not be appealed pursuant to Chapter 2506 of the Revised Code.

The approval of a detailed development plan shall be effective for a period of five (5) years) in order to allow for the preparation and recording of a subdivision plat (if required under applicable law) and the commencement of construction following the issuance of (a) zoning certificate(s). If no plat has been recorded within this approval period or, if platting is not required, if construction or other affirmative actions, efforts, planning or other expenditures has not commenced, or unless the Zoning Commission approves an extension of this time limit, a detailed development plan shall expire. Upon the expiration of the detailed development plan, the subject parcel(s) shall remain zoned IPD District, but no use shall be established or changed, and no building, structure or improvement shall be constructed until an application for a new detailed development plan application accompanied by a new detailed development plan and all information required therewith, has been filed with and approved by the Zoning Commission using the procedures and process established herein for the approval of a detailed development plan.

525.11F(1) Applications Including Conditional Uses. The Board of Zoning Appeals, in accordance with Chapter 240 of the Zoning Resolution may grant conditional approval for a conditional use permit of the land, buildings or other structures where such conditional uses are provided for in the IPD. The applicant shall seek and obtain any necessary approval of a proposed conditional use prior to the Zoning Commission making a determination on the

detailed development plan. If the Board of Zoning Appeals grants such conditional use permit for the use(s), but the Zoning Commission fails to approve the detailed development plan, the conditional use permit is rendered void.

525.11G Extension of Time for Detailed Development Plan. Upon application by the owner(s), the Zoning Commission may extend the time limit provided by Section 525.11(F), above. Such extension may be given upon a showing of the purpose and necessity for same and upon evidence that the owner(s) has made reasonable efforts toward the accomplishment of the original approved detailed development plan, and that such extension is not in conflict with the general health, safety and welfare of the public or the development standards of the PD District.

525.11H Modification of Detailed Development Plan. Proposed modifications from an approved Development Plan that involve only one (1) lot may be considered by the Board of Zoning Appeals under its hearing process pursuant to Chapter 245 of the Zoning Resolution. All other modifications to a detailed development plan shall be presented to the Zoning Commission for its consideration pursuant to Section 525.11D hereof. Upon application, the Zoning Commission may, after a duly held hearing, modify an approved detailed development plan pursuant to the same procedures as the original application in Section 525.11D. The request for modification may be approved upon a showing of a compelling reason and necessity for the same and upon a showing that the owner(s) has made reasonable and diligent efforts toward the accomplishment of the original detailed development plan, and that such modification is administrative in nature and not in conflict with the intent and purpose of the IPD District. (Adopted 10-5-2021, Amnd. 12-6-2022)

525.12 Fees

A fee as established by the Schedule of Zoning Fees shall accompany an application requesting approval of a detailed development plan, as well as any request for extension or modification. Land within the IPD will also be subject to a Community Infrastructure Fee consisting of \$500 per Dwelling Unit (Detached Single-Family, Two-Family, or Multi-Family). The Community Infrastructure Fee shall be allocated and paid to the Township upon application for a zoning certificate, to be credited to the Township general fund in an account designated for the IPD District.

In addition, the applicant shall also be responsible for all reasonable and necessary expenses incurred by the Township in using professional consulting services to review the detailed development plan. These expenses may include, without limitation, costs for professional consultants such as architects, landscape architects, planners and engineers utilized by the Township in connection with reviewing the detailed development plan and related application materials. As soon as reasonably practicable following the submission of an application for approval of a detailed development plan, the Zoning Commission shall decide if it needs a professional consultant(s) to assist it in reviewing the application. If the Zoning Commission decides it needs professional consulting services, it shall designate the person(s) to be consulted and make an initial estimate of the expenses anticipated to be incurred in reviewing the application materials. The Zoning Commission shall provide the applicant with notice of its initial estimate of such expenses. This initial estimate will be reviewed, and may be revised, from time to time during the review process, and, if such review results in an increase in the estimated professional consulting fees and charges which will be incurred in the Township's review of the application materials, the Zoning Commission shall send the applicant written notice of the revised estimate of fees and charges. Within fourteen (14) days of the date of the

notice of the initial estimate of fees and charges (and, if applicable, within fourteen (14) days of the date of the notice of any revised estimate), the applicant shall deposit in the office of the Fiscal Officer, an amount equal to the estimated cost of the Township's expenses. In making the estimate of the professional consulting fees and charges anticipated to be incurred, the Zoning Commission shall consider the reasonable commercial rates of qualified professionals and reasonable estimates of time to complete the review. Any unused portion of the estimated amount received to cover the professional consulting fees and charges shall be returned to the applicant as soon as practicable following the final disposition of the application, along with a summary of the fees and charges expended for such services. (Adopted 10-5-2021, Amnd. 12-6-2022)

525.13 Definitions

Adult Care Facility. An adult family home or an adult group home. For the purposes of this Resolution, any residence, facility, institution, hotel, congregate housing project, or similar facility that provides accommodations and supervision to three to sixteen unrelated adults, at least three of whom are provided personal care services. "Adult care facility" does not include:

- a) A facility operated by a hospice care program licensed under ORC 3712.04 that is used exclusively for care of hospice patients.
- b) A nursing home or home for the aging as defined in ORC 3721.01.
- c) A community alternative home as defined in ORC 3724.01.

This use does not include an alcohol and drug addiction program as defined in ORC 3793.01.

Advanced Manufacturing. The use of innovative technologies to create new or improve existing products or processes, with the relevant technology being described as "advanced," "innovative." Advanced manufacturing industries increasingly integrate new innovative technologies in both products and processes.

Ambulatory Health Care Services. Medical services performed on an outpatient basis, without admission to a hospital or other similar facility. It is provided in settings such as: offices of physicians and other health care professionals, hospital outpatient departments, ambulatory surgical centers, specialty clinics or centers, (e.g., dialysis or infusion), and urgent care clinics.

Battery Exchange Station. A fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Ohio law and consistent with rules adopted thereunder.

Clean Manufacturing. Manufacturing that prioritizes new and advanced products and production processes. Clean manufacturing considers reduction of the use of natural resources, thus minimizing waste generated from the process, or minimized/repurposed waste generated through the process. Clean manufacturing may focus on improved resource efficiency or reduced waste generation/minimized chemical risks.

Commercial Vehicle. Any vehicle used or designed to be used for business or commercial purposes including but not limited to: bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, or any other non-recreational trailer used for commercial purposes, stage bed truck, step van,

tank truck, tar truck, or other commercial type vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or commercial truck.

Conference Center. A facility designed to accommodate and support meetings or conferences. The facility may be either freestanding or incorporated into a hotel or office facility, and may include eating and drinking facilities but excludes overnight lodging if not part of a hotel.

Construction Trailer/Office, Temporary. A trailer or portable building used to provide temporary workspace for construction management personnel during the construction of a building or facility.

Corporate Residence. Housing corporate employees on a short or medium-term basis.

Data Center. A facility with typically lower employee counts than general office uses that houses computer systems and associated data and is focused on the mass storage of data. This use does not include corporate headquarters or significant business office functions.

Day care, Child or Adult. An adult day care facility offers social, recreational and health-related services in a protective setting to individuals who cannot be left alone during the day because of health care and social need, confusion or disability. A child day care is a facility providing non-medical care and supervision outside the home for minor children, provided the supervision is less than 24 hours per day and the facility is licensed by the State of Ohio. This definition includes preschools, nursery schools, and other similar facilities.

Drive-In/Drive-Thru. A structure or building feature, including but not limited to a service window, automated device, or other equipment that is designed to provide sales and service to patrons who remain in their motor vehicles, including associated driveways and driving aisles by which patrons reach the structure or building feature.

Eating and Drinking. A facility that prepares or serves food or beverages directly to the public for on- or off-premise consumption. This use includes but is not limited to sit down or take-out restaurants, cafes or coffee shops, ice cream parlors, and may also include uses such as taverns, brewpubs, or wine bars.

Eating and Drinking, Accessory. Eating and drinking when accessory to a principal use of the property, and when the facilities are designed and intended for use primarily by residents or occupants of the principal use of the property.

Entertainment/Recreation, Indoor. A facility or area providing opportunities for physical exercise, physical training or improvement of health for the general public or members of an organization. This use includes but is not limited to: theaters, bowling alleys, dance halls, game centers, gymnasiums, health clubs, exercise and fitness facilities, and climbing wall centers.

Educational Facility. A facility offering classes, training courses, or skill development to the public, employees or to members of an organization. This use includes but is not limited to vocational, business, or technical schools, training centers, colleges, and universities, but does not include an elementary, middle, or high school.

Exercise and Fitness. A facility or area providing opportunities for exercise or fitness for the general public or members of an organization, including but not limited to health or exercise rooms and swimming pools, when accessory to a principal use of the property.

Floor area, Business Park Uses. A square footage calculation of the floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, display windows and similar areas.

Focused innovation campus. A single location for an organization or company which may include shared facilities, with the aim to actively foster open innovation practices among its residents for its business, industry or other.

Government Services:

General. A facility providing the administration of local, state, or federal government services or functions.

Safety. A facility providing police, fire, or emergency medical services to the surrounding community.

Service. A facility providing government services that includes vehicle and equipment parking and/or service or maintenance yards.

Green Roof. A green roof, or “living roof,” system is an extension of the existing roof which involves a high-quality water proofing and root repellent system, filter cloth, a lightweight growing medium, and plants. Green roofs may be flat or low-slope and serve such purposes as absorbing rainwater, providing insulation, creating a habitat for wildlife, urban agriculture, as well as helping to lower urban air temperatures.

Healthcare Companies, Healthcare Administrative Offices and Business Support Services. See “Office”.

Helipad/Heliports. An aviation accessory devoted to the landing, takeoff and storing of helicopters.

Home Occupation. Home occupation means an accessory use which is an activity, profession, occupation, service craft, or revenue-enhancing hobby which is clearly incidental and subordinate to the use of the premises as a dwelling, and is conducted entirely within the dwelling unit, or elsewhere on the premises, without any significant adverse effect upon the surrounding neighborhood.

Hotel. A building or series of buildings providing accommodations to the traveling public in habitable units for compensation, and includes but is not limited to both short-stay and extended stay facilities. This use includes the provision of related services such as eating and drinking, meeting rooms, and the sale of gifts, and convenience goods.

Information and Technology Uses. Offices and technology for such uses.

Insurance and Financial Services. Offices for such purposes.

Business Park Use. The use of land permitted this IPD and does not include the human inhabitation of a structure or any use incidental or accessory to such inhabitation.

Less-Than-Truckload Shipping. The transportation of small freight or freight that does not require the use of an entire trailer. This shipping method can be used when freight weighs between 150 and 15,000 pounds.

Library, Museum, Gallery. Facilities containing collections of books, manuscripts, and similar materials for study and reading, or exhibiting works of art or objects in one or more of the arts and sciences.

Lot. For the purposes of this Resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an approved private street, and may consist of:

- a) A single lot of record;
- b) A portion of a lot of record;
- c) A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Manufacturing and Assembly. A facility used for the fabrication, assembly, finishing, packaging or processing of components and/or finished goods.

Nursing and Residential Care Facilities. A home or facility for the reception and care of individuals as defined in ORC 3721.01.

Office.

Call Center. A facility providing customer service or sales requests by telecommunication or other data means.

Flex. A facility including office, research, laboratory, manufacturing, clean assembly, warehousing, or other related activities whose configurations and construction methods allow for easy conversion of interior and exterior space.

General. A facility providing executive, management, administrative, or professional services. This use includes corporate offices, law offices, architectural firms, insurance companies and other executive, management or administrative offices for businesses or corporations. General office uses may include the administration of local, state, or federal government services or functions. This facility does not include medical offices, call centers, or flex offices.

Medical. A facility providing medical, dental, or other health services relating to the diagnosis and treatment of human illnesses, injuries, and physical ailments treated in an office setting. This includes outpatient surgery, rehabilitation, incidental laboratories and other related activities, but does not include overnight patient stays.

Package Delivery or Parcel Delivery. A business, facility or service engaged in the delivery of shipping containers, parcels, high volume, or high value mail as single shipments. The service includes Less-Than-Truckload Shipping carriers.

Parking Structure. A facility used for vehicle parking and where there are a number of floors or levels on which parking takes place, either freestanding or integrated into a building.

Parking Structure, Accessory. A structure that contains parking provided to comply with minimum off-street parking requirements in this chapter for a principal use of the property or a

designated nearby property, and that is provided exclusively to serve occupants of or visitors to a principal and/or accessory use.

Personal, Repair & Rental Services. A facility or establishment that provides services associated with personal grooming, personal instruction or education, the maintenance of fitness, health and well-being, or the rental, servicing, maintenance, or repair of consumer goods. This use includes but is not limited to yoga centers, beauty salons, barbers and hairdressers, meditation centers, massage centers, dry cleaning shops, tailors, shoe repair, and electronics repair shops. This facility does not include motor vehicle, recreational vehicle, or heavy equipment repair or rental.

Public Service Facility. A government regulated public building, power plant, substation, water treatment plant or pump station, sewage disposal plant or pump station, electrical, gas, water and sewerage service and other similar public service structure or facility whether publicly or privately owned; but excluding sanitary landfills and incinerators.

Public Use. A public school, park, administrative, cultural or recreational building, excluding a Public Services Facility.

Renewable Wind and Solar Equipment. Equipment for the collection of wind or solar energy or its conversion to electrical energy or heat for use on the same property or for incidental sale to a utility when that equipment is accessory to a permitted or approved conditional use of the property. Includes both building mounted and ground mounted units. Ground mounted units have a foundation and are not dependent on a building for structural support.

Research Activities. Research, development and testing related to such fields as chemicals, pharmaceutical, medical, electrical, transportation and engineering, all of which are conducted within entirely enclosed buildings.

Research and Development. A facility or area for conducting scientific research, synthesis, analysis, investigation, testing, or experimentation, and including the fabrication of prototypes, assembly, mixing and preparation of equipment and components incidental or necessary to the conduct of such activities.

Retail, General / Services Retail, General. A facility or area for the retail sale of general merchandise or food to the general public for direct use and not for wholesale. This use includes but is not limited to sale of general merchandise, clothing and other apparel, flowers and household plants, dry goods, convenience and specialty foods, hardware and similar consumer goods.

Residential Use. For purposes of this IPD, any permitted use of land where a dwelling has been constructed with the intent of human habitation of that structure. Residential Use Structures may be Single-Family, Two-Family and/or Multi-Family Housing. Residential Uses also include the uses expressly set forth in this IPD that are incidental to or accessory to the human habitation of a structure.

Dwelling, Detached Single-Family. Detached, individual dwelling units, which accommodate one family, as defined herein, living as one housekeeping unit. The type of construction of such units shall conform to the Residential Code of Ohio, or be classified as an

Industrialized Unit under the Ohio Building Code, or conform to the definition of permanently-sited manufactured home as provided for in ORC 519.212.

Dwelling, Two-Family. A building arranged or designed to be occupied by 2 families, the structure having only 2 dwelling units living independently of each other.

Dwelling, Multi-Family. A residential building arranged or designed for 3 or more dwelling units as separate and complete housekeeping units.

Open Space. Land that shall not be built upon (not including fencing or approved structures/improvements/amenities) and may be classified as either “Common Open Space” or “Natural Green Space” (as herein defined), or a combination of both. It does not include the areas of individual fee simple lots conveyed to homeowners, except where a setback includes a buffer. Open space land shall be owned by a Landowner, Homeowner, Condominium, and/or Planned Community Association.

Vehicle Charging Station. A public or private parking space(s) served by battery charging station equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device in an electric vehicle. Electric vehicle charging station includes battery charging stations. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as a as an accessory use to any principal use.

Warehouse/Warehousing, Wholesale and Distribution Facility. A facility that houses a business that primarily stores, sells, and distributes large quantities of goods or commodities to customers throughout a regional territory. (Adopted 10-5-2021, Amnd. 12-6-2022)

Attachment 4 - Required Parking Spaces by Use

Proposed Land Use	Required Minimum Parking Spaces
Single-Family Residential	2 per dwelling unit
All other Residential	2 per dwelling unit
Hotels, Motels, Lodges (without Public meeting facilities)	1 per rental unit plus 1 per employee on the largest shift plus 1 for each 4 seats in the dining room or restaurant area.
Hotels	1 per rental unit plus 1 per each 75 square feet of floor area used for public meeting or assembly purposes plus one per each 4 seats in any restaurant therein.
Public Meeting, Exhibition Halls, and private assembly areas (except churches)	1 for each 3 seats or 1 for each 45 square feet of assembly area, whichever is greater.
Churches or places of public assembly	1 for each 3 seats or 1 for each 45 square feet of assembly area, whichever is greater.
Clinics	1 ½ for each bed or exam room plus 1 for each employee on the largest shift
Nursing Homes	1 for each 2 beds plus 1 for each employee on the largest shift
Museums, libraries, etc.	1 for each 400 square feet of floor area open to public plus 1 for each employee on the largest shift
Child care services (not including home occupations)	1 space for each employee on the largest shift plus 1 space for each 5 children.
Primary or elementary schools	4 for each classroom
Secondary schools, colleges, trade schools, etc.	4 for each classroom plus 1 for each 4 students
Restaurants - fast food with drive thru	1 for each 3 seats plus 1 for each employee on the largest shift.
Restaurants – sit down with no drive thru	1 per each 2 seats plus 1 for each employee on the largest shift
Professional and business offices and multi-tenant offices	1 for each 300 square feet of floor area
Research and testing offices	1 per each 350 square feet of floor area
Funeral Homes	1 for each 25 square feet of floor area open to the public
Retail Stores	1 per 250 square feet of floor area
Personal care services	2 spaces per each Barber, Beautician, or Technician.
Fitness centers	1 per each 175 square feet of floor area
All industrial warehousing	20 plus 1 for each 2 employees plus 1 for each vehicle maintained on the premises.
Industrial manufacturing	1 space for every employee on the maximum shift plus 1 per each 10,000 square feet of floor area.
Golf courses	6 per hole

Zoning Resolution

Jerome Township, Union County, Ohio

Article 5

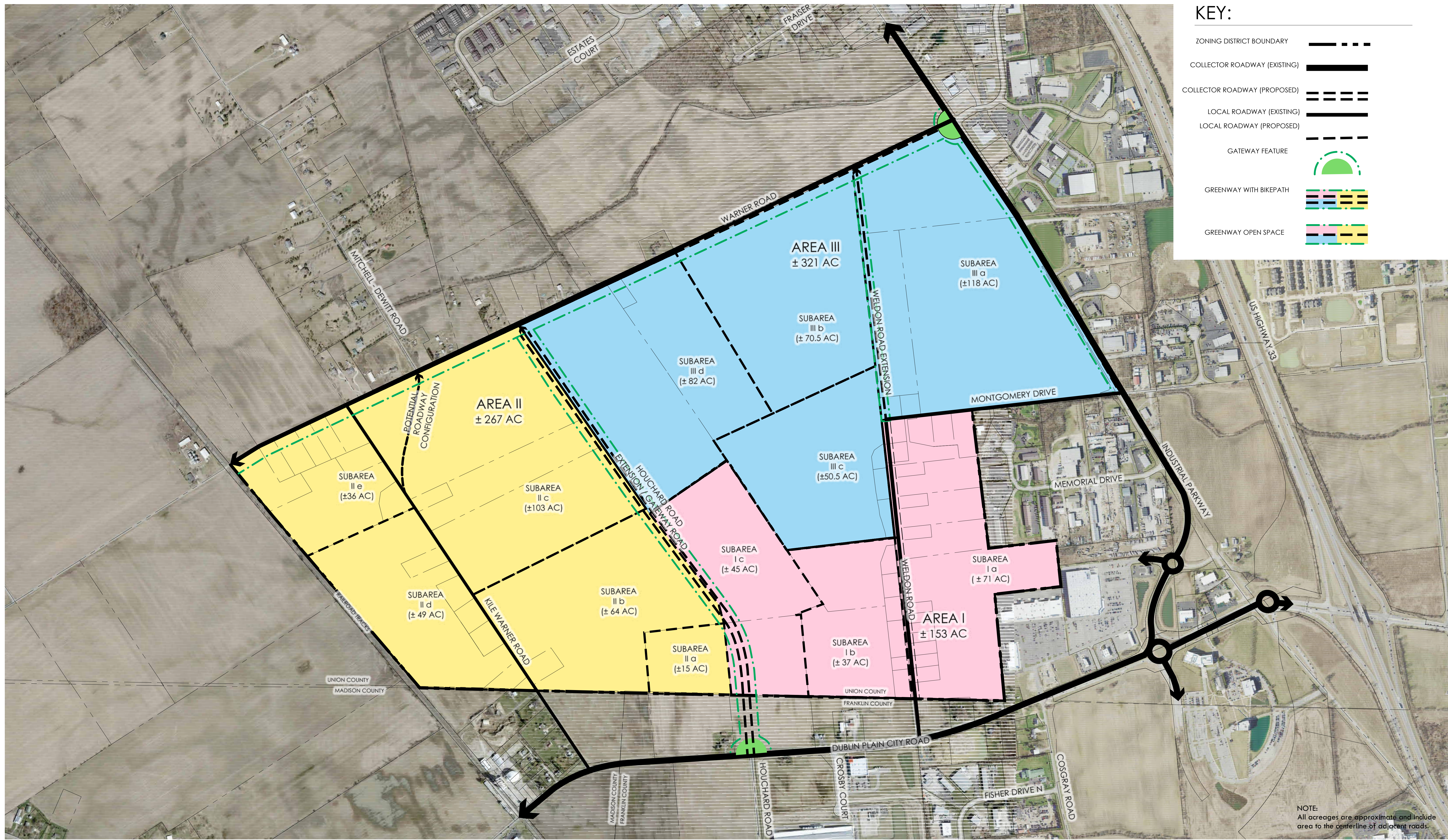
Special Zoning Districts

Athletic fields	12 spaces per field
Miniature golf	2 spaces per hole
Tennis courts / Clubs	4 spaces per court
Bowling alleys	3 spaces per lane
Driving range	1.5 spaces per tee
Riding stables	1 space per stall
Spectator sports	1 space per each 2 seats
Recreational camp	1 space per each 2 campers plus 1 space per counselor or staff
Picnic grounds	2 spaces per each picnic table plus 10 spaces per each open shelter

(b) The parking space requirements for any use not specifically mentioned in Attachment 4 shall match those required for uses of a similar nature provided in Attachment 4.
(Adopted 10-5-2021, Amnd. 12-6-2022)

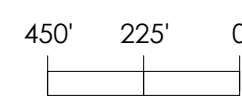
KEY:

- ZONING DISTRICT BOUNDARY 
- COLLECTOR ROADWAY (EXISTING) 
- COLLECTOR ROADWAY (PROPOSED) 
- LOCAL ROADWAY (EXISTING) 
- LOCAL ROADWAY (PROPOSED) 
- GATEWAY FEATURE 
- GREENWAY WITH BIKEPATH 
- GREENWAY OPEN SPACE 



NOTE:
All acreages are approximate and include area to the centerline of adjacent roads.

AUGUST 30, 2021



**INNOVATION
PLANNED DEVELOPMENT DISTRICT MAP**
JEROME TOWNSHIP
UNION COUNTY, OHIO

I:\CMHDATA\01\Project\120200302\Drawings\04\Sheets\Exhibits\2021-09-01-Kile Property Map.dwg - Last Saved By: mnerici, 9/1/2021 10:53 AM

Innovation Planned Development District Uses

The following table identifies permitted and conditional uses within the Areas and Subareas, IA, IB, IC, IIA, IIB, IIC, IID, IIE, IIIA, IIIB, IIIC, IIID identified on the Innovation Planned Development District Map. In all cases, blank spaces or uses not included indicate that the uses are not permitted.

	Area I			Area II				Area III				
	I-A	I-B	I-C	II-A	II-B	II-C	II-D	II-E	III-A	III-B	III-C	III-D
A. Principal Business Park Uses												
1 Adult Care Facilities	P	P	P	P	P	P	P				P	
2 Advanced Manufacturing; Clean Manufacturing; Manufacturing and Assembly	P	P	P	P	P	P	P		P	P	P	P
3 Ambulatory Healthcare Services	P	P	P	P	P	P	P		P	P	P	P
4 Conference Center	P	P	P	P	P	P	P		P	P	P	P
5 Corporate Headquarters / R&D	P	P	P	P	P	P	P		P	P	P	P
6 Data Center			P	P	P	P			P	P	P	P
7 Eating and Drinking Establishments	P	P	P	P	P	P	P		P	P	P	P
8 Educational Facilities	P	P	P	P	P	P	P		P	P	P	P
9 Entertainment / Recreation Outdoor / Recreation Indoor	P	P	P	P	P	P	P		P	P	P	P
10 Exercise and Fitness	P	P	P	P	P	P						
11 Focused Innovation Campus	P	P	P	P	P	P	P		P	P	P	P
12 Government Services - Safety	P	P	P	P	P	P	P		P	P	P	P
13 Health Care Companies and Education	P	P	P	P	P	P	P		P	P	P	P
14 Healthcare Administrative and Support Services	P	P	P	P	P	P	P		P	P	P	P
15 Hotel			P	P	P							
16 Information and Technology Uses	P	P	P	P	P	P	P		P	P	P	P
17 Insurance and Financial Services	P	P	P	P	P	P	P		P	P	P	P
18 Library, Museum, or Gallery			P	P	P	P						
19 Nursing and Residential Care Facilities	P	P	P	P	P	P	P				P	
20 Office - Call Centers	P	P	P	P	P	P	P		P	P	P	P
21 Office - Flex	P	P	P	P	P	P	P		P	P	P	P
22 Office - Medical	P	P	P	P	P	P	P		P	P	P	P
23 Offices - General	P	P	P	P	P	P	P		P	P	P	P
24 Parking Structures	C	C	C	C	C				C	C	C	C
25 Parks and Open Space	P	P	P	P	P	P	P		P	P	P	P
26 Personal Services, Repair and Rental	C	C	C	C	C	C	C		C	C	C	C
27 Public Service Facilities	P	P	P	P	P	P	P		P	P	P	P
28 Public Use	P	P	P	P	P	P	P		P	P	P	P
29 Renewable Wind and Solar Equipment	C	C	C	C	C	C	C		C	C	C	C
30 Research and Development; Research Activities	P	P	P	P	P	P	P		P	P	P	P
31 Retail, General / Services Retail, General	P	P	P	P	P							
32 Services for Elderly and Disabilities	P	P	P	P	P	P	P		P	P	P	P
33 Renewable Energy Facility	C	C	C	C	C	C	C		C	C	C	C
34 Wireless Communications	C	C	C	C	C	C	C		C	C	C	C
35 Vehicle Charging Stations	P	P	P	P	P	P	P		P	P	P	P
36 Warehousing	C	C	C	C	C				C	C	C	C
B. Accessory Business Park Uses												
37 Bicycle Facilities	P	P	P	P	P	P	P		P	P	P	P
38 Child Day Care	P	P	P	P	P	P	P		P	P	P	P
39 Corporate Residences	P	P	P	P	P	P	P		P	P	P	P
40 Drive-In / Drive-Thru (for Eating and Drinking)	C	C	C	C	C							
41 Eating and Drinking, Accessory	P	P	P	P	P	P	P		P	P	P	P
42 Library, Museum, or Gallery	P	P	P	P	P	P	P		P	P	P	P
43 Helipad / Heliport	C	C	C	C	C	C	C		C	C	C	C
44 Outdoor Display/ Seasonal Sales	C	C	C	C	C	C	C		C	C	P	P
45 Entertainment / Recreation Outdoor / Recreation Indoor	P	P	P	P	P	P	P		P	P	P	P
46 Temporary Construction Trailer / Office	P	P	P	P	P	P	P		P	P	P	P
47 Vehicle Charging Stations	P	P	P	P	P	P	P		P	P	P	P
48 Warehousing	C	P	P	P	P	P	C		P	P	P	P
49 Wholesaling and Distribution Showroom	P	P		P		P			P	P	P	P
A. Principal Residential Uses												
50 Dwelling, Multi-Family			P		P							
51 Dwelling, Detached Single-Family					P		P					
52 Dwelling, Two-Family			P		P							
B. Accessory Residential Uses												
53 Rental or Sales Office			P		P		P					
54 Clubhouse*, Recreation and Entertainment Facilities			P		P		P					
55 Home Occupation			P		P		P					
56 Sheds			P		P		P					
57 Play Structures			P		P		P					
58 Pools and Pool Fencing			P		P		P					
59 Private Garages			P		P		P					
60 Exercise and Fitness Facilities*			P		P		P					
61 Model Homes			P		P		P					
62 Mail / Trash Collection Facilities			P		P		P					
63 Bicycle Storage Facilities*			P		P		P					
64 Temporary Construction Trailer / Office			P		P		P					

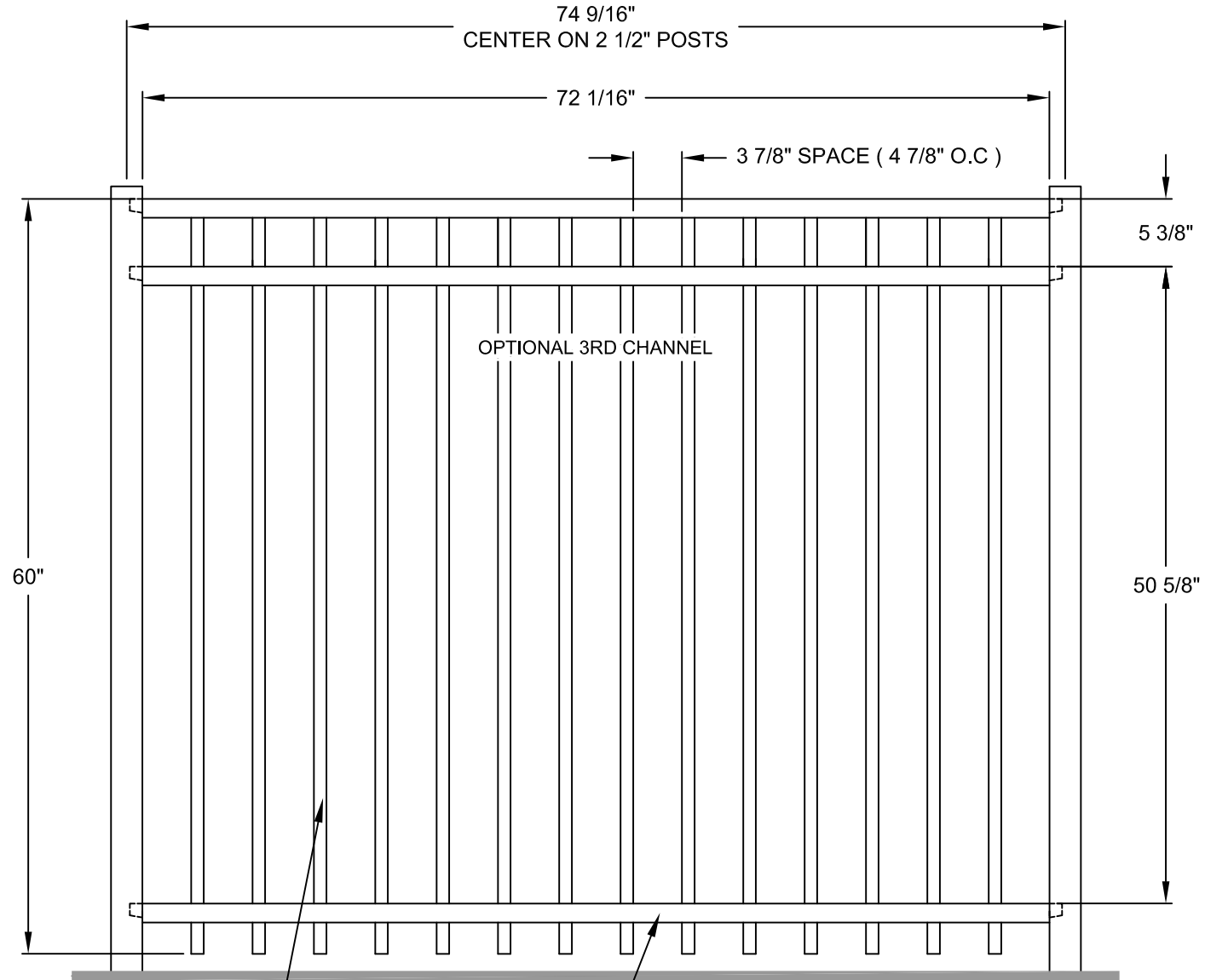
*Not an Accessory use for any individual Detached Housing dwelling unit or lot. ** Residential Uses prohibited for parcel ID 1500300130000.

P - Permitted
C - Conditional

Attachment 3													
	AREA I			AREA II					AREA III				
SUBAREA	I-A	I-B	I-C	II-A	II-B	II-C	II-D	II-E	III-A	III-B	III-C	III-D	
SETBACKS - Note: Streets are permitted within setbacks.													
Industrial Parkway Setback (Building & Parking)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	50' from ROW	N/A	N/A	N/A	
Warner Road Setback (Building & Parking)	N/A	N/A	N/A	N/A	N/A	50' from ROW	N/A	50' from ROW	50' from ROW	50' from ROW	N/A	50' from ROW	
Kile Road Setback (Building & Parking)	N/A	N/A	N/A	N/A	50' from ROW	50' from ROW	50' from ROW	50' from ROW	N/A	N/A	N/A	N/A	
Weldon Road Setback (Building & Parking)	50' from ROW	50' from ROW	N/A	N/A	N/A	N/A	N/A	N/A	50' from ROW	50' from ROW	50' from ROW	N/A	
Houchard Road Setback (Building and Parking)	N/A	N/A	50' from ROW	50' from ROW	50' from ROW	50' from ROW	N/A	N/A	N/A	N/A	N/A	50' from ROW	
Perimeter Building and Parking Setback Adjacent to Existing Residential Use, not including streets or drives, aisles	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'	
Perimeter Building and Parking Setback Adjacent to Existing Non-Residential or Undeveloped Property (not including streets or drive aisles)	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20"	20'	
Internal Public Roads (Building and Parking)	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	
Minimum Building Separation	10'	10'	10'	10'	10'	10'	10'	10'	10'	10'	10'	10'	
BUSINESS PARK USES													
Minimum Lot Size (Acres)	10	10	10	10	10	10	10	N/A	10	10	10	10	
Minimum Lot Width	100'	100'	100'	100'	100'	100'	100'	N/A	100'	100'	100'	100'	
Minimum Front Yard Setback (Building & Parking)	30'	30'	30'	30'	30'	30'	30'	N/A	30'	30'	30'	30'	
Minimum Side Yard Setback (Building & Parking)	10'	10'	10'	10'	10'	10'	10'	N/A	10'	10'	10'	10'	
Minimum Rear Yard Setback (Building & Parking)	25'	25'	25'	25'	25'	25'	25'	N/A	25'	25'	25'	25'	
Maximum Gross Floor Area (square feet)	300,000	300,000	300,000	300,000	300,000	300,000	300,000	N/A	300,000	300,000	300,000	300,000	
TWO FAMILY/MULTI-FAMILY RESIDENTIAL STANDARDS * and **													
Minimum Lot Width (at Front Setback)	N/A	N/A	15'	N/A	15'	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Minimum Front Yard Setback (From ROW or Edge of Pavement)	N/A	N/A	20'	N/A	20'	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Minimum Side Yard Setback (per side)**	N/A	N/A	5' or zero	N/A	5' or zero	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Minimum Rear Yard Setback (or Perimeter setback if greater)	N/A	N/A	10'	N/A	10'	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
SINGLE FAMILY HOUSING LOT STANDARDS													
Minimum Lot Width (at Front Setback)	N/A	N/A	40'	N/A	40'	N/A	40'	40'	N/A	N/A	N/A	N/A	
Minimum Front Yard Setback	N/A	N/A	20'	N/A	20'	N/A	20'	20'	N/A	N/A	N/A	N/A	
Minimum Side Yard Setback (per side)*	N/A	N/A	5'	N/A	5'	N/A	5'	5'	N/A	N/A	N/A	N/A	
Minimum Rear Yard Setback (or Perimeter setback if greater)	N/A	N/A	20'	N/A	20'	N/A	20'	20'	N/A	N/A	N/A	N/A	

* may allow up to 2 feet of encroachments for eaves, mansard roofs, bay windows

** Two Family and Multi-Family Dwelling Units may have zero internal side yard setbacks.



1" x 1" x .060"
PICKET

1.5" x 1.5" CHANNEL
.070" TOPWALL
.100" SIDEWALL

ALUMINUM FENCE SUPPLY		TITLE	
ORNAMENTAL ALUMINUM FENCING		72 1/16" INDUSTRIAL SERIES-A 60"	
DATE: 6/5/13	SCALE: NTS	DRAWING NO A-16A603S	SHEET
DRAWN BY: —	CHKD BY: --		XX
		REV	—

Chapter 600 – General Regulation of the Arrangement and Development of Land and Structures

600.001 Applicability

Regulations are hereby established and adopted pertaining generally and uniformly to the arrangement of land and structures. It is the purpose of these development standards to set forth certain rules to be adhered to regardless of the type or classification of development. If a conflict arises between these standards and the more specific standards prescribed in any individual zoning district then the specific provisions of the zoning district shall prevail. The standards set forth herein are to be considered minimum standards to be augmented by standards set forth elsewhere in this Resolution or prescribed or agreed to by the landowner in any zoning amendment, approved conditional use permit or approved variance. (Amnd. 10-20-2020, 6-15-2021)

600.01 Supplemental Yard and Height Regulations

In addition to all yard and setback regulations specified in Article 4, provided for within an approved Planned Development District, and provided for in other sections of this Resolution, the provisions of Section 600.02-600.04, inclusive, shall be used for interpretation and clarification. (Adopted 6-15-2021)

600.02 Special Requirements for Front Yard Setbacks

The following regulations shall be used for interpretation and clarification of front yard setbacks on lots with the following special circumstances:

- a) In the case of through lots a front yard of the required depth shall be provided on all road frontages.
- b) In the case of corner lots, a front yard of the required depth shall be provided on both road frontages.
- c) Where right-of-way is established by easement, the front yard setback shall be measured from the right-of-way line. (Amnd. 9-5-2023)
- d) Where a right-of-way has not been established, the front yard setback shall be measured from the assumed right-of-way line based upon the functional roadway classification assigned by the County Engineer. In such cases, a measurement shall be taken from the centerline of the existing road which shall include the required front yard setback as established in this Zoning Resolution, plus half of the distance of the assumed right-of-way as detailed in the following chart:

Table 600.02.1 Assumed Right-of-Way Width		
Road / Street Classification	Total assumed Right-of-Way	Distance from the centerline to the assumed Right-of-Way Line
Local Road	60 feet	30 feet
Minor Collector Road	80 feet	40 feet
Major Collector Road	100 feet	50 feet

Minor Arterial Road	120 feet	60 feet
Principal Arterial Road	160 feet	80 feet
Freeway	N/A	N/A

(Adopted 6-15-2021, Amnd. 9-5-2023)

- e) Wherever there exists a Planned Development District for which no building line or similar front yard setback is provided in the preliminary development plan, but for which district there exists an approved detailed development plan indicating a building line or front yard setback, and for which district or portion thereof a final plat was recorded indicating the same, the front yard setback within the area included in the subdivision shall be as indicated on the recorded plat. (Adopted 9-5-2023)
- f) Wherever there exists a subdivision, the final plat of which indicates a building line or similar front yard setback and for which the final plat for said subdivision was recorded prior to October 11, 1972, the front yard setback within the area included in the subdivision shall be as indicated on the recorded plat. (Adopted 9-5-2023)
- g) Wherever there exists any district, including a Planned Development District, for which no other building line or similar front yard setback is provided for by this Resolution, the front yard setback within that zoning district shall be twenty-five (25) feet. (Adopted 9-5-2023)

600.03 Visibility at Intersections

- a) On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between the height of two and one-half (2 ½) and ten (10) feet above the centerline grades of the intersecting roads in the area bounded by the right-of-way lines of such corner lots and a line joining points along said right-of-way lines thirty (30) feet from the point of intersection.
- b) Wherever an alley intersects a roadway, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between the height of two and one-half (2 ½) and ten (10) feet above the centerline grades of the intersecting road and alley in the area bounded by the right-of-way lines of such lot and a line joining points along said right-of-way lines ten (10) feet from the point of intersection. (Adopted 6-15-2021, Amnd. 12-21-2021, 9-5-2023)

600.04 Architectural Projections

- a) The space in any required yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, eaves, chimneys, and other similar architectural features; however, such features shall not project more than two (2) feet into any required yard.
- b) Open structures such as porches, canopies, balconies, attached decks and platforms, attached carports, covered or roofed patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard setback.

- c) Accessible Ramps. A ramp or similar structure designed to provide a continuous ADA accessible or barrier free route to the front entrance of a building may be permitted in a required front yard setback. Such ramp or similar structure shall have the least encroachment into a required front yard setback necessary to meet the minimum State or Federal design requirements for that specific facility. (Adopted 6-15-2021)

600.05 General Height Regulations

- a) Except as provided for elsewhere in this Resolution, the height regulations for any zoning district, as provided for in Article 4, provided within an approved Planned Development District, or as otherwise provided for by this Resolution do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.
- b) Whenever there exists a residential zoning district or any area within a Planned Development District where single-family dwellings or two-family dwellings are permitted uses for which no other maximum height is prescribed by this Resolution, the maximum height for buildings and structures shall be thirty-five (35) feet.
- c) Wherever there exists a non-residential zoning district or any area within a Planned Development District which permits uses other than single-family dwellings and two-family dwellings for which no other maximum height is prescribed by this Resolution, the maximum height for buildings and structures shall be fifty (50) feet. (Adopted 6-15-2021)

600.06 General Regulations for Outdoor Storage

- a) The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, rags, or any other discarded objects or debris defined as junk by this Resolution shall be prohibited on the exterior areas of any lot, outside of an approved junk yard as provided herein.
- b) The accumulation or storage of building supplies, steel supplies, coal, industrial machinery or equipment, and similar goods shall be prohibited on the exterior areas of any lot except within an approved supply yard or outdoor storage area. Such yards and areas shall be screened in accordance with the applicable provisions of the zoning district, or of Chapter 620.
- c) Unless otherwise provided for by this Resolution, no exterior storage in conjunction with a permitted junk yard, supply yard, or other outdoor storage, shall be conducted within the front, side, or rear yard setback of the zoning district.
- d) Unless otherwise provided for by this Resolution, outdoor storage areas shall only be permitted as an accessory use in the Commerce District. Nothing in this Section shall be interpreted as permitting any junk yard, supply yard, or similar use on any lot except where specifically provided for by the applicable regulations for the zoning district. (Adopted 12-21-2021, Amnd. 9-5-2023)

600.07 General Regulations for Temporary Buildings and Structures

The use of a mobile home, recreational vehicle, boat, tractor trailer, box car, or other similar type trailer, portable building, container or portable storage unit, or similar structure shall not

be permitted as a dwelling unit, office or business structure, storage building or sign structure except as may otherwise be provided for in Chapter 640 or elsewhere by this Resolution.

(Adopted 12-21-2021)

600.08 Additional Regulations for Lots & Buildings

- a) Whenever provided for in the regulations for the applicable district, no lot less than ten (10) acres in area shall have an average depth which is more than three (3) times its average width. This regulation shall not apply in any zoning district that does not reference this regulation.
- b) Wherever there exists any residential district, or a Planned Development District that allows single-family dwellings, for which no other regulation for maximum lot coverage is provided by this Resolution, the maximum lot coverage for a lot used for a single-family dwelling shall be fifty percent (50%).
- c) Wherever there exists any residential district, or a Planned Development District that allows single-family dwellings, for which no other regulation for minimum floor area is provided by this Resolution, the minimum floor area for such dwelling shall be 900sf.
- d) All uses other than single-family dwellings or two-family dwellings shall provide a minimum of a four (4) foot walkway or other paved access from any adjoining right-of-way or dedicated open space to a building entry. Such required walkway or similar paved access shall be exclusive on any parking space, driveway, or required circulation aisle except as provided for herein, and shall connect to any existing pedestrian facilities located within adjoining right-of-way dedicated open space area. Whenever a required walkway or similar paved access crosses a driveway or circulation aisle, a striped crosswalk or other appropriate crosswalk markings shall be provided. (Adopted 9-5-2023)

Chapter 605 – Agriculture

605.001 Agriculture Defined

For the purposes of this Resolution the definition of agriculture shall be that prescribed by Section 519.01 of the Ohio Revised Code. As used herein, agriculture generally 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; 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. (Amnd. 10-20-2020)

605.01 Agriculture Exempted Herein

Agriculture shall not be prohibited on lots greater than five acres. The use of any land for agricultural purposes or the construction or use of building or structure incidental to the use for agricultural purposes of the land on which such buildings or structures are located shall not be prohibited on lots greater than five (5) acres and no zoning certificate shall be required for any such building or structure. (Ohio Revised Code 519.21) (Amnd. 10-20-2020)

605.02 Agriculture Subject to Regulation

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 (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, agriculture shall be regulated as follows:

1. Agriculture is prohibited on lots of one (1) acre or less. This does not prohibit gardening related to a residence.
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 shall conform to setbacks, size and height requirements for the zoning district.
3. Dairying and animal and poultry husbandry are permitted on lots greater than 1 acre but not greater than 5 acres until 35% of the lots in the subdivision are developed with at least 1 building, structure or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under Section 4503.06 of the Ohio Revised Code. After 35% of the lots in the subdivision are so developed, ongoing dairying and animal and poultry husbandry shall be considered a non-conforming use pursuant to Section 519.19 of the Ohio Revised Code. No new dairying, animal or poultry husbandry shall commence on such lots after 35% of the lots are developed with structures. (Amnd. 10-20-2020)

605.03 Farm Markets

In accordance with Section 519.21 of the Ohio Revised Code farm markets which derive at least fifty percent (50%) of their gross income from produce raised on farms owned or

operated by the market owner in a normal crop year shall be permitted in any zoning district, subject to the following regulations:

1. The setback for a building used for a farm market with a floor area less than one-hundred and forty-four (144) square feet shall be fifteen (15) feet.
2. A building used for a farm market with a floor area of one-hundred and forty-four (144) square feet or greater shall meet the setback and lot coverage regulations for the principal building provided in the regulations for the district. A farm market use of this type shall provide off-street parking at a ratio of one (1) parking space for each two-hundred fifty (250) square feet of floor area, and shall meet the requirements of Chapter 610 for parking space size and aisle width.
3. The lot coverage regulations of the district shall apply to farm market uses. (Amnd. 6-15-2021, 9-5-2023)

605.04 Agritourism

In accordance with 519.21 of the Ohio Revised Code, agritourism uses shall be a permitted use in all zoning districts. However, in order to protect the public health and safety, the following additional regulations shall apply:

1. A farm on which an agritourism operation is proposed shall be ten (10) acres or more in area. If such farm is less than ten (10) acres, evidence shall be provided that such farm is currently enrolled in the Current Agricultural Use Value (CAUV) program or produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.
2. All buildings, structures and parking areas utilized primarily for agritourism shall adhere to the minimum front, side, and rear yard setbacks established for the zoning district in which it is located.
3. The maximum height for buildings and structures utilized primarily for agritourism shall not exceed the maximum height of the zoning district.
4. All buildings utilized primarily for agritourism shall not exceed the maximum lot coverage requirements established for the zoning district in which it is located.
5. All parking demands shall be met by off-street parking areas located on the lot.
6. Safe and adequate ingress and egress shall be maintained at all times and appropriate arrangements for emergency access shall be provided.
7. In addition to the requirements of Chapter 220, and in order to determine compliance with any of the provisions of this Section, the Zoning Inspector may require such additional information as may be necessary. That shall include, but not be limited to estimates of peak parking demand, information related to proposed hours and seasons of operations, and evidence of compliance with the regulations and recommendations of other relevant public agencies, as applicable. (Adopted 6-15-2021)

Chapter 610 – Off-Street Parking and Loading

610.001 Off-Street Parking and Loading Generally

Wherever off-street vehicular parking areas are to be provided as required by the provisions of this Zoning Resolution the requirements of the zoning districts and the following standards shall apply.

610.01 Application

1. The off-street parking and loading requirements of this Resolution shall apply to the following:
 - a) All new buildings and uses constructed after the effective date of this Resolution.
 - b) Whenever a use, existing prior to the effective date of this Resolution, is changed or enlarged in floor area, seating capacity, or otherwise, to create a need for an increase of 10 percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a use, existing prior to the effective date of this Resolution, is enlarged to the extent of 50 percent or more in floor area, said use shall then and thereafter comply with all of the parking requirements set forth herein.
2. Whenever the number of off-street parking spaces required is to be determined from the floor area of a specified use, it shall mean the floor area of such use as defined in Chapter 300.
3. Whenever the calculations regarding the requirement for off street parking spaces yield a fractional number the required number of parking spaces shall be increased to the next whole number. (Amnd. 10-20-2020)

610.02 Required Off-Street Parking Spaces

(a) The user of any lot or tract shall provide off-street parking for all residents, employees, customers, visitors, and invitees. The following table shall specify the minimum number of parking spaces to be provided:

Table 610.02 – Required Parking Spaces by Use

Proposed Land Use	Required Parking Spaces
Single-family Dwelling	2 per dwelling unit
All other residential	2 per dwelling unit
Hotels, Motels, Lodges (without Public meeting facilities)	1 per rental unit plus 1 per employee on the largest shift plus 1 for each 4 seats in the dining room or restaurant area.
Hotels, Motels, Lodges (with public meeting facilities)	1 per rental unit plus 1 per each 75 square feet of floor area used for public meeting or assembly purposes plus one per each 4 seats in any restaurant therein.
Public Meeting, Exhibition Halls, and private assembly areas (except churches)	1 for each 3 seats or 1 for each 45 square feet of assembly area whichever is greater.
Churches or places of public assembly	1 for each 3 seats or 1 for each 45 square feet of assembly area whichever is greater.

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

Hospitals and clinics	1 ½ for each bed or exam room plus 1 for each employee on the largest shift
Nursing Homes	1 for each 2 beds plus 1 for each employee on the largest shift
Museums, libraries, etc.	1 for each 400 square feet of floor area open to public plus 1 for each employee on the largest shift
Child care services (not including home occupations)	1 space for each employee on the largest shift plus 1 space for each 5 children.
Primary or elementary schools	4 for each classroom
Secondary schools, colleges, trade schools, etc.	4 for each classroom plus 1 for each 4 students
Restaurants - fast food with drive thru	1 for each 3 seats plus 1 for each employee on the largest shift.
Restaurants – sit down with no drive thru	1 per each 2 seats plus 1 for each employee on the largest shift
Professional and business offices and multi-tenant offices	1 for each 300 square feet of floor area
Research and testing offices	1 per each 350 square feet of floor area
Funeral Homes	1 for each 25 square feet of floor area open to the public
Retail Stores	1 per 250 square feet of floor area
Personal care services	2 spaces per each Barber, Beautician, or Technician.
Fitness centers	1 per each 175 square feet of floor area
All industrial warehousing	20 plus 1 for each 2 employees plus 1 for each vehicle maintained on the premises.
Industrial manufacturing	1 space for every employee on the maximum shift plus 1 per each 10,000 square feet of floor area.
Golf courses	6 per hole
Athletic fields	12 spaces per field
Miniature golf	2 spaces per hole
Tennis courts / Clubs	4 spaces per court
Bowling alleys	3 spaces per lane
Driving range	1.5 spaces per tee
Riding stables	1 space per stall
Spectator sports	1 space per each 2 seats
Recreational camp	1 space per each 2 campers plus 1 space per counselor or staff
Picnic grounds	2 spaces per each picnic table plus 10 spaces per each open shelter

(b) The parking space requirements for any use not specifically mentioned in Table 610.02 shall match those required for uses of a similar nature provided in Table 610.02. (Amnd. 10-20-2020)

610.03 Design and Location

All parking and circulation areas shall, at a minimum, be designed to meet the following standards:

1. **Size** – A parking space shall have minimum rectangular dimensions of not less than nine (9) feet in width and nineteen (19) feet in length for ninety (90) degree parking, nine (9) feet in width and twenty-three (23) feet in length for parallel parking, ten (10) feet in width and nineteen (19) feet in length for sixty (60) degree parking, and twelve (12) feet in width and nineteen (19) feet in length for forty-five (45) degree parking. All dimensions shall be exclusive of driveways, aisles and other circulation areas. (Amnd. 9-5-2023)
2. **Compact Vehicle Parking Spaces** – In parking areas where more than 25 parking spaces are required the owner may provide compact vehicle parking spaces in lieu of standard vehicle parking spaces for a maximum of 10 percent of the total number of parking spaces required subject to the following requirements:
 - a) Compact vehicle parking spaces shall be a minimum of 8 feet in width and 16 feet in length.
 - b) Compact vehicle parking spaces shall be clearly marked with an aluminum sign measuring a minimum of 12 inches by 18 inches and permanently affixed to a building or sign post at the end of each space. Such sign shall be mounted at a minimum of 3 feet and a maximum of 4 feet in height as viewed from the center of the parking space.
3. **Location** – Required off-street parking facilities shall be located on the same lot as the structure or use served, except where joint or combined parking areas are permitted elsewhere by this Resolution.
4. **Joint or Combined Parking Area** – Joint or combined parking areas are defined as a condition where two or more adjoining lots, share areas of parking and circulation. Where joint or combined parking between lots or uses is permitted a cross access agreement / easement shall be executed and recorded between the individual lots. Joint or combined parking areas shall be permitted in any non-residential zoning district, and in such circumstances, the setbacks from side and rear lot lines for parking areas and circulation aisles shall not apply to lot lines common to both lots and provided for in the agreements noted above. (Amnd. 12-21-2021, 12-6-2022, 9-5-2023)
5. **Construction** – All parking and loading spaces, together with driveways, aisles, and other circulation areas shall be improved with such material as to provide a durable and dust-free surface.
 - a) Exception: A gravel driveway may be permitted in the AG, RU, and LDR Districts in conjunction with a single-family dwelling or a two-family dwelling, provided the area of the lot is greater than 1.5 acres. This exception shall not apply whenever two or more lots have a common access drive in accordance with this Section. (Amnd. 10-20-2020, 12-21-2021, 9-5-2023)

6. **Striping** – All parking spaces for uses other than single-family dwellings and two-family dwellings shall be clearly marked and striped. (Amnd. 12-21-2021)

7. **Curb or Wheel Stops** – For uses other than single-family dwellings and two-family dwellings, continuous curbs or wheel stops shall be provided in all parking areas, where adjacent to landscape areas, to prevent vehicles from driving into the landscape areas. Wheel stops, if provided, shall be made of concrete, cut stone, recycled rubber or polymer in white, black or grey, or other similar material and maintained in good condition. (Amnd. 12-21-2021)

8. **Landscape Islands and Parking Area Trees** – To reduce the effect of heat absorption and provide improved visual character in off street parking areas landscape islands shall be provided within all parking areas having 10 or more parking spaces in accordance with the following:
 - a) Landscape islands shall be a minimum of 8 feet in width and 19 feet in length and shall have a minimum of 2 foot radius at the outside corners.
 - b) Islands shall be provided at a rate of 1 island per each 10 parking spaces. Landscape areas located in the corners of parking areas shall count as ½ of a required landscape island.
 - c) Within double rows of parking, islands shall be combined end to end and placed at the end of parking rows as a cap or between the sides of parking spaces in a row.
 - d) Landscape islands shall be planted with trees or shrubs in accordance with the following standards:
 - (i) Parking Area Trees – Deciduous shade trees shall be provided at a rate of 1 tree for every 20 spaces for uses in commercial zoning districts, and 1 tree for every 10 spaces for all other uses. Said trees must be installed at the center of any required landscape island.
 - (ii) Whenever no deciduous tree is proposed for a required landscape island, at least 4 shrubs shall be planted per island. (Amnd. 10-20-2020, 12-21-2021)

9. **Headlight Screening** – Wherever parking areas or circulation aisles for any use other than a single-family dwelling or two-family dwelling front to any right-of-way or to any residential use, headlight screening shall be provided in accordance with the following:
 - a) Headlight screening shall be in the form of a continuous evergreen hedge planting, earthen mound, or a combination of the two and shall provide a continuous screen from the ground up to a minimum of 3 feet 6 inches in height above the surface of the parking area.
 - b) Headlight screening shall be installed parallel and adjacent to the parking area and circulation aisles being screened.
 - c) Shrubs used for the purposes of headlight screening shall be installed a minimum of 2 feet from the back of curb or wheel stop of head in parking spaces to avoid damage from the overhang of vehicles. (Amnd. 12-21-2021, 9-5-2023)

10. **Driveways and Circulation** – All parking areas for 5 or more vehicles shall be served by a driveway or circulation aisle of not less than twenty-two (22) feet wide for ninety degree parking, twelve (12) feet wide for parallel parking, seventeen and one-half (17½) feet wide for sixty (60) degree parking and thirteen (13) feet wide for forty-five (45) degree parking. All other driveway or aisle widths shall be as provided for by the applicable regulations of

the County Engineer or the applicable fire regulations, if any. (Amnd. 12-21-2021, 9-5-2023)

- 11. Access** – All driveway access to a right of way shall meet the access management standards, minimum visibility standards, and all other applicable standards of the County Engineer’s Office or other relevant public agency. (Amnd. 10-20-2020, 9-5-2023)
- 12. Setbacks** – All driveway access, parking areas, and circulation aisles, exclusive of curb returns, shall meet the standards of the zoning district for pavement setback from the front, side, and rear lot lines.
 - a) Where no specific setback for driveways, parking areas, or circulation aisles is provided by the regulations for a district, no driveway, parking area, or circulation aisle shall be located within the side yard setback or rear yard setback provided for in the regulations for the district.
 - b) Where no specific setback is provided by the regulations for a district, parking areas and circulation aisles for any use other than a single-family dwelling or two-family dwelling shall be setback at least ten (10) feet from any front lot line.
 - c) For any single-family dwelling or two-family dwelling, no required parking spaces shall be located within the front yard setback for the principal building provided for in the regulations for the district. (Amnd. 10-20-2020, 12-21-2021, 9-5-2023)
- 13. Compliance with other Regulations** – All off-street parking and loading areas shall meet all applicable requirements of the County Engineer’s Office and shall comply with the requirements of any applicable fire regulations. (Amnd. 10-20-2020, 12-21-2021)
- 14. Provision for Disabled Persons** – All off-street parking areas, other than for single-family dwellings and two-family dwellings, shall meet the requirements of the applicable building codes or regulations and the Americans with Disabilities Act for the provision of parking spaces for the physically disabled and shall include all necessary markings, striping and signage. (Amnd. 10-20-2020, 12-21-2021)
- 15. Walkways** – All uses other than single-family dwellings or two-family dwellings shall provide a minimum of a four (4) foot walkway or other paved access from any parking areas to a building entry. Such required walkway or similar paved access shall be exclusive on any parking space, driveway, or required circulation aisle except as provided for herein. Whenever a required walkway or similar paved access crosses a driveway or circulation aisle, a striped crosswalk or other appropriate crosswalk markings shall be provided.. (Amnd. 12-21-2021, 9-5-2023)
- 16. Common Access Drives** – When adjoining lots are required by the County Engineer to have a common access drive, the setback requirements from side and rear lot lines shall not apply. A driveway permitted under this Subsection shall have a minimum width of twelve (12) feet and be subject to all other applicable County development standards and regulations for common access driveways not otherwise addressed or exceeded by this Zoning Resolution. Address signage shall be posted in accordance with the applicable building or fire regulations. No more than two (2) lots developed with a single-family dwelling or two-family dwelling shall share any common access drive unless otherwise required by the County Engineer. (Adopted 12-21-2021, Amnd. 12-6-2022, 9-5-2023)

610.04 Minimum Distance and Setbacks

The setback of parking and circulation areas from adjacent streets and lots shall be as defined by the standards of the district in which they are provided. In no event shall any parking or circulation area for more than 10 vehicles be closer than 20 feet to any dwelling unit, school, hospital, or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. (Amnd. 12-6-2022, 9-5-2023)

610.05 Buffering from Adjacent Residential Land Uses

All parking and circulation areas for any use in a non-residential zoning district shall be buffered from any adjacent residential land use or zoning district in accordance with the provisions of Section 620.07 (Amnd. 10-20-2020, 6-15-2021, 12-21-2021)

610.06 Off-Street Loading and Delivery

Where any use or building in any district requires the receipt or distribution of material or merchandise by vehicle, there shall be provided and maintained, on the same lot with such use or building, a minimum of one off-street loading space. The size and circulation area of loading spaces shall be adequately designed to accommodate the maximum size vehicle to be used in the delivery or distribution, and shall be located in such a way that a parked delivery vehicle shall not project into, or interfere with, any parking space, circulation area, alley, or right-of-way. Screening for loading and delivery areas shall be as provided for in Chapter 620. (Amnd. 12-21-2021, 9-5-2023)

610.07 Limitations on Parking and Storage of Certain Vehicles

The following provisions and requirements shall pertain to the parking and storage of certain vehicles:

1. **Commercial Vehicles and Construction Equipment** - Commercial vehicles including vehicles and equipment used for construction shall be regulated as follows.
 - a) Not more than 1 commercial truck, limited to a two-axle, four-tired pickup or light truck typically classified as Class 1, or 2 by the Federal Highway Administration Vehicle Inventory and Use Survey, and which has operating characteristics similar to those of a passenger car, shall be allowed per 1 dwelling unit in any residential zoning district, or any residential component within a Planned Development District. This Section shall not apply to the personal ownership and use of more than one light truck or passenger van provided said vehicle does not bear any advertisements and is registered as a non-commercial vehicle. (Amnd. 10-20-2020, 12-21-2021)
 - b) Trucks having dual tires on 1 or more axles, or having more than 2 axles, typically classified as Class 3, 4, 5, 6, 7, or 8 by the Federal Highway Administration Vehicle Inventory and Use Survey, designed for the transportation of cargo and including tractor-trucks, trailers, and semitrailers shall not be allowed to be parked or stored on lots in any residential zoning district or any Planned Development District where residential uses are permitted. Commercial vehicles making temporary visits to provided services or deliveries shall not be prohibited under the terms of this Section. (Amnd. 10-20-2020, 12-21-2021)
 - c) The parking or storage of commercial motor vehicles, as defined above in Section 610.07(1)(a), 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 parked or stored in an enclosed garage. Commercial vehicles making temporary

house calls or deliveries shall not be prohibited under the terms of this Subection. (Amnd. 10-20-2020)

- d) Backhoes, road graders, bulldozers, trailers used to haul commercial vehicles or goods, well rigs, tractors, and such similar vehicles and equipment used for construction or commercial purposes are prohibited from being stored outside of a permitted or accessory structure in any residential zoning district, or any residential component within a Planned Development District. Construction equipment temporarily used for construction upon a site shall not be prohibited under the terms of this Section. (Amnd. 10-20-2020)

2. Parking of Recreational Vehicles, Boats, or other Trailers - No recreational vehicle, boat, or other similar vehicle or trailer shall be stored or parked in any residential zoning district, or any residential component within a Planned Development District, unless completely enclosed within a permitted principal or accessory building, except as follows:

- a) Such vehicle may be stored on the unenclosed portion any lot within the Agriculture District, Rural Residential District, and Low Density Residential District provided that such vehicle is not located within the required front, side, or rear yard setback, and is stored only on an improved surface such as gravel, concrete or asphalt that encompasses the entire vehicle. Storage of such vehicles on an unenclosed portion of a lot as provided for in this Subsection shall be limited to no more than one (1) boat and one (1) recreational vehicle or other trailer per lot. (Amnd. 10-20-2020, 12-21-2021)

3. Use of Recreational Vehicles, Boats, or other Trailers - No recreational vehicle, boat, or other similar vehicle may be occupied or used as a dwelling unit or for any other use except as may be provided for elsewhere in this Resolution. (Amnd. 10-20-2020, 12-21-2021)

4. Inoperable Automobiles and/or other Inoperable Vehicles – Parking or storage of inoperable vehicles and vehicle parts shall be prohibited in accordance with the provisions of Section 600.06 of this Resolution. (Amnd. 10-20-2020, 12-21-2021)

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Chapter 615 – Signs and Advertising**615.001 Purposes of Sign Regulations Generally**

The purpose of this Chapter is to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare, by regulating existing and proposed outdoor advertising, outdoor advertising signs, and other signs as defined in this Resolution. It is intended to protect property values, create a more visually attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising clutter, distraction, and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, curb the deterioration of the natural environment, and enhance community development by permitting signs which are compatible with their surroundings. Where permitted within this Resolution, all signs shall comply with the requirements of the underlying zoning district, the Planned Development District standards for an applicable Planned Development District, and the provisions of this Chapter. (Amnd. 10-20-2020, 12-6-2022)

615.002 Noncommercial Signs and Messages

Any sign authorized to be displayed by this Resolution may contain a noncommercial message. (Adopted 12-6-2022)

615.01 Signage Definitions

The words and terms used in this Chapter shall, when defined in Chapter 300, have the meanings provided by that Chapter. (Amnd. 10-20-2020, 12-6-2022)

615.02 Sign Permit

Unless otherwise provided for in Section 615.04, signs shall only be, installed or modified subsequent to and in conformance with this Zoning Resolution and an approved sign permit. A sign permit as provided for in this Chapter shall have the same effect as a zoning certificate in certifying a sign in conformance with Chapter 615 and any other requirement of this Resolution related to signs. Sign permits shall be subject to the general procedures for zoning certificates provided for in Chapter 220 and any additional provisions of this Chapter. In addition to the requirements for zoning certificate applications provided for in Section 220.01, an application for a sign permit shall include the following additional plans and information:

1. An elevation drawing, drawn to scale, of each proposed sign, indicating the display area, sign height, and proposed materials;
2. For wall signs, a building elevation, drawn to scale, indicating the location of the proposed wall sign and all applicable dimensions;
3. For ground signs, a landscaping plan, if applicable; and,
4. Such other plans and materials as may be necessary to show compliance with the sign regulations for the zoning district, or of this Chapter. (Amnd., 10-20-202, 12-6-2022, 9-5-2023)

615.03 Prohibited Signs

The following signs shall be prohibited:

1. Any sign encroaching on or overhanging a right-of-way. No sign shall be attached to any utility pole, light standard, street tree, or any other public facility located within the right-of-way except as may be provided for by the relevant public agency.

2. Any sign located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic.
3. Any sign which by color, location, or design resembles or conflicts with traffic control signs or signals.
4. Any sign that does not comply with the visibility area regulations contained in Section 600.03.
5. Any illuminated sign or lighting device not installed or maintained in accordance with this Chapter.
6. Any sign attached to, painted on or placed on a motor vehicle, trailer, or other licensed or unlicensed vehicle located on private property and readable from any right-of-way, and which serves the purpose of advertising or identifying any product, service or the like, and is used as, in lieu of, or in addition to a portable sign, trailer sign, or ground sign.
7. Any sign which utilizes changeable copy except as specifically provided by this Resolution.
8. Any sign which employs any part or element which revolves, rotates, whirls, spins, is animated, or otherwise makes use of motion to attract attention, except as specifically permitted by the Resolution for signs using automatic changeable copy,
9. Any outdoor advertising sign on a bench, trash receptacle, bus shelter, or similar structure, when visible from the right-of-way.
10. Any sign placed, inscribed, or supported upon a roof or upon any structure which extends above the roof of any building.
11. Any sign attached to a tree or painted or drawn upon rocks or other natural features.
12. Any portable sign except as may otherwise be specifically permitted by this Resolution.
13. Any revolving light, strobe light, moving or stationary beacon, string of lights, or a windblown, inflated or air-activated device including, but not limited to, a string of pennants, string of banners, streamer, spinner, or balloon. Lights may not be attached in rows, strings, patterns, or designs that outline any portion of a building or structure, including windows. This prohibition does not apply to seasonal light displays, or lights that are an integral part of any sign permitted by this Resolution.
14. Any sign not specifically authorized by this Resolution, abandoned sign, or any sign not installed and maintained in accordance with the provisions provided herein. (Amnd. 10-20-202, 12-6-2022, 9-5-2023)

615.04 Signs – Exempt or Not Requiring a Permit

1. The following signs shall be exempt from the regulations contained in this Resolution for signs:
 - a) Any traffic or similar regulatory devices, legal notices, or other warning signs or graphics installed or maintained by a public agency.
 - b) Any sign installed by a public utility or railroad when accessory to its operations as provided for by Section 519.211 of the Ohio Revised Code.
 - c) Any on-premises sign for any agricultural use except as may be provided for by Chapter 605.
 - d) Any sign or other graphic exempted by applicable law.
2. The following signs shall be permitted in all zoning districts without the requirement for a sign permit as provided in this Chapter:

- a) A wall sign displaying a street address, not larger than ten (10) square feet. Where such sign is larger than ten (10) square feet, it shall be regulated in accordance with the regulations for wall signs contained herein.
- b) Signs in the form of a cornerstones, commemorative tablet, or historical signs, not to exceed ten (10) square feet in display area.
- c) One (1) portable sign, with a display area that does not exceed nine (9) square feet.
- d) Permanent or removable window signs with a display area not to exceed 25% of the area of the window on which they are attached or in which they are displayed. (Amnd. 10-20-2020, 12-6-2022)

615.05 Permanent Signs

Permanent signs shall be those permitted in areas clearly designated herein and subject to the regulations for the zoning district and this Chapter. Permanent signs requiring a sign permit are as follows:

1. Ground Signs

All non-residential uses shall be permitted ground signs in accordance with the following regulations:

- a) Number of Signs Permitted - All lots developed with a non-residential use shall be permitted one (1) permanent on-premises ground sign. Whenever a lot developed with a non-residential use fronts upon two (2) or more roads other than a limited access highway such use shall be permitted (1) additional permanent on-premises ground sign for each additional frontage.
- b) Type – Unless otherwise provided for by this Resolution, all permanent on-premises ground signs accessory to any use in a commercial zoning district or office and industrial zoning district shall be monument signs.
- c) Height – The maximum height of any permanent on-premises ground sign shall be as provided for in Table 615.08.
- d) Setback – A permanent on-premises ground sign shall be setback from front, side, and rear lot lines in accordance with the provisions of Section 615.07 and Table 615.08.
- e) Display Area – The maximum allowable display area for a permanent on-premises ground sign shall be as provided for in Table 615.08 or as may be provided for elsewhere by this Resolution.

2. Wall Signs

Wall signs shall be permitted in compliance with the following regulations:

- a) Number of Signs Permitted - Every non-residential use shall be permitted one (1) permanent on-premises wall sign. Whenever the exterior walls of a building enclosing a use front upon two (2) or more roads, one (1) additional permanent on-premises wall sign shall be permitted for each additional frontage.
- b) Location – A permanent on-premises wall sign shall be located on or along the wall of a building which faces a right-of-way or parking area and shall not project above the eaves of a sloped roof or the parapets of a flat roof. When a building on a corner lot is permitted to have two (2) or more permanent on-premises wall signs, each sign shall be mounted on a separate building wall facing a right-or-way or parking area as applicable. A permanent on-premises wall sign shall only be attached to an exterior wall enclosing a space occupied by the use to which the sign is accessory.

- c) Display Area – The maximum display area of a permanent on-premises wall sign shall be one (1) square foot of display area for each linear foot of building wall measured along the wall of the building on the which the wall sign is proposed to be mounted. However, in no case may such display area exceed the maximum display area for a permanent on-premises wall sign provided for in Table 615.08 of this Resolution.
 - d) Additional Regulations - Wall signs shall be installed parallel to and may not extend further than twelve (12) inches from the wall to which they are attached.
- 3. Joint Identification Signs** – Where permitted within this Resolution, all joint identification signs shall comply with the requirements of the zoning district, or the Planned Development District standards adopted for each use.
- 4. On-premises Signs for Public Uses & Quasi-public Uses** – Approved public and quasi-public uses shall be permitted on-premises signs in conformance with the regulations for the applicable zoning district. However, such uses shall be permitted to utilize changeable copy as a portion of the sign copy on such signs subject to the following regulations:
- a) The display area used for changeable copy of such signs may not exceed seventy-five (75%) of the maximum display area of the sign.
 - b) The use of automatic changeable copy shall be limited to ground signs, and the display area used for automatic changeable copy of such ground signs may not exceed fifty percent (50%) of the maximum display area of the ground sign.
- 5. Drive-thru Menu Boards** – Where drive-thru businesses or windows are permitted by this Resolution, such uses shall be permitted to install drive-thru menu boards with changeable copy, subject to the following conditions:
- a) The drive-thru menu board shall be located on the lot to which it refers.
 - b) The sign is oriented solely for the use of patrons utilizing the drive-thru business or window.
 - c) The sign is not intended to be visible from adjacent property or right-of-way.
 - d) No more than two (2) drive thru menu boards shall be permitted per drive-thru lane.
- 6. Residential Development Entry Signs** – In any residential zoning district or residential portion of a Planned Development District, residential developments shall be permitted one ground sign at each vehicular entry to the development subject to the following requirements:
- a) Minimum size of development – For a residential development entry sign to be permitted the residential development shall contain a minimum of 10 platted lots constituting one development.
 - b) Copy – The sign shall be permitted to advertise the name of the development only and shall include no other sign copy or advertisement.
 - c) Conformance – Such signs shall conform to all of the requirements of Section 615.07 and shall be set back a minimum of 15 feet from any right-of-way.
 - d) Height and Display Area – Residential development entry signs shall not exceed a total of 32 square feet in display area as defined in Section 615.07 and shall not exceed 5 feet in height.

- 7. Outdoor Advertising or Billboards** – For the purposes of this Resolution and as required by applicable law, billboards for the purposes of outdoor advertising shall be classified as a business use and shall be permitted in all non-residential districts. In addition, regulation of such signs along primary highways shall conform to the requirements of Chapter 5516 of the Ohio Revised Code, any regulations adopted pursuant thereto, and be subject to the requirements of Section 615.07 and following regulations:
- a) No billboard shall exceed three hundred (300) square feet of display area per face nor have more than two (2) faces.
 - b) No billboard shall exceed fifteen (15) feet in height nor have a length in excess of four times the height of the sign face.
 - c) The billboard use shall comply with the general regulations set forth in other provisions of this Resolution for signs and other uses, as applicable.
 - d) All billboards shall be located in compliance with all local, state and federal regulations controlling the same. Billboards shall be licensed or permitted as may be required by any other public agency.
 - e) No billboard shall be located within the required front, side, or rear yard setback for the principal building established by the regulations for the district in which the sign is located and shall be at least one thousand (1,000) feet from any dwelling, church, school, or similar use.
 - f) No billboard or outdoor advertising sign shall be located nearer than twenty-five (25) feet to any side lot line.
 - g) Spacing Requirements – Each billboard site location shall be separated from every other billboard site location in accordance with the following:
 - (i) Spacing requirements shall be measured along the curb line of the street that the billboard is oriented to and the measurement shall apply to both sides of the street.
 - (ii) Spacing requirements shall be measured from existing billboards regardless of the political jurisdiction within which any other billboard may be located.
 - (iii) Measurement of the spacing between billboard locations shall begin at a point nearest to the proposed billboard site location from an existing billboard site location and extending to a point nearest to the existing billboard site location from the proposed billboard site location.
 - (iv) No new billboard sign be located closer than 1250 feet from any existing or approved billboard.
- 8. Off-Premises Signs other than Billboards** – No off-premises sign other than a billboard shall be installed or modified unless or until a conditional use permit is issued by the Board of Zoning Appeals for such sign. In addition to the requirements and standards for all conditional use permits provided for in Chapter 240, no conditional use permit for such sign shall be issued by the Board unless or until the Board determines that the sign:
- a) Is necessary to proper wayfinding to a particular premises from public highways;
 - b) Will not increase the number of permitted signs on any lot as provided for by this Chapter or by the applicable regulations for the zoning district; and

- c) Will otherwise comply with the setback, height, and display area regulations for on-premises signs in the zoning district and the applicable regulations of this Chapter. (Amnd. 10-20-2020, 12-6-2022, 9-5-2023)

615.06 Temporary Signs

Temporary signs shall include signs indicating or promoting the sale or development of land, facilities or structures. Such signs shall comply with the provisions of Section 615.07 with the exception that temporary signs shall not be illuminated. Application shall be made to the Zoning Inspector and, upon approval, a sign permit issued for such temporary signs as are provided herein. Approval shall be for a period not to exceed those provided below and may be renewed upon application.- The following requirements shall govern temporary signs:

1. Construction / Development Signs – Signs advertising the construction or development of a property currently under construction shall be permitted as a temporary sign. The maximum display area of such signs shall be thirty-two (32) square feet and the maximum height shall be eight (8) feet. The minimum setback for such signs shall be ten (10) feet. Permits granted for such signs shall be valid for a period of twelve (12) months and shall be limited to one (1) sign per frontage for non-residential uses. Signs of this type may only be located on the premises which is under construction.

2. Residential Construction Signs – Signs advertising builders or construction companies during the construction or modification of a dwelling on an individual lot shall be permitted as a temporary sign. The maximum display area of such signs shall be nine (9) square feet and the maximum height shall be four (4) feet. The minimum setback for such signs shall be five (5) feet. Permits granted for such signs shall be valid for a period of twelve (12) months and shall be limited to one (1) sign per lot or dwelling. Signs of this type may only be located on the lot one which a dwelling is being constructed or modified.

3. Signs Advertising the Sale of Undeveloped Land – Signs advertising the sale or lease of land available for development shall be permitted as a temporary sign. The maximum display area of such signs shall be thirty-two (32) square feet and the maximum height shall be eight (8) feet. The minimum setback for such signs shall be ten (10) feet. Permits granted for such signs shall be valid for a period of twelve (12) months and shall be limited to one (1) sign per road frontage.

4. Signs for Model Homes and Temporary Real Estate Sales Offices – Signs advertising a model home or temporary real estate sales office shall be permitted subject to the following requirements:

- a) Construction – Signs of this shall be ground signs and shall not be illuminated.
- b) Height and Display Area – Signs shall not exceed sixteen (16) square feet in display area and shall not exceed six (6) feet in height.
- c) Location – Signs shall be limited to one (1) sign per lot, shall be located on the same lot as the model home or temporary sales office, shall be set-back a minimum of five (5) feet from any lot line or right-of-way.
- d) Removal – Signs shall be removed from the lot upon discontinuance of the model home or temporary real estate sales office use or conversion to dwelling use. (Amnd. 10-10-2020, 615-2021, 12-6-2022)

615.07 General Requirements for All Signs

1. **Sign Height** – The height of a sign shall be measured as the distance from the average grade surrounding the sign to the top of the highest attached component of the sign. The height of a sign may not be artificially increased beyond the permitted height by placement of the sign on an earthen mound. Where no other maximum height is provided by this Resolution for a ground sign requiring a permit, the maximum height shall be six (6) feet.

2. **Sign Setbacks** – The setback of all signs from the right-of-way shall be as provided for in this Chapter or elsewhere by this Resolution. Where no other regulation is provided herein, signs requiring a permit shall be setback from side and rear lot lines in conformance with side and rear yard setbacks of the principal building. Where no other minimum setback from a right-of-way is provided by this Resolution for a ground sign requiring a permit, the minimum setback shall be ten (10) feet.

3. **Display Area** – The display area of a sign shall be computed by means of a continuous perimeter forming a basic geometric shape which encloses the sign copy and is differentiated from the wall or supporting structure on which it is placed in addition to the following:
 - a) **Two or More Faces** – Where a sign has two or more faces, the area of all faces shall be used in determining the display area of the sign unless the two sign faces are parallel to each other and not more than 24 inches apart or form a V-angle of less than 45 degrees.
 - b) **Supporting Structures** – Supporting structures or uprights on which a sign may be attached are excluded from the display area if they contain no sign copy and are clearly incidental to the display itself.
 - c) **Wall Signs** – For wall signs which consist of individually mounted letters, numbers, or other symbols on a wall or fascia, the display area of the sign shall be the area of a rectangle circumscribed around the letters, numbers, or other symbols.
 - d) **Awning Signs** – For awning signs, the display area of the sign shall include only the sign copy on the surface of the awning and not the entire area of the awning face.
 - e) Where no other maximum display area is provided for any permanent sign by this Resolution, the maximum display area shall be twenty-five (25) square feet.

4. **Illumination and Special Effects** – The level of illumination emitted or reflected from a sign shall not be so intense as to constitute a safety hazard to vehicular movement on any road from which the sign may be viewed, as determined by an average person. Illuminated signs shall be constructed and maintained so that the source of illumination is shielded or otherwise prevented from beaming directly onto adjacent lots or roads.
 - a) If illuminated, signs shall be illuminated in accordance with the following regulations:
 - (i) By a white, steady, stationary light of reasonable intensity, directed solely at the sign and shielded or otherwise prevented from beaming directly onto adjacent properties or lots or public rights-of-way.
 - (ii) By white interior light of reasonable intensity with sign copy silhouetted on an opaque background. No additional background lighting shall be permitted.

(iii) Ground mounted light fixtures used to illuminate signs shall be screened from view by site grading or evergreen shrubs.

b) Signs utilizing automatic changeable copy as permitted by this Chapter or elsewhere by this Resolution shall adhere to the following regulations:

(i) A sign utilizing a copy change procedure shall display each individual message a minimum of eight (8) seconds.

(ii) The images and messages displayed must be static, and the transition from one static display to another must be instantaneous to the human eye without any transition effects. Transition effects include, but shall not be limited to, wipes, fades, or other special effects.

(iii) Each automatic changeable copy sign shall be equipped with a light sensing device that automatically adjusts the brightness of the sign as ambient light conditions change.

(iv) Each automatic changeable copy sign shall be operated with monitoring and methods in place that shall either turn off the display, or show a full black image on the display, in the event of a malfunction that affects more than fifty (50) percent of the sign face.

(v) No automatic changeable copy sign shall exceed a brightness level of 0.3 foot-candles above ambient light as measured using a foot-candle (Lux) meter at a pre-set distance in accordance with the following procedure:

a. At least 30 minutes past sunset, record the ambient light while the sign is off or displaying all black copy, or with the sign's illumination blocked.

b. The light meter shall be held five (5) feet above the finished grade in front of the sign face.

c. The meter shall be aimed toward the center of the automatic changeable copy sign.

d. From the same location, a second reading shall be recorded while the sign is on and not blocked.

(vi) If the difference between the measurements is 0.3 foot candles or less, the brightness is properly adjusted; otherwise, the sign must be adjusted to comply with the brightness adjustment standard set forth above.

5. Installation and Attachment – All sign types permitted under this Chapter or elsewhere by this Resolution shall comply with the follow regulations, if applicable:

a) No sign shall be installed or attached in any manner to a fire escape or to any door or window giving access to a fire escape.

b) No sign shall be installed or attached in any manner that obstructs any doorway or egress window.

c) No sign shall be installed or attached in such manner that it may interfere with any required ventilation openings.

d) No sign of any type shall be installed or attached in any manner to another sign except as specifically permitted by this Resolution.

6. Abandoned Signs or Sign Faces – A sign or sign face shall be considered abandoned when one or more of the following exist:

- a) The sign or sign face remains after the discontinuance of a use. For the purposes of this Chapter a use is considered to be discontinued if the equipment and furnishings of the use of the premises identified by the sign copy have been removed from the premises and have not been replaced by similar equipment within six (6) months after such removal, or the use has been closed to the public for a continuous period of at least six (6) months.
 - b) The sign or sign face is not installed or attached in accordance with the provisions of this Resolution and the owner of the sign or sign face has not complied with the written notices issued under the authority provided herein to maintain the reasonable and proper appearance and condition of the sign or sign face.
- 7. Enforcement of Sign Regulations** – If any sign or sign face is abandoned as provided herein, or is not installed or attached in accordance with the provisions of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof of the action necessary to comply with this Resolution. Failure to comply with the provisions of this Chapter or of any regulations related to signs provided for elsewhere by this Resolution shall be deemed a violation of this Zoning Resolution and subject to the penalties provided for in Chapter 260. (Amnd. 10-10-2020, 12-6-2022, 9-5-2023)

615.08 Table of Maximum Sign Setback, Height, and Display Area

The following table provides the minimum setback, maximum height, and maximum display area for allowable wall and ground signs for the various zoning districts and uses. The maximum display area for wall signs may be further limited by the system of display area calculation provided for in Section 615.05 of this Resolution, but in no case shall the display area of such signs exceed the maximum display area provided by herein.

ZONING DISTRICT OR USE TYPE	WALL SIGNS	GROUND SIGNS		
	MAXIMUM DISPLAY AREA (SF)	MAXIMUM DISPLAY AREA (SF)	MAXIMUM HEIGHT (FT)	MINIMUM SETBACK (FT)
ORM	125	32	6	10
COM	125	32	8	10
LR	125	32	6	10
RR	125	32	6	10
SRE	100	48	8	15
OS	25	32	8	15
Public Use, Quasi-public Use, or other permitted Non-residential Use in a Residential District	25	32	8	10

(Adopted 12-6-2022)

Chapter 620 – Landscaping, Screening, and Buffering

620.001 Purposes of Landscaping, Screening, and Buffering Generally Requirements

The purpose of this Chapter is as follows:

- a) To promote and protect the interest of the public convenience, comfort, prosperity, or general welfare in accordance with Article 1 of this Resolution;
- b) To require buffering between non-compatible land uses to protect, preserve, and promote the character of the surrounding area; and
- c) To require reasonable landscaping that is beneficial to the orderly development of the community. (Amnd. 10-20-2020, 12-21-2021)

620.01 Applicability and Interpretation of Landscaping, Screening, and Buffering Requirements

1. Unless otherwise noted, the following landscaping standards shall apply to all uses except for single-family dwellings and two-family dwellings.
2. In addition to any applicable requirements of the zoning district, all delivery areas, loading docks, service areas, supply yards, and other outdoor storage areas shall be screened in accordance with the provisions of this Chapter.
3. Any off-street parking area with 5 or more spaces shall be screened as required by the zoning district regulations and as required by this Chapter.
4. Within all zoning districts, any portion of any lot that is not covered with structures, paving, crop production, or forest canopy shall be landscaped at a minimum with turf grass, as defined in Section 620.04, to prevent wind and soil erosion and the nuisance of excessive wind-blown dirt and dust on adjacent lots.
5. Whenever overlapping screening, buffering, or landscape areas are required by this Chapter, or elsewhere by this Resolution, the more stringent buffer shall be required for such overlapping area.
6. Whenever multiple options are provided by this Resolution for a type of screening or buffering, such screening and buffering may be accomplished by any combination of the options provided that the minimum opacity, if any, is maintained.
7. Any references to buffer types provided herein shall refer to the diagrams provided in Chapter 705 of this Resolution.
8. Any landscaping or buffering as required by this Resolution shall be indicated on the plans submitted in conjunction with the requirements of Chapter 220 of this Resolution. (Amnd. 10-20-2020, 12-21-2021)

620.02 General Regulations for Landscaping, Screening, and Buffering

All screening and landscaping shall be provided in accordance with the requirements of the individual zoning districts and with the following general regulations:

1. No landscaping, screening, and buffering shall be installed in a manner that creates a hazard to the public.
2. No landscape plantings or materials shall be located so as to adversely affect the vision of drivers, or obstruct the view within a required visibility area as provided for in Chapter 600.
3. Whenever any combination of required screening or buffering is proposed to be accomplished with a fence, said fence shall also meet the applicable requirements of Chapter 625. (Amnd. 10-20-2020, 12-21-2021)

620.03 General Requirements for Required Landscaping Materials

The following general standards shall apply to all required landscaping, screening and buffering.

1. All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. (Amnd. 10-20-2020)
2. The owner of the lot shall be responsible for the continued maintenance of all landscaping materials and shall keep them in a proper, trimmed, neat, and orderly appearance free from weeds, junk, and debris at all times.
3. All landscape beds shall be maintained with defined edges and mulched on a yearly basis with natural hardwood mulch.
4. All plantings required by this Resolution which become unhealthy or dead shall be replaced within one year, or by the next planting season, whichever comes first with a plant of comparable species and size of the original plant at the time of initial planting.
5. Where required screening is to be accomplished by landscaping, the landscape materials shall achieve the required standard for height and opacity within a period of 5 years or less. (Amnd. 12-21-2021)

620.04 Minimum Planting Requirements for Required Landscaping Materials

At the time of planting, all required landscaping material shall comply with the following standards:

1. **Industry Standards** — All required plant material shall comply with the latest edition of the “American Standards for Nursery Stock” as published by the American Nursery and Landscape Association.
2. **Deciduous Shade Trees** – Deciduous shade trees, where required by this Resolution, shall be installed balled and burlapped or from a container when planted. All shade trees shall have a minimum caliper of at least 2 inches at the time of planting unless specified otherwise in this Resolution.
3. **Evergreen Trees** – Evergreen trees, where required by this Resolution, shall be installed balled and burlapped or from a container when planted. Evergreen trees shall be a minimum height of 6 feet at the time of planting unless specified otherwise in this Resolution.
4. **Ornamental Trees** – Ornamental trees, where required by this Resolution, shall be installed balled and burlapped or from a container when planted. Ornamental trees shall have a minimum height of 6 feet or a minimum caliper of 1.5 inches at the time of planting unless specified otherwise in this Resolution.
5. **Shrubs and Hedges** – Shrubs and hedges, where required by this Resolution, may be installed balled and burlapped or from a container at the time of planting. Shrubs and hedges used for screening shall be at least 24 inches in height at the time of planting and shall be sized and spaced in order to achieve the required screening within 3 years of the time of planting unless specified otherwise in this Resolution.

- 6. Turf Grass** – Grass of the family Fescue (Gramineae), Perennial Ryegrass (Lolium Perenne), Bluegrass (Poaceae), or any combination thereof shall be planted in species normally grown as permanent lawns in Central Ohio, and may be sodded or seeded; except in swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used, provided that turf-grass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Sod shall be clean and free of weeds and noxious pests or diseases.

620.05 Screening and Buffering of Roof and Ground-mounted Equipment

1. For any use other than a single-family dwelling or two-family dwelling, all heating, ventilating, air conditioning and other building mechanical systems and equipment or other utility hardware on the roof of a building shall be screened to the height of the equipment to prevent the equipment from being visible from any adjacent public road or adjacent residential district. This regulation shall not apply to solar panels that are flush mounted to the roof of a building.
2. Screening of Dumpsters, Storage Tanks, and Ground-mounted Mechanical Equipment – For any use other than a single-family dwelling or two-family dwelling, all dumpsters, compactors, trash receptacles, storage and fuel tanks, generators, heating and cooling equipment, and all other similar building service and mechanical equipment shall be screened from view on all sides by the proposed structure and/or free-standing walls or fences to no less than 100% opacity. Free standing walls or fences shall be at a minimum height necessary to screen the proposed use and shall meet the requirements of Chapter 625. (Amnd. 10-20-2020, 12-21-2021)

620.06 Screening and Buffering of Loading, Delivery, and Service Areas

All loading, delivery, and service areas for any use in a shall be screened from view in accordance with the following standards:

1. Screening and Buffering from Non-Residential Uses
 - a. In any commercial zoning district, service and delivery areas, overhead doors, and loading docks shall be screened from view of adjacent non-residential uses by a combination of a 2' mound and a continuous planting of evergreen trees similar to Buffer Type 'C' in Appendix 1. Evergreen trees shall be a minimum of 6 feet tall at time of planting and shall be planted in such a way as to provide a minimum of 75 percent opacity screen between the service areas or loading docks and the adjacent use at the time of planting. Walls and fences may be used for the purposes of screening service areas or loading docks similar to Buffer Type 'A' in Appendix 1 and shall meet the requirements of Chapter 625.
 - b. In all other non-residential zoning districts, service and delivery areas, overhead doors, and loading docks, if required, shall be buffered from adjacent non-residential uses by a combination of a 2' mound and the installation of evergreen trees or shrubbery of a type and variety normally achieving a minimum of 5 feet in height. Evergreen trees or shrubbery shall be planted in such a way as to provide a minimum of a 75 percent opacity screen between the service area or loading dock and the adjacent use similar to Buffer Type 'F' in Appendix 1. Walls and

fences may be used for the purposes of buffering service areas or loading docks provided that such walls and fences meet the requirements of Chapter 625.

2. Screening and Buffering from Adjacent Residential Uses, US Highway 33, US Highway 42 and Industrial Parkway
 - a. In any commercial district, all sides of any service areas or loading docks that are visible to adjacent residential uses, US Highway 33, US Highway 42 or Industrial Parkway shall be entirely screened from view through the use of the following:
 - i. A combination of a 3' high mound and completely opaque walls or fences, in accordance with Chapter 625 of this Resolution, to a height necessary for screening the proposed use but not less than 6 feet and not exceeding 10 feet in height similar to Buffer Type 'A' in Appendix 1.
 - ii. Loading docks may be screened from view by an extension of building walls provided that the wall is constructed of materials similar to and harmonious with the design of the principal structure.
 - iii. A combination of a minimum 3' high mound and a continuous planting of evergreen trees, a minimum of 6 feet in height at the time of planting. Evergreen trees shall be planted on top of the mound and staggered or spaced to achieve one-hundred percent (100%) opacity screening of the area within 5 years of planting similar to Buffer Type 'B' in Appendix 1.
 - b. In all other non-residential zoning districts, all sides of any service areas or loading docks that are visible to adjacent residential uses or lots, Industrial Parkway, US Highway 42, and US Highway 33 shall be entirely screened from view through the use of one of the following:
 - i. A combination of a 2' mound and completely opaque walls or fences, in accordance with Chapter 625 of this Resolution, to a height necessary for screening the proposed use but not less than 6 feet and not exceeding 12 feet in height similar to Buffer Type 'A' in Appendix 1.
 - ii. Loading docks may be screened from view by an extension of a building wall provided that the wall is constructed of materials similar to and harmonious with the design of the principal structure.
 - iii. A combination of a 3' mound and evergreen shrubbery to obtain 100 percent screening of the area, to a minimum of 6 feet in height similar to Buffer Type 'E' in Appendix 1.
 - iv. A continuous planting of evergreen trees, a minimum of 6 feet in height at the time of planting and staggered or spaced to achieve one-hundred percent (100%) opacity screening of the area similar to Buffer Type 'B' in Appendix 1.
3. Screening and Buffering of Non-residential Uses in Residential Districts
 - a. For any use in a residential district other than a single-family dwelling or two-family dwelling, all of sides any service areas or loading docks that are visible from any right-of-way or from any adjacent lot shall be screened with any combination of continuous wall, fence, mound or landscaping to a height of at least six (6) feet, and an opacity of no less than 75%. (Adopted 12-21-2021, 9-5-2023)

620.07 Screening and Buffering of Residential Districts and Uses

The following screening and buffering regulations shall apply to uses other than single-family dwellings and two-family dwellings:

1. Wherever any use in a non-residential district adjoins any single-family dwelling or two-family dwelling, a landscape buffer, for the purpose of buffering the side or rear of such use or building from view of the residential use, shall be required in accordance with the following requirements:
 - a) There shall be installed, for the length of such adjoins lot line, a landscape buffer consisting of a combination of a minimum 3' high mound and a continuous planting of a combination of evergreen trees and deciduous shade trees. Evergreen trees shall be a minimum of 6' in height at the time of planting and shall be staggered or spaced to achieve a minimum opacity of 75% similar to Buffer Type 'C' in Appendix 1. Deciduous shade trees shall be planted at not less than 40' on center for the entire length of the landscape buffer.
2. Wherever a parking or circulation area for any use in a non-residential zoning district abuts the side or rear lot line of any residential zoning district or any parcel zoned AG District, it shall be buffered from said adjacent residential zoning district through the use of either landscaping, or a 6' privacy fence, or any combination thereof. Said landscape buffer shall consist of a minimum of 6' height evergreen trees planted at 15' on center and shall screen the parking area at no less than one-hundred percent (100%) opacity.
(Adopted 12-21-2021, 9-5-2023)

620.08 Screening and Buffering of Supply Yards, Junk Yards, and Outdoor Storage Areas

In addition to any applicable requirements of the zoning district, supply yards, junk yards, and other outdoor storage areas, when permitted, shall be subject to the following regulations:

1. Materials, equipment and merchandise being stored outdoors shall not exceed a maximum height of 14' from the existing grade to the top of the materials being stored. For the purposes of this definition existing grade shall be defined as the general grade of the lot or area where the materials are being stored and shall not be construed to permit a total of 14' or storage from the top of a mound, ramp or other structure within that lot or area.
2. Supply yards, junk yards, and other outdoor storage areas shall be entirely screened from view on all sides through the use of any combination of the following:
 - a. A combination of a continuous minimum 3 foot high earthen mound and completely opaque masonry walls, in accordance with Chapter 625 of this Resolution and deciduous shade trees planted at no less than 40' on center similar to Buffer Type 'A' shown in Appendix 1. Said walls shall be a minimum of 7 feet in height and not exceed 12 feet in height, as measured from the top of mound to the top of wall.
 - b. A combination of a continuous minimum 3 foot high earthen mound and a continuous planting of evergreen trees and deciduous shade trees planted on top of the mound and staggered or spaced to achieve one-hundred percent (100%) opacity screening of the outdoor storage similar to Buffer Type 'B' shown in Appendix 1. (Adopted 12-21-2021)

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Chapter 625 - Free Standing Walls, Fences, and Hedges**625.001 Free Standing Walls, Fences, and Hedges Generally**

1. No wall or fence, used for any purpose, shall be erected, constructed, relocated or rebuilt without the issuance of a zoning certificate. In addition to the requirements of Chapter 220, applications for a zoning certificate to erect a fence or wall shall include plans and drawings showing the boundary and dimensions of the lot upon which the fence, or wall is to be erected; the exact height, location, length, type of material and type of construction of the proposed fence or wall; the location of the buildings on the lot; or any such other information as deemed necessary for such certificate.
2. The height of a wall or fence shall be measured from the established grade line to the highest point of the wall, fence, or hedge. Any light fixture placed on a pier or post may not exceed a height of 24" above the height of the pier. The height of a wall, fence or hedge may not be artificially increased by the use of mounding unless otherwise required by this Resolution for screening and buffering purposes. (Amnd. 10-20-2020, 6-15-2021)

625.01 General Requirements for Walls, Fences or Hedges

1. No wall or fence, shall be located within the visibility area provided for in Chapter 600.
2. No wall fence shall obscure, fire hydrants, street address numbering, or other security or emergency service equipment, controls or components.
3. All walls and fences shall be structurally sound, safe, and properly finished at all times. Privacy fences shall be designed, constructed, and finished so the supporting beams and members thereof shall not be visible from any neighboring lot or right-of-way. All walls and fences shall be properly maintained and shall be kept free from damage, rot and disrepair. Walls shall be free from damage or deterioration and fences shall be kept painted or stained.
4. Fences and walls may exceed the height and location standards of this Chapter if specifically required to achieve screening and buffering of objectionable uses as required elsewhere in this Resolution.
5. In addition to the regulations of this Chapter, fences and walls within a Planned Development District shall be in conformance with an approved detailed development plan, if applicable. (Amnd. 6-15-2021)

625.02 Fence Height and Location Regulations

Fences and walls shall be permitted subject to the following location and height regulations:

1. A fence or wall shall be permitted on any part of a lot not within the required front yard setback for the principal building. The maximum height for such fences shall be six (6) feet for fences accessory to single and two-family dwellings, and eight (8) feet for all other uses unless otherwise provided for by this Chapter or Resolution.
2. A fence may be permitted within the required front yard setback established for the principal building subject to the following regulations:
 - a) The fence shall be no taller than five (5) feet.
 - b) No part of said fence shall exceed fifty percent (50%) opacity.
3. Fences for security purposes in any non-residential zoning district may be installed to a maximum height of ten (10) feet provided that the fence is either decorative in style or materials, or fully screened from any right-of-way and any surrounding lots by landscaping that meets or exceeds the height of the fence within five (5) years of planting with an opacity of 100%, and is located no closer to any right-of-way than the front yard setback of

the zoning district. (Amnd. 6-15-2021, 12-6-2022, 9-5-2023)

625.03 Fence Material Regulations

The following types of fencing materials shall not be permitted in any zoning district:

1. Walls, fences or other landscaping equipped with, or having barbed wire, spikes, sharp points, or any similar device shall be prohibited with the exception of fences installed for the purposes of security within the Commerce District that are completely screened from view as required by Section 445.05(5).
2. Fencing or walls designed to emit an electric charge sufficient to cause a shock more severe than that typically found in standard livestock fencing shall be prohibited.
3. The use of chicken wire, poultry wire, or hex netting fence consisting of a plain, galvanized or PVC coated material shall be prohibited.
 - a) Exception: Vinyl coated metal mesh (square or rectangle mesh) may be used as an attachment to the interior of fencing and shall be brown or black in color.
 - b) Exception: Nothing in this Resolution shall be construed to prevent the use of such material for gardening purposes on any residential lot provided it is located in the side or rear yard.
4. Chain link fences shall not be permitted except for the following instances:
 - a) Chain link fences may be used when accessory to outdoor athletic facilities such as tennis courts, basketball courts, baseball or softball diamonds, or swimming pools.
 - b) In any non-residential zoning district, chain link fence may be used for security purposes subject to the follow regulations:
 - (i) The chain link fence shall be coated black or brown.
 - (ii) The chain link fence shall not be located in the front yard. Whenever there is no principal building, a fence of this type shall be located no closer to the right-of-way of a road than the front yard setback provided for in the regulations for zoning district.
 - (iii) The chain link fence shall be located inside of the required screening, if any. Whenever there is no required screening, said chain link fence shall be fully screened from any right-of-way and any surrounding lots by landscaping that meets or exceeds the height of the fence within five (5) years of planting with an opacity of 100%.
 - c) In the Rural Residential District and Low Density Residential District, chain link fence may be used as a fence material provided such fencing is located in the side or rear yard only. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022, 9-5-2023)

Chapter 630 – Exterior Lighting Standards**630.001 Exterior Lighting Generally**

The purpose of this Chapter is to regulate outdoor lighting in order to reduce or prevent light pollution and to minimize lighting impacts on surrounding lots. This means to the extent reasonably possible the reduction or prevention of glare and light trespass, and promotion of the public safety and security. Nothing in this Chapter shall be applicable to any lighting required in accordance with regulations enforced by a public agency. (Amnd. 10-20-2020, 8-14-23)

630.01 Applicable Zoning Districts

The regulations of this Chapter all shall apply to exterior lighting that illuminates the exterior of any building, structure, open space, parking or loading area, or other portions of any use other than single-family and two-family dwellings. (Amnd. 10-20-2020, 9-5-2023)

630.02 Plans Required

When required by this Chapter, an exterior lighting plan demonstrating compliance with the lighting standards and requirements contained herein shall be included in an application for a zoning certificate as required by Chapter 220. An exterior lighting plan shall contain, at a minimum, the following information:

1. Scaled site plans with property boundaries shown, building plans, and all building locations, building entrances, and building elevations. The plan should include layouts of the parking lot(s), driveway(s), pedestrian pathway(s), adjacent right-of-way(s), a north arrow, an address or legal description.
2. Cut-sheet(s) (profiles or specifications) for all proposed exterior light fixtures and poles.
3. Scaled ISO foot-candle plots and/or point-by-point foot-candles layouts defining compliance.
4. Such other information as may be required to enforce the provisions of this Chapter. (Amnd. 9-5-2023)

630.03 Exterior Lighting Standards and Requirements

The following standards and requirements shall apply to exterior lighting regulated by this Chapter:

1. Adverse impact in the form of light pollution resulting in a public nuisance shall be prohibited. Light pollution is defined as any measurable, artificial illumination that strays beyond a site boundary both horizontally and vertically.
2. No outdoor lighting shall be of such an intensity or color distortion as to cause glare or to impair the vision of drivers or pedestrians.
3. Lighting uniformity shall not exceed a 10:1 maximum to minimum light level and a 4:1 average to minimum light level.
4. The overall height of pole-mounted luminaries shall be measured from finished grade to top of fixture unless otherwise limited and shall not exceed the maximum height as required by the individual zoning district or the requirements of the Planned Development District. Where there exists no height regulation applicable only to such fixtures, no freestanding light fixture may exceed the maximum height for buildings and structures provided for in the zoning district.

5. No blinking, flashing, fluttering lights, search lights or other illuminated device that has a changing light intensity, brightness or color is permitted in any zoning district, except for temporary holiday displays.
6. All exterior lighting used to light vehicular use areas and pedestrian pathways shall be a "Total Cut-Off Type", as defined by the latest Illuminating Engineering Society of North America's IESNA standard. All other exterior lighting including, but not limited to, doorways, architectural, accent, landscape signage, decorative, security, floodlighting or area lighting shall be "Total Cut-Off Type." 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 any adjacent lot.
7. Light originating on a site shall not be permitted to exceed the following values when measured the lot line for the following adjoining land uses:

Table 630.03 Maximum Light Trespass on Adjacent Lots

Land Use	Maximum Light Trespass on Adjacent Property
Residential	0.3 foot-candle
Multi-family	0.5 foot-candle
Office / Commercial	1.0 foot-candle
Industrial / Warehouse	1.5 foot-candle

(Amnd. 9-5-2023)

Chapter 635 – Home Occupations**635.001 Home Occupations Generally**

Home occupations are essential to creating a diverse economy, reducing long commuting times and supporting a sense of community. All permitted home occupations shall conform to the requirements of the individual zoning district and the following requirements. Nothing in this Chapter or Zoning Resolution shall prevent or restrict a resident from having a home office or working from home as a “satellite” employee when such home office has no additional employees, has no regular in-home meetings or appointments, requires no signage or identification, and all of the work functions are contained entirely within the principal dwelling. (Amnd. 10-20-2020)

635.01 Limited Home Occupation

A Limited Home Occupation shall be defined as a home occupation carried on entirely within the principal dwelling in accordance with the following standards:

1. The limited home occupation shall be clearly incidental and secondary to the use of the dwelling for residential occupancy and there shall be no substantial indication of the non-residential use of the premises which is visible or apparent as viewed from off the premises.
2. No person, other than those residing on the premises, shall own or operate such home occupation. Not more than 1 non-resident employee shall be employed at any one time in a limited home occupation.
3. There shall be no change in the outside appearance of the building or premises and no signage shall be permitted for a limited home occupation.
4. No limited home occupation shall be conducted in any accessory building or structure.
5. The exterior access to the space devoted to the limited home occupation shall not be used exclusively for such use.
6. No equipment or process shall be used in such limited home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment and/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.
7. No noise associated with a limited home occupation, including musical instruction, shall be detectable off of the lot or premises or shall cause a nuisance to adjacent property owners.
8. No commercial vehicles, having dual axles, designed for the transportation of cargo including tractor-trailers shall be used for the delivery of materials to or from the premises in conjunction with the conduct of a limited home occupation.
9. No traffic shall be generated by such limited home occupation in greater volumes than would normally be expected in a residential neighborhood.
10. There shall be no exterior storage of equipment used in a limited home occupation.
(Amnd. 12-6-2022)

635.02 Expanded Home Occupation

An expanded home occupation may be allowed as a conditional use of a residential dwelling unit or approved accessory structure for a legitimate business, profession, trade, service or vocation, whether or not for profit, carried on within an enclosed dwelling or approved accessory structure by the occupants residing therein in accordance with the following standards:

1. The expanded home occupation shall be clearly incidental and secondary to the use of the dwelling for residential occupancy and the expanded home occupation shall occupy no more than 25% of the floor area of the dwelling.
2. No person, other than those residing on the premises, shall own or operate such occupation. Not more than 2 non-resident employees shall be employed on premises at any one time in an expanded home occupation.
3. The exterior access to the space devoted to the expanded home occupation shall not be used exclusively for such use.
4. No equipment or process shall be used on premises in such expanded home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference that shall create a nuisance to adjacent properties. In the case of electrical interference, no equipment and/or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
5. Delivery of materials, equipment or supplies to an expanded home occupation shall be limited to commercial vehicles or light trucks falling under the Federal Highway Administration Vehicle Inventory and Use Survey Class 1, 2,3,4,5,or 6. In no case shall a heavy duty vehicle of Class 7 or 8 requiring a Class B license to operate be used in a delivery to or from an expanded home occupation. Not more than 2 deliveries of materials, equipment or supplies shall be received per day in conjunction with an expanded home occupation, and such deliveries shall be limited to normal business hours.
6. If permitted, an expanded home occupation engaged in the repair or refurbishment of motor vehicles may operate in an approved accessory structure with the following requirements:
 - a) The approved accessory structure shall not be constructed on the lot in front of the principle residential structure.
 - b) In no case shall “junk” or “parts” vehicles or vehicles without a current vehicle registration, be stored outdoors anywhere on the lot or premises.
 - c) The storing or stacking of customer vehicles outside of the approved accessory structure shall not be permitted.
7. No traffic shall be generated by such extended home occupation in greater volumes than would normally be expected in a residential neighborhood.
8. All storage related to the expanded home occupation use shall be contained within an enclosed building. (Amnd. 12-6-2022)

635.03 Zoning Certificate Required to Conduct Home Occupation

All persons proposing to conduct a home occupation shall obtain a zoning certificate. (Amnd. 12-6-2022)

Chapter 640 – Temporary Uses, Events, and Sales**640.001 Temporary Uses, Events, and Sales Generally**

Due to the special characteristics and non-permanent nature of temporary uses, events, and sales, this Chapter establishes the requirements necessary to properly locate and control the activities of these uses in order to secure the public health, safety and general welfare.

(Amnd. 10-20-2020, 12-21-2021)

640.01 Temporary Use, Permit Required

When required by this Chapter, no temporary use, event or sale shall commence until a temporary use permit shall has been issued by the Zoning Inspector. Temporary use permits shall be subject to the general procedures for zoning certificates provided for in Chapter 220 and any additional provisions of this Chapter. (Amnd. 10-20-2020, 12-21-2021)

640.02 Application Required

In addition to the applicable requirements provided for in Section 220.01, an application for a temporary use permit shall be filed at least ten (10) days prior to the commencement of the proposed temporary use, event, or sale. Each application for a temporary use permit shall contain a site plan or sketch which illustrates the following:

1. The lot or lots where the event or sale will occur.
2. The size and location of all existing and proposed buildings and structures on the lot, whether they are principal or accessory, or temporary or permanent structures.
3. The existing use and intended temporary use of all parts of the land, buildings, and structures, whether permanent or temporary.
4. Existing zoning district of all adjacent lots.
5. Location of existing and/or proposed parking spaces, traffic flow, wheel stops, access drives, building and parking setbacks, yard requirements, and existing and proposed sanitary facilities.
6. Existing and proposed signs and billboards, including lighting and size detail.
7. Written permission from the owner of the lot, if not the applicant.

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. (Amnd. 10-20-2020, 12-21-2021)

640.03 Prohibited Temporary Uses, Events, and Sales

Any temporary use, event, or sale not listed in this Chapter or provided for elsewhere in this Resolution shall be considered prohibited. Should a temporary use permitted under this Chapter be conducted in a manner inconsistent with the regulations provided herein, such temporary use, event, or sale shall also be considered prohibited. (Amnd. 10-20-2020, 12-21-2-21)

640.04 Temporary Use/Activities Not Requiring a Temporary Use Permit

The following temporary uses, events or sales are deemed to be permitted temporary uses, events or sales not requiring a temporary use permit provided they are conducted in conformance with the standards of this Section:

1. **Garage, Porch, Yard, or Similar Sales** – Garage, porch, yard, or similar sales shall be limited to not more than 2 consecutive days and only 4 such sales may be conducted during any 1 calendar year. The term "Garage, Porch, Yard, or Similar Sales" shall be defined as a sale of personal property to the general public conducted inside or outside a

dwelling unit on any lot within a residential zoning district. A garage, porch, yard or similar sale does not include the casual sale of motor vehicles, boats, trailers, motorcycles, recreational vehicles, and other similar types of vehicles, which shall be regulated in accordance with the provisions of Section 640.03(3). In addition, the following regulations shall apply to garage, porch, yard, or similar sales:

- a) Such sales shall not be conducted on consecutive weekends nor exceed three (3) consecutive days in length.
- b) No sale of this type shall commence before the hour of 8:00 a.m. nor extend later than 8:00 p.m.
- c) Personal property offered for sale shall not be displayed closer than 20 feet of a public roadway or within any right-of-way.
- d) Signs for sales shall adhere to Chapter 615 of this Zoning Resolution.
- e) No sale of this type conducted within a dwelling unit shall occupy more than 200 square feet of floor area of such dwelling unit.
- f) No person shall sell or offer for sale at such sales any merchandise that has been purchased, consigned or otherwise 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. Nothing in this provision is intended to prohibit a shared or community garage sale.

2. Foreclosure or Estate Sales – Foreclosure or estate sales involving the complete liquidation of all personal property located within the entire dwelling unit shall be limited to not more than 2 consecutive days and only 1 such sale may be conducted by the owner or occupant of such dwelling unit.

3. Casual Sales of Motorcycles and Motor Vehicles, including Boats, but not including Trailers, Recreational Vehicle and Other Similar Vehicles – A casual sale of a motor vehicle, motorcycle or boat may be conducted on any parcel in a residential zoning district provided the following criteria are met:

- a) 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.
- b) 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.
- c) No more than 3 such vehicles may be sold or offered for sale in any 1 calendar year.
- d) No more than 1 such vehicle shall be displayed for sale on or from any lot at any time. Such displayed vehicle shall be located upon an approved driveway or parking area and be parked no nearer to the right-of-way than 15 feet.

4. Mobile Food Units – Mobile food units shall be permitted as an accessory use to any use other than a single-family dwelling or two-family dwelling in accordance with the following regulations:

- a) The mobile food unit shall comply with all other applicable regulations, including the regulations enforced by the Union County Health Department, the applicable fire regulations, and any applicable regulations for transient vendors.
- b) The mobile food unit shall be located on an approved paved surface.

- c) If the mobile food unit is accessory to another temporary use/activity, the regulations applicable to that temporary use/activity shall also apply. (Amnd. 12-21-2021, 9-5-2023)

640.05 Temporary Use/Activities Requiring a Temporary Use Permit

The following temporary uses, events or sales are deemed to be permitted temporary uses, events or sales which shall require a temporary use permit, and are subject to the following requirements in addition to applicable development standards of the district in which the use is located:

- 1. Temporary Sales and Services** – Temporary sales, such as sales of plants, flowers, arts and crafts, produce, or similar items may be permitted within the parking area of any use within any non-residential district or of any public or quasi-public use. No such sale may exceed 45 days in length nor occupy more than 25% of the required parking. Such sales shall be limited to no more than twice within any calendar year for lots with an established use, and no more than once for any lot with no permanent tenant or established use.
- 2. Temporary Real Estate Sales Offices and Model Homes** – Temporary real estate sales offices within a dwelling or model homes may be permitted for any new development within a residential zoning district or any residential component of a Planned Development District that contains 10 or more platted lots. Sales activities shall be limited to that development only and shall not involve sale or lease of lots or dwellings not contained with the development. A dwelling used as a temporary real estate sales office may not be simultaneous occupied or used as a dwelling. Such temporary office or model home use shall cease upon completion of the sales of lots within the development. A zoning certificate shall be required to re-establish the dwelling use and the dwelling shall meet all applicable building regulations. (Amnd. 10-20-2020)
- 3. Temporary Additional Dwelling** – Any lot in an Agricultural, Rural Residential, or Low Density Residential zoning district may be permitted a temporary additional single-family dwelling subject to the following regulations:
 - a) If the existing dwelling on such a lot has been damaged or destroyed by fire or other disaster, the owner of the lot may be permitted to live on-site in a temporary dwelling during the re-construction of the existing dwelling. Such temporary dwelling shall be permitted only for the duration of the active re-construction of the existing dwelling and shall be removed within 30 days of receiving a certificate of occupancy for the principal dwelling.
 - b) The owner of such a lot may be permitted to live in an existing dwelling on the lot during construction of a new dwelling on the same lot provided that the existing dwelling shall be demolished within 30 days of having received a certificate of occupancy for the new dwelling. A permit issued for such a purpose shall be valid for a period not to exceed 12 months and shall be eligible, upon application to the zoning inspector, for (1) additional 6 month period. The existing dwelling shall be demolished within 30 days of the expiration of such permit.
 - c) For the purposes of Section 640.05(3)(a), said temporary dwelling may consist of a manufactured home, mobile home, recreational vehicle, or similar trailer arranged as a single dwelling unit. Nothing in this Subsection shall be interpreted as otherwise modifying the permitted uses in any zoning district, or as allowing storage of such vehicles or trailers on any lot except as provided for in Chapter 610 or elsewhere in this Resolution. (Amnd. 10-20-2020, 12-21-2021)

4. **Temporary Buildings and Storage Facilities at Construction Sites** – Temporary buildings, offices, and equipment and storage facilities required in conjunction with construction activity may be permitted within any district for a period of one year, except that six-month extensions may be granted if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction, or upon expiration of the temporary use permit, whichever occurs first. (Amnd. 12-21-2021)
5. **Temporary Public Events** – Temporary public events sponsored by a public or non-profit organization may be permitted within any non-residential zoning district or on any lot with a public or quasi-public use, provided adequate off-street parking, sanitary facilities, lighting, and security are provided. Temporary public events shall be limited to not more than 7 consecutive days and only 2 such events may be conducted on any single lot in any 1 calendar year. Temporary public events include, but are not limited to, temporary uses such as tent meetings, bazaars, festivals, art shows, and other similar public events not intended to attract more than 500 persons on any single day. (Amnd. 10-20-2020, 12-21-2021)
6. **Portable Storage Units** – Portable storage units in accordance with the provisions of Sections 640.06 and 640.07.

640.06 Portable Storage Units

Portable storage units may be permitted as a temporary use in any zoning district only in conjunction with the following activities:

1. Temporary use for construction sites as accessory to and in association with an on-going commercial or industrial construction project. Such storage unit shall be removed upon substantial completion of the project.
2. Temporary use when the occupant of the lot on which the portable storage unit is located is relocating. Portable storage unit shall not be located on the lot for a period exceeding 7 consecutive days or for a period of 14 total days in any 180 consecutive day period.
3. Temporary use to facilitate temporary activities not described above for a period not to exceed 7 consecutive days or for a period of 14 total days in any 180 consecutive day period. (Amnd. 12-21-2021)

640.07 Portable Storage Unit Regulations

Portable storage units shall be subject to the following requirements:

1. A portable storage unit placed on any residential lot in any district shall not exceed 170 square feet in size and 8 feet in height.
2. Portable storage units used for the purpose of storing tools, materials and equipment for non-residential uses construction may exceed 170 square feet. Such storage units may only be permitted on a lot during construction and shall be removed immediately upon substantial completion of the construction work.
3. Not more than 1 portable storage unit shall be permitted on any lot at any time, with the exception of commercial or industrial lots currently under construction.
4. No portable storage unit shall be located in any right-of-way.
5. Portable storage units shall be located no closer to any lot line than ten (10) feet, or the required minimum side or rear yard setback for accessory buildings in the district in which the unit is located, whichever is greater.
6. Portable storage units, except those used for the storage of tools, materials and equipment on for non-residential uses during construction, shall only be used for the storage of personal property and for no other purpose whatsoever.

7. The placement of portable storage units shall be in such manner as not to create a public nuisance. (Amnd. 10-20-2020, 12-21-2021, 9-5-2023)

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Chapter 645 – Accessory Uses and Structures**645.001 Accessory Uses and Structures Generally**

Accessory uses and structures shall meet the standards and requirements of the applicable zoning district, if any, and the requirements of this Chapter. An accessory use or structure shall be permitted in any district provided that:

1. It is incidental to and customarily found in connection with the principal use or principal structure permitted in the district;
2. It is subordinate to and serves the principal use or principal structure;
3. It is located on the same lot as the principal use or principal structure which it serves; and,
4. It contributes to the comfort, convenience, or necessity of occupants, business, or industry of the principal use or principal structure served.
5. In addition to the requirements above, the following generally regulations shall apply to accessory uses and structures:
 - a. Except as otherwise provided by this Zoning Resolution, a use or structure which is interpreted by the Zoning Inspector or Board of Zoning Appeals to be an accessory use or accessory structure may only be established or constructed on a lot having an approved existing principal use or principal structure.
 - b. Fences and walls shall be considered permitted accessory structures subject to the requirements of this Section and of Chapter 625. (Amnd. 6-25-2018, 10-20-2020, 6-15-2021)

645.01 Uses, Structures, and Buildings Accessory to Uses other than Single-family Dwellings and Two-family Dwellings

Except as otherwise provided by this Resolution, uses, structures, and buildings accessory to uses other than single-family dwellings and two-family dwellings shall be subject to the following regulations:

1. Accessory buildings, detached open roofed structures, detached decks, and other accessory structures requiring a building permit shall not be located in any front, side, or rear yard setback. This regulation shall not apply to fences that are otherwise in compliance with the provisions of this Resolution, including Chapter 625.
2. Accessory buildings shall be located no closer than ten (10) feet to the principal building and no closer than five (5) feet to any other accessory building. (Amnd. 12-17-2018, 10-20-2020, 6-15-2021, 12-6-2022)

645.02 Uses, Structures, and Buildings Accessory to Single-family Dwellings and Two-family Dwellings

Except as otherwise provided by this Resolution, uses, structures, and buildings accessory to single-family dwellings and two-family dwellings shall be subject to the following regulations:

1. Accessory buildings, detached unenclosed roofed structures, detached decks and other accessory structures requiring a building permit shall not be located within any front yard.
 - a) Exception: On any lot in the Agricultural District or Rural Residential District which has a lot area of two (2) acres or more, accessory buildings, detached unenclosed roofed structures, and accessory structures requiring a building permit may be located in a front yard, but shall be subject to the applicable front yard setback..
2. Accessory buildings, detached unenclosed roofed structures, detached decks, and other accessory structures requiring a building permit shall not be located closer to any side or rear lot line than provided for in Table 645.02.

- a) Exception: Whenever an accessory building or structure is located based on the provisions of Subsection (1)(a) of this Section, the side yard setback for the principal building shall apply if greater than the setback from a side lot line provided for in Table 645.02.
- 3. Accessory buildings shall be located no closer than ten (10) feet to the principal building and no closer than five (5) feet to any other accessory building.
- 4. The maximum floor area, maximum height, and setbacks from lot lines for accessory buildings and detached unenclosed roofed structures shall be as provided for in Table 645.02.
(Amnd. 12-17-2018, 10-20-2020, 6-15-2021, 9-5-2023)

Table 645.02 Accessory to Single-family Dwellings and Two-family Dwellings

Lot Area	Total Maximum Permitted Floor Area of Accessory Building(s)	Maximum Height	Setback from Side Lot Line	Setback from Rear Lot Line
Less than .50 acre	484 square feet	15 feet	10 feet	10 feet
Equal to or greater than .50 acre but less than one (1) acre	720 square feet	15 feet	10 feet	10 feet
Equal to or greater than one (1) acre but less than two (2) acres	1200 square feet	20 feet or the height of the principal structure, whichever is less.	10 feet	15 feet
Equal to or greater than two (2) acres but less than three (3) acres	2000 square feet	20 feet or the height of the principal structure, whichever is less.	Per the zoning district regs.	Per the zoning district regs.
Equal to or greater than three (3) acres but less than four (4) acres	2560 square feet	Per the zoning district regs. or the height of the principal structure, whichever is less.	Per the zoning district regs.	Per the zoning district regs.

Equal to or greater than four (4) acres but less than five (5) acres	3000 square feet	Per the zoning district regs.	Per the zoning district regs.	Per the zoning district regs.
Five (5) or more acres	4000 square feet	Per the zoning district regs.	Per the zoning district regs.	Per the zoning district regs.

(Amnd. 12-17-2018, 6-15-2021, 6-15-2021)

645.03 Swimming Pools as Accessory Uses or Structures

When not otherwise permitted as a primary use, swimming pools shall be permitted as accessory uses in accordance with the following regulations:

1. **Private Residential Swimming Pools** – In all zoning districts where single-family and two-family dwellings are permitted uses, the following regulations for accessory swimming pools shall apply:
 - a) The swimming pool is intended and is to be used solely for the enjoyment of the occupants of the dwelling unit of the lot on which it is located.
 - b) A private residential swimming pool permitted under this Section shall not be located within any front yard. A private residential swimming pool shall be located no closer to a rear lot line than ten (10) feet and no closer to any side lot line than the side yard setback of the zoning district or ten (10) feet, whichever is less. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022, 9-5-2023)

2. **Residential Development Swimming Pools** – A pool that is accessory to and located within a development of single-family, two-family, multi-family dwellings or any combination thereof shall be a residential development swimming pool. A residential development swimming pool shall be subject to the same yard setback requirements as listed for principal buildings and structures in that zoning district. (Amnd. 10-20-2020, 6-15-2021)

3. **Community or Club Swimming Pools** – Where permitted by the appropriate zoning district, a community or club swimming pool shall be subject to the following requirements:
 - a) The pool is intended for the use and enjoyment of the members and families, and guests of members of the association or club under whose jurisdiction the pool is operated.
 - b) The pool and all accessory structures to include decks or areas used by bathers shall not be closer than fifty (50) feet to any lot line. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022)

4. **General Regulations for Pools** – In addition to the regulations of this Section for specific pool types, all pools shall be provided with a barrier in accordance with the applicable building regulations. Whenever a fence or wall is used to meet the barrier requirements, it

shall also meet all requirements of this Resolution as to fence type and location. (Adopted 6-15-2021, 2-6-2024)

645.04 Special Regulations for Patios as Accessory Structures

Except as otherwise provided by this Resolution, patios accessory to single-family dwellings and two-family dwellings, or other uses shall be subject to the following regulations:

1. When accessory to a single-family dwelling or two-family dwelling, patios shall not be located within any front yard setback. When accessory to any use other than a single-family dwelling or two-family dwelling, a patio may be located within a front yard setback, but shall not be located within any side or rear yard setback.
2. On any lot developed with a single-family dwelling or two-family dwelling, patios shall be located no closer to any side lot line than the side yard setback of the zoning district or ten (10) feet, whichever is less.
 - a) Exception: On any lot with a width of fifty-five (55) feet or less, the above setback from a side lot line shall not apply and there shall be no required setback from a side lot line for a patio.
3. On any lot developed with a single-family or two-family dwelling, patios shall not be located closer to any rear lot line than the rear yard setback or ten (10) feet, whichever is less. (Adopted 6-15-2021, Amnd. 12-6-2022)

645.05 Accessory Dwelling Units

Where specified within residential zoning districts, accessory dwelling units may be permitted as a conditional use accessory to principal single or two-family dwelling provided that the following standards are met:

1. The property owner shall live on-site, and the accessory dwelling unit shall be subservient to the principal dwelling use on the lot.
2. The maximum floor area shall be 900 square feet.
3. In addition to the requirements provided for by Chapter 240, any application for a conditional use permit for an accessory dwelling unit shall include architectural elevations and a floor plan. The Board of Zoning Appeals shall review and approve such plans in accordance with the standards provided for in Section 240.04
4. The applicant shall provide evidence that the lot is either served by central water and sewers or that the area of the proposed lot is adequate for on-site water and sewer systems that serve both the principal dwelling and the provided accessory dwelling unit.
5. Off-street parking shall be provided for both the principal dwelling and the proposed accessory dwelling unit.
6. If the accessory dwelling unit is proposed to be above or within an approved accessory building, the maximum height of the accessory building shall conform to the maximum height for accessory buildings provided for in Table 645.02 All structures shall meet the standards of the applicable building regulations. (Amnd. 10-20-2020, 6-15-2021, 12-6-2022, 9-5-2023)

645.06 Accessory Towers, Antennas, and Similar Structures

Accessory radio and T.V. towers, antennas, satellite earth stations (dish antennas in excess of 24" diameter), solar collectors, and similar structures may be permitted in association with a principal use or structure provided that the following standards are met:

1. All towers, antennas and similar accessory structures shall not be located within a front yard and shall not be located within the minimum side or rear yard setback provided for the principal building by the regulations for the district.
2. 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 in accordance with Chapter 240 of this Resolution.
3. Any guy anchorage or similar device shall be at least ten (10) feet from any lot line.
4. 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 five (5) feet, excluding lines which serve only the lot on which said structure is placed.
5. No structure shall be closer to any lot line than an amount equal to the height of the structure plus twenty (20) feet.
6. Suitable fencing and/or landscaping or other treatment is provided to effectively prevent unauthorized climbing of the structure.
7. The structure or activity for which the structure is used shall not interfere with radio and television reception on nearby properties.
8. Proposed solar collectors (including roof mounted facilities) shall be sited and screened as necessary to prevent glare from impacting any public road.
9. Prior to issuance of any zoning certificate for a tower or similar structure as described in this Section, the applicant shall submit an application for a zoning certificate in accordance with Chapter 220. In addition to the requirements of that Chapter, said application shall include the following additional information:
 - a) Proposed location and height of proposed structure, support systems, and distances to the nearest phone, electric lines and lot lines.
 - b) Type of structure and construction materials, and, if requested by the Zoning Inspector, a structural engineering analysis.
 - c) Documentation of any maintenance program which may be necessary.
 - d) Proof that a building permit can be obtained or is not necessary for the proposed structure.
 - e) Proof that any license which may be required has been or will be obtained.
 - f) All fencing, landscaping or other treatment which may be required.
 - g) Other information as may be requested by the Zoning Inspector. (Amnd. 10-20-2020, 6-15-2021, 9-5-2023)

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Chapter 650 – Small Wind Projects

650.001 Small Wind Projects Structures Generally

The purpose of this Section is to accommodate small wind projects, or wind energy systems, under 5 megawatts in size in appropriate locations, while minimizing adverse visual, safety and environmental impacts of the system. In addition, this Section provides a permitting process for small wind projects to ensure compliance with the provisions of the requirements and standards established herein. (Amnd. 12-17-2018, 10-20-2020)

650.01 Definitions

As used in this Chapter, the follow definitions shall apply:

1. **Anemometer** – A temporary wind speed indicator constructed for the purpose of analyzing the potential for utilizing a wind energy system at a given site. This includes the tower, base plate, anchors, cables and hardware, wind direction vanes, booms to hold equipment, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.
2. **Fall Zone** – The potential fall area for a tower-mounted wind energy system. It is measured by using 110% of the total height as the radius around the center point of the base of the tower.
3. **Structure Mounted Wind Energy System** – A wind energy system mounted on a structure roof, walls, or other elevated surface that includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. A structure mounted wind energy system shall project no more than 15 feet above the highest point of the roof excluding chimneys, antennae, and other similar protuberances.
4. **Net Metering** – The process by which surplus energy generated by a customer, as measured by the difference between the electricity supplied by an electric service provider and the electricity generated by a customer in an applicable billing period, is fed back to the electric service provider with customer compensation.
5. **Power Grid** – The transmission system created to balance the supply and demand of electricity for consumers in Ohio.
6. **Shadow Flicker** – Shadow flicker occurs when the blades of the turbine rotor cast shadows that move across the ground and nearby structures.
7. **Tower Mounted Wind Energy System** – A wind energy system mounted on a tower that includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system.
8. **Tower** – The monopole or guyed monopole constructed to support a wind energy system.
9. **Total Height** – The vertical distance measured from the ground level at the base of the tower to the uppermost vertical extension of any blade, or the maximum height reached by any part of the wind energy system.
10. **Tower Height** – The height above grade of the fixed portion of the tower, excluding the wind energy system.
11. **Wind Energy System** – A system that converts the kinetic energy of the wind into electricity available for use beyond that used by the system. (Amnd. 10-20-2020)

650.02 Applicability

1. Small wind projects may be permitted as a conditional use in certain zoning districts pursuant to Chapter 240 of this Resolution.
2. No wind energy system shall be erected, constructed, installed or modified, except as permitted in 650.03, without first receiving a conditional use permit pursuant to Chapter 240 of this Resolution.
3. No wind energy system shall be erected, constructed, installed or modified, except as permitted in Section 650.03, without first receiving a zoning certificate pursuant to Chapter 220 of this Resolution.
4. No wind energy system shall be erected, constructed, installed or modified without first receiving a building permit from the appropriate approving agency. (Amnd. 10-20-2020)

650.03 Development Standards

Wind energy systems shall be evaluated for compliance to the following standards:

1. **Fall Zone** – Tower mounted wind energy systems shall provide a safe fall zone in accordance with the following:
 - a) A tower mounted wind energy system shall have a fall zone at least 110% of the total height from:
 - (i) Any right-of-way, unless written permission is granted by the public agency with jurisdiction over the road.
 - (ii) Any future right-of-way pursuant to the Union County Thoroughfare Plan or thoroughfare plan of adjacent jurisdictions, where appropriate.
 - (iii) All overhead utility lines.
 - (iv) All lot lines, unless the affected landowner provides written permission through a recorded easement allowing the wind energy system's fall zone to overlap with the adjoining property.
 - (v) Any principal structure.
 - b) Guy wires used to support the tower of a tower mounted wind energy system are exempt from the wind energy system fall zone requirements.
2. **Tower** – The tower of a tower-mounted wind energy system shall not exceed a height necessary to comply with the required fall zone, or a maximum height of 100 feet, whichever is less. The applicant shall provide evidence that the proposed tower height of a tower mounted wind energy system does not exceed the height recommended by the manufacturer of the wind energy system.
3. **Sound Level** – Operation of wind energy systems shall not exceed 55 decibels, except during short-term events such as severe wind storms and utility outages. This information shall be obtained from the manufacturer of the wind energy system, and all readings, if necessary, shall be taken from the nearest adjoining lot line.
4. **Shadow Flicker** – Wind energy systems shall be sited in a manner that does not result in shadow flicker impacts. The applicant has the burden of proving that their wind energy system does not have an impact on adjacent uses either through siting or mitigation.
5. **Signs** – All signs, both temporary and permanent, are prohibited on wind energy systems, except as follows:
 - a) Manufacturer's or installer's identification on the wind energy system.
 - b) Appropriate warning signs and placards.
6. **Compliance with Other Regulations** – Wind energy systems shall comply with all provisions of the applicable building regulations.
7. **Aviation** – Wind energy systems shall be built to comply with all applicable Federal Aviation Administration regulations. Evidence of compliance or non-applicability shall be submitted with the application for a conditional use permit.

- 8. Visual Impacts** – It is inherent that wind energy systems may pose some visual impacts due to the total height needed to access the wind resources. The purpose of this Subsection is to reduce the visual impacts, without restricting the owner’s access to wind resources, in accordance with the following.
- a) The applicant shall demonstrate through project site planning and proposed mitigation that a wind energy system’s visual impacts will be minimized for surrounding neighbors and the community. This may include, but not be limited to information regarding site selection, wind energy system design or appearance, buffering, and screening of ground mounted electrical and control equipment.
 - b) The color of wind energy systems shall be painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.
 - c) Wind energy systems shall not be artificially lit unless such lighting is required by the Federal Aviation Administration. If lighting is required, the applicant shall provide a copy of the Federal Aviation Administration determination to establish the required markings and/or lights for the wind energy system.
- 9. Utility Connection** – Wind energy systems proposed to be connected to the power grid through net metering shall adhere to Ohio Revised Code Section 4928.67 or any future corresponding statutory provision.
- 10. Access:**
- a) All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
 - b) Whenever a wind energy system is mounted upon a tower, said tower shall be designed and installed so as not to provide step bolts or a ladder readily accessible to the public for a minimum height of 10 feet above the ground.
- 11. Clearing** – Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of wind energy systems and as otherwise prescribed by applicable laws and regulations.
- 12. Wiring and Electrical Equipment** – All wires and electrical equipment associated with the operation of a tower-mounted wind energy system, except guy wires, shall be located underground.
- 13. Maintenance:**
- a) All wind energy systems shall be maintained in good working order.
 - b) Any physical modification to the wind energy system that alters the mechanical load, mechanical load path, or major electrical components shall require reapplication for conditional use under this Section. Like kind replacements shall not require re-application.
- 14. Multiple Wind Energy Systems** – Multiple wind energy systems are allowed on a single lot so long as the owner/operator complies with all regulations set forth in this Chapter.
- 15. Historic Sites**
- a) No wind energy system shall be located within 1,000 feet of any registered historic site or historic district.
 - b) Written proof of compliance with this requirement shall be provided by the Ohio Historic Preservation Office and be submitted with the conditional use application.
- 16. Controls and Brakes** – All wind energy systems shall be equipped with a redundant braking system which shall include:
- a) Aerodynamic over-speed controls which include variable pitch, tip and other similar systems and;
 - b) Mechanical brakes which shall be operated in fail-safe mode.
 - c) Stall regulation shall not be considered a sufficient braking system for over-speed protection. (Amnd. 10-20-2020, 9-5-2023)

650.04 Procedure for Review

The following Items shall be required prior to the construction of any small wind projects within Jerome Township:

1. **Conditional Use Permit** – In accordance with Chapter 240 a wind energy system shall be subject to receiving a conditional use permit prior to installation or modification thereof. The following items shall be submitted along with the application for a conditional use permit and all items required by Chapter 240:
 - a) **Site Plan** – A site plan shall be submitted for review. The following items shall be the minimum requirements for a complete application. The site plan shall include the following:
 - (i) Property lines and physical dimensions of the applicant's property.
 - (ii) Location, dimensions and types of existing structures on the property.
 - (iii) Location of the proposed wind energy system, foundations, guy wires and associated equipment.
 - (iv) Fall Zone depicted as a radius around the center of the tower for a tower mounted wind energy system.
 - (v) The right-of-way or future right-of-way according to the Union County Thoroughfare Plan of any public road that is contiguous with the property.
 - (vi) Two (2) foot contours of the applicant's property and properties contiguous to the subject property.
 - (vii) All overhead utility lines.
 - (viii) The site plan shall be prepared and stamped by a professional engineer or surveyor licensed to practice in the State of Ohio.
 - b) Wind energy system specifications, including manufacturer, model, rotor diameter in addition to tower height and tower type, if tower mounted, for small wind energy systems.
 - c) Documentation shall be provided regarding the notification of the intent with the utility regarding the applicant's installation of a wind energy system if the wind energy system will be connected to the power grid.
 - d) Tower foundation blueprints or drawings for tower mounted wind energy systems.
 - e) Tower blueprints or drawings for tower mounted wind energy systems.
 - f) Sound level analysis prepared by the wind energy system manufacturer or qualified engineer.
 - g) Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code (typically provided by the manufacturer).
 - h) Evidence of compliance or non-applicability with Federal Aviation Administration requirements.
 - i) Evidence of compliance with all development standards as outlined in Section 650.03 of this Resolution.
2. **Zoning Certificate** – A zoning certificate shall be obtained in accordance with Chapter 220 of this Resolution.
3. **Building Permit** – A building permit shall be obtained from the appropriate approving agency. (Amnd. 10-20-2020)

650.05 Decommission

The following requirements shall apply when the small wind project is to be removed or abandoned:

1. At such time that a wind energy system is scheduled to be decommissioned or discontinued, the applicant will notify the Zoning Inspector by certified U.S. mail of the proposed date of discontinuation of operations.
2. Upon decommission or discontinuation of use, the owner shall physically remove the wind energy system within 90 days from the date of decommission or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the Zoning Inspector. "Physically remove" shall include, but not be limited to:
 - a) Removal of the wind energy system.
 - b) Removal of any tower and other related above ground structure.
 - c) Restoration of the location of the wind energy system to its natural condition, except that any landscaping, grading or below-grade foundation may remain in the after-conditions.
3. In the event that an applicant fails to give such notice, the system shall be considered decommissioned or discontinued if the system is out of service for a continuous 2 year period. After 2 years of inoperability, the Zoning Inspector may issue a Notice of Decommission to the owner of the wind energy system. The owner shall have the right to respond to the Notice of Decommission within 30 days from the date of receipt. The Zoning Inspector shall withdraw the Notice of Decommission and notify the owner that the Notice has been withdrawn if the owner provides information that demonstrates the wind energy system has not been decommissioned.
4. If the owner fails to respond to the Notice of Decommission or if after review by the Zoning Inspector it is determined that the wind energy system has been decommissioned or discontinued, the owner of the wind energy system shall remove the wind energy system, tower and other related above-ground structures at the owner's sole expense within 3 months of receipt of the Notice of Decommission.

650.06 Anemometer

The construction of an anemometer tower for the purpose of collecting data to develop a wind energy system, shall abide with the following requirements:

1. Anemometer towers shall adhere to the wind energy system standards as described in Section 650.02
2. Anemometer towers shall be installed on a temporary basis not to exceed 18 months.
3. Anemometers shall meet all applicable requirements of Section 650.03. (Amnd. 10-20-2020)

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Chapter 655 – Telecommunications Towers

655.001 Telecommunications Towers Generally

As provided for in Section 519.211 of the Ohio Revised Code, public utilities or other functionally equivalent providers may site a telecommunications tower in conformance with the requirements of this Chapter.

655.01 Towers Proposed Within Commercial, Industrial, or Exclusively Agricultural Areas

Public utilities or other functionally equivalent telecommunications providers may site a telecommunications tower as a permitted use in any zoning district except those expressly zoned for residential use. The areas zoned for residential use are deemed to be all land located within the Rural Residential, Low Density Residential, and Medium Density Residential Districts, as well as any residential component of an approved Planned Development District.

1. 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.
2. The 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 telecommunications towers in residential districts unless and until a written notice of objection has been timely filed.

655.02 Towers Proposed Within Areas Zoned for Residential Use

Telecommunications towers may be regulated in areas zoned for residential use upon receipt of an objection pursuant to the regulations of ORC 519.211(B)(2). The provisions of this Resolution concerning telecommunications towers are not intended to replace or modify ORC 519.211, but instead are intended only to incorporate ORC 519.211 and its terms into this Resolution.

1. **Notice** – Notice shall comply with ORC 519.211(B)(3).
2. **Procedure if Objections are Filed** – Upon the timely receipt by the Board of Township Trustees of an objection to a proposed telecommunications tower, the Board shall proceed as provided in ORC 519.211(B)(4)(a).
3. **Procedure if No Objections are Filed** – Telecommunications towers shall be permitted as a use exempt from any local zoning authority in residential districts if no objections are timely filed as provided in Section ORC 519.211(B)(4)(b). (Amnd. 10-20-2020)

655.03 Local Zoning Authority

If objections are timely filed for a proposed telecommunications tower in an area zoned for residential use then the telecommunications tower may only be permitted as a conditional use by the Board of Zoning Appeals, provided all of the following conditions of this Section are met:

1. **Application for Conditional Use Permit** – Consistent with the procedures set forth in Chapter 240 of this Resolution, an application for a conditional use permit shall be filed with the Board of Zoning Appeals. In addition to the requirements for such applications provided for in Section 240.01, an application for a conditional use permit to allow a telecommunications tower under this Section shall also include:
 - a) A vicinity map which shall contain the following:

- (i) The location of all the applicant's existing facilities within a radius of one (1) mile of the proposed location of the telecommunications tower.
 - (ii) The general location of planned future facilities within a radius of one (1) mile of the proposed location of the telecommunications tower.
 - (iii) For each location of the applicant's existing facilities within a radius of one (1) mile of the proposed location of the telecommunications tower, there shall be listed:
 - a The type and size of tower at each location;
 - b The type of equipment located or proposed on each tower;
 - c The space available on the tower for additional equipment; and
 - d A site plan showing the parcel on which any existing or proposed tower, antenna or equipment is located.
 - b) A scaled and dimensioned site plan for the facility that is being proposed, containing the following:
 - (i) The location, type and size of existing and proposed towers, antennas and equipment located or to be located at the site;
 - (ii) The location of existing and proposed buildings and structures, access drives, circulation and parking areas;
 - (iii) Detailed drawings of the landscape screening plan and related design standards;
 - (iv) On-site land uses, structures and zoning district, and adjacent land uses, structures and zoning districts;
 - (v) Setbacks from lot lines and dwellings within 600 feet of the proposed tower;
 - (vi) A legal description of the lot on which the tower is to be sited; and
 - (vii) Any other information necessary to assess compliance with this Chapter.
 - c) A written certification from a professional engineer stipulating:
 - (i) That the tower's design is structurally sound and in compliance with all applicable federal, state and local regulations, including the applicable building regulations;
 - (ii) That the equipment placed on the tower and at the site complies with all current FCC regulations.
 - (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.
 - (iv) The applicant shall provide proof of notification to contiguous property owners and those property owners directly across the street as required by ORC Section 519.211. (Amnd. 10-20-2020, 6-15-2021, 9-5-2023)
- 2. Conditional Use Procedure by Board of Zoning Appeals on Receipt of Application –** Consistent with the procedures set forth in Sections 240.02 and 240.03 of this Resolution, the Board of Zoning Appeals shall provide notice of, conduct a public hearing and render a decision on the conditional use permit requested in the application filed pursuant to Section 655.03(1) of this Resolution. In addition to the standards provided for in Section 240.04 of this Resolution, the applicant shall demonstrate compliance with the provisions of this Chapter, must demonstrate that at the time of application there are no other existing towers or other structures feasible for co-location, and that no technically suitable and feasible sites are available in an area not zoned for residential use. (Amnd. 6-15-2021, 9-5-2023)

3. Development Standards for all Telecommunications Towers in Areas Zoned for Residential Use

- a) 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.
- b) The maximum height of a tower proposed for one (1) antenna facility for use by a single telecommunications provider in a residential area shall be 100 feet. The maximum height of a tower proposed for multiple antenna facilities for shared use by multiple telecommunications providers in a residential area shall be as follows:
 - (i) Towers proposed for and designed to support the co-location of a total of two antenna facilities – 115 feet;
 - (ii) Towers proposed for and designed to support the co-location of a total of three antenna facilities – 130 feet; and
 - (iii) Towers proposed for and designed to support the co-location of four or more antenna facilities – 145 feet. The additional height shall be approved concurrent with the need to co-locate additional telecommunications antennae.
- c) Tower height shall be the distance measured from the base of the tower, at grade, to the highest point on the tower, including any antenna. Grade shall be determined as the elevation of the natural or existing topography of the ground level prior to construction of the tower.
- d) The tower base shall not be placed closer than the sum of height of the tower plus forty feet from any existing residential dwelling unit located on a lot contiguous to or directly across the street from the lot on which the tower is proposed to be constructed.
- e) A tower base shall be located no closer to any lot line than the distance equal to the height plus 25% of the proposed tower. Any stabilization structures or guys shall be located no closer to any lot line than 50 feet.
- f) The tower base shall be located no closer to any right-of-way than the front yard setback for a principal building provided for by the regulations for the zoning district.
- g) Reasonable and safe access and circulation shall be provided to the tower. The location and design of the access drive and circulation areas shall be subject to review and comment in accordance with the provisions of the appropriate fire regulations..
- h) 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 shall be contained inside the screened area.
- i) The tower and related screening shall, to the extent practicable, be designed to be aesthetically and architecturally compatible with the surrounding environment. The tower shall not contain, or be illuminated by artificial lights, beacons or strobes, unless otherwise required by the Federal Aviation Administrations (FAA) or the Federal Communications Commission (FCC). Any required illumination shall be fully disclosed on the site plan.

- j) Unless otherwise approved by the Board of Zoning Appeals, the tower shall be of a monopole design.
- k) No advertising is permitted anywhere on the tower.
- l) Where the tower is located on a lot which is not owned by the tower operator, the applicant shall present documentation that the owner of the property has approved the application.
- m) The applicant shall provide a signed statement indicating that he or she agrees to allow for the potential co-location of other antenna facilities to the extent possible, until said tower has reached full antenna capacity.
- n) A telecommunications antenna may be attached to a nonresidential building or structure that is permitted 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.
- o) If the applicant proposes to construct a separate equipment shelter on the site, the equipment shelter shall be shown on the site plan, be designed to be aesthetically and architecturally compatible with the surrounding environment, be located completely within the fenced area of the site, and be in compliance with the applicable regulations for accessory buildings provided for by this Resolution.
- p) A performance bond or letter of credit shall be posted in favor of the Township to assure that the project will be completed.
- q) The applicant shall notify the Zoning Inspector within thirty (30) days of ceasing operations at the site and shall removal all structures within one hundred and twenty (12) of ceasing operations at the site. (Amnd. 9-5-2023)

4. Towers on Township Property – With the prior consent of the Board of Township Trustees obtained through resolution, a telecommunications carrier may site a telecommunications tower on township-owned property not zoned for residential use pursuant to Section 655.01. Additionally, with the prior consent of the Board of Township Trustees obtained through resolution, a telecommunications carrier may site a telecommunications tower on Township-owned property zoned for residential use, but only after obtaining a conditional use permit pursuant to Sections 655.03(1&2) and all requirements of Section 655.03(3&4) have been fully met. (Amnd. 10-20-2020, 9-5-2023)

5. Co-location on an Existing Tower or Concealed Inside an Existing Structure – If a telecommunications carrier desires to co-locate a telecommunications antenna on an existing telecommunications tower or concealed inside an existing structure in an area zoned for residential use, and such a co-location will result in a substantial change in the height of the tower, a zoning certificate may be obtained provided that the development standards found in Section 655.03 are met. A substantial change in height shall mean the addition of more than forty (40) feet to the existing tower or structure. (Amnd. 10-20-2020, 9-5-2023)

Chapter 657 – Solar Energy Systems**657.01 Accessory Solar Energy Systems**

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met. No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning certificate from the Zoning Inspector.

All accessory solar energy systems shall meet the following requirements:

1. An accessory solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. An accessory solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.
3. Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.
4. Roof/Structure mounted solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. The height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
5. Ground/Pole mounted solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the lot lines for structures comprising the solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of the solar energy system or at least twenty (20) feet from the nearest lot line, whichever is greater.

6. Other structure mounted accessory solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the lot lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest lot line, whichever is greater.
7. Accessory solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent rights-of-way.
8. Accessory solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the lot within six (6) months from the date they are no longer producing electricity, become damaged, discontinued, or broken. Any earth disturbance as a result of the removal of an accessory solar energy system shall be graded and reseeded within thirty (30) days of removal.
9. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
 - a. Height of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any structure and "clear fall zone".
 - c. Proof of notice to the electric company regarding the proposal. (Adopted 12-6-2022, Amnd. 9-5-2023)

657.02 Principal Solar Energy Production Facilities

It is the purpose of this regulation to promote the safe, effective and efficient use of principal solar energy production facilities principally designed to produce greater levels of electrical energy, either for consumers with higher energy demand levels or designed primarily to produce energy to be supplied directly to the electrical grid. No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility as defined by the Ohio Power Siting Board (50 MW or greater).

All principal solar energy production facilities shall meet the following requirements:

1. The proposed solar energy project must be located on at least ten (10) acres of land.
2. For purposes of determining lot coverage, the total surface area of all ground mounted and freestanding solar collectors including cells, panels, and water collector devices shall be considered impervious and shall count toward the maximum percent of a lot to be occupied. Panels mounted on the roof of any building shall be subject to the maximum height regulations as specified in the underlying zoning district.

3. All on-site utility and transmission lines, that are the responsibility of the principal solar energy production facility to maintain, shall be placed underground.
4. Roof/Structure mounted solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. The height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
5. Ground/Pole mounted solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be erected within an established clear fall zone.
6. Solar energy systems shall be designed and located in order to prevent reflective glare towards any inhabited building on adjacent properties as well as adjacent street right of ways.
7. Other structure mounted solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that district for accessory buildings.
 - b. Shall be erected within an established clear fall zone.
 - c. The minimum setback distance from the lot lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest lot line, whichever is greater.
8. The proposed principal solar energy production facility must comply with any applicable airport zoning overlay and height restrictions, and the ability to comply with the FAA regulations pertaining to hazards to air navigation must be demonstrated.
9. All mechanical equipment of solar energy systems including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provide screening in accordance with the zoning resolution.
10. Screening shall be established in accordance with the provisions of this Resolution, be maintained in good condition, and free of all advertising or other signs. In addition to any other screening requirements of this Resolution, the following standards shall apply:
 - a. Any buildings and solar energy equipment shall be screened from ground-level view from any adjacent road right-of-way, any adjacent lot with a residential use, and any residential zoning district.
 - i. Screening shall consist of vegetation, mounding, natural landforms, or any combination thereof. Screening may be supplemented by fencing or walls, but shall not be the primary method. i. Fencing shall incorporate gaps or spaces of at least six (6) inches by six (6) inches to allow passage of small mammals.

- b. Screening shall be a minimum of six (6) feet in height.
 - c. Mounding shall be seeded and planted with trees. The base of the mound shall not be graded at an angle greater than forty-five degrees (45°).
 - d. Screening shall be clustered around groups of solar energy equipment and buildings and not the entirety of the lot to allow for “wildlife corridors” where wildlife can traverse the lot.
11. Buffering shall be established in accordance with the provisions of this Resolution. In addition to any other buffering requirements of this Resolution, the following standards shall apply:
- a. A one-hundred and twenty (120) foot setback along stream boundaries (including ephemeral and intermittent streams).
 - b. A one-hundred and twenty (120) foot setback from Category 1 and 2 wetland boundaries. A three-hundred (300) foot setback from Category 3 wetland boundaries
 - c. One-hundred and fifty (150) feet from the edge of any adjacent road right-of-way.
12. Setback requirements for solar energy equipment not housed in a building, shall be:
- a. One-hundred and fifty (150) feet from lot lines of non-participating lots.
 - b. Three-hundred (300) feet from any dwelling.
 - c. One-hundred and fifty (150) feet from the edge of any adjacent road right-of-way.
- Setbacks for all other buildings and structures from lot lines and adjacent zoning districts shall be twenty (20) feet or the principal structure setback for the underlying zoning district, whichever is greater.
13. Ingress and egress driveways, interior access/maintenance roads, and any off-street parking and circulation routes shall be constructed with a durable and dust-free surface.
14. Areas that are undeveloped, areas not required for regular maintenance, and other spaces not devoted to the active use of the lot (such as in between rows of ground mounted solar panels) shall be landscaped with vegetation in such a manner as to prevent soil erosion by wind or rain or the spreading of invasive species and noxious weeds. Plantings shall follow the standards set forth in the Ohio Department of Natural Resources (ODNR) Guidance for Proposed Solar Energy Facilities in Ohio.
15. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
16. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of the application and shall include:
- a. Height of the proposed solar energy system(s) at maximum tilt.

- b. Evidence of established setbacks of 1.1 times the height of any structure and “clear fall zone”.
- c. Proof of notice to the electric company regarding the proposal.
- d. Letters from the County Engineer, Township, and State Department of Transportation regarding the status of any Road User Maintenance Agreement. (Adopted 12-6-2022, Amnd. 9-5-2023)

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Chapter 660 – Ponds**660.001 Ponds Generally**

Every lot or use in any zoning district proposing a farm pond or drainage pond shall have an adequate drainage outlet and acceptable soils consistent with the requirements for the proposed use as determined by the Union County Soil and Water Conservation District and shall meet the standards provided in this Chapter. (Amnd. 10-20-2020)

660.01 Pond Regulations

Prior to construction of the pond a zoning certificate shall be secured and approved by the Zoning Inspector. Approval shall be based upon the following criteria:

1. Union Soil and Water Conservation District (SWCD) shall review and approve proposed construction site with landowner.
2. The pond shall be designed in accordance with Natural Resource Conservation Service (NRCS) Standards and Specifications along with the United States Department of Agriculture's (USDA) National Engineering Field Manual for Conservation Practices. Tile found in working order on site shall be rerouted around proposed pond. Soil shall be spread in a manner not to encroach on adjacent properties.
3. The Union County Soil and Water Conservation District or a professional engineer (P.E.) registered in the State of Ohio shall be responsible for designing the pond and doing site inspections during construction to assure that the pond is constructed according to the approved plan.
4. The pond outlet shall be designed to flow into a tile or natural waterway.
5. Setbacks: All ponds shall be located a minimum of 50 feet from road right-of-way to the high water mark of the pond and 30 feet from the high water mark of the pond to all side and rear lot lines.
6. All ponds shall be located on a property having a 2-acre minimum lot size.
7. All ponds shall be at least ¼ acre in size unless approved otherwise by the county engineer.
8. All ponds shall meet the requirements of the County Engineer's Office. (Amnd. 10-20-2020)

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Chapter 662 – Supplemental Regulations for Specific Uses**662.01 Supplemental Regulations for Specific Uses**

The following supplemental regulations shall apply to specific uses as provided for herein. Any standards provided by this Chapter shall be in addition to the general standards provided by this Article or elsewhere by this Resolution. Nothing in this Chapter shall be interpreted as allowing any use except where specifically listed as a permitted or conditional use in the regulations for the zoning district.

1. Veterinary Hospital and Clinic, Kennel/Animal Boarding

When provided for as a permitted or conditional use by the regulations for a zoning district, a veterinary hospital and clinic or kennel/animal boarding use shall comply with the following standards:

- a) Parking – Parking spaces for these uses shall be provided in this subsection. All parking areas shall comply with the provisions of Chapter 610, except that whenever such uses are located within the AG District or RU District, the regulations contained in Section 610.03(5) – 610.03(7), inclusive, shall not apply.
 - (i) Veterinary Hospital and Clinic – 5 parking spaces per each veterinarian at the facility.
 - (ii) Kennel/Animal Boarding – 1 parking space per each 400 square feet of floor area of principal boarding building or structure.
- b) Outdoor Containment Areas – All outdoor boarding areas associated with such uses shall be located to the rear of the principal structure and shall be screened from view on all sides by a continuous fence and evergreen planting meeting the requirements of Chapter 625. Outdoor boarding areas shall be setback a minimum of 500 feet from the nearest residential dwelling. All animals being held or observed outdoors shall be fully contained by a fence designed specifically for keeping such animals secure and preventing animals from wandering onto adjacent lots or the right-of-way.

2. Farm Supply / Feed Store / Farm Equipment Dealer

When provided for as a permitted or conditional use by the regulations of a zoning district, farm supply / feed store / farm equipment dealer uses shall comply with the following standards:

- a) Parking – Parking spaces for these uses shall be provided in this subsection. All parking areas shall comply with the provisions of Chapter 610, except that the minimum setback for all parking areas from any lot line shall be 50ft.
- b) The following standards apply to the outdoor sales and outdoor storage of goods or equipment:
 - (i) The outdoor display or storage of goods or equipment shall not be permitted in any front yard.
 - (ii) The outdoor storage and display areas shall meet all side and rear yard setbacks for the zoning district.
 - (iii) The outdoor storage and display areas shall be screened from view on all sides by either fencing or a continuous evergreen buffer, similar to Buffer Type 'C', meeting the requirements of Chapter 625. Such fence shall meet all side and rear yard setback requirements for the AG District.
 - (iv) The outdoor storage and display areas shall not exceed 150 percent of the floor area of the principal building or structure.
- c) Loading, delivery, and service areas shall be located to the side or rear of the building and shall be screened from view from all roads.

- d) Signage – Farm supply stores, feed store and equipment dealers approved in the AG District shall be permitted one sign to advertise the business. Such sign shall not exceed 15 square feet per each side or 5 feet in height and shall be set back a minimum of 15 feet from the right of way and shall comply with Chapter 615 of this Resolution.

3. Private Landing Fields for Aircraft Use

When provided for as a permitted or conditional use by the regulations for a zoning district, private landing field uses shall comply with the following standards:

- a) The applicant shall demonstrate that the design and location of the facility meets all applicable requirements of the Federal Aviation Administration, The Ohio Department of Transportation (ODOT), Division of Aviation, and Union County.
- b) The applicant shall provide proof that all applicable air rights have been secured for all runway paths.
- c) The location of buildings and all other structures shall meet the minimum setback requirements established for the district.
- d) No aircraft shall be stored on any exterior areas of the lot.
- e) The private landing field shall be used for a maximum of 2 planes or helicopters owned by the owner of the property only.
- f) The facility shall be setback a minimum of 500 feet from any existing dwelling or residential district.

4. Spectator Sports

When provided for as a permitted use, conditional use, or when deemed to be an accessory use to any use provided for by the regulations for a zoning district, the use known as NAICS #71121 Spectator Sports shall comply with the following standards:

- a) Traffic – In addition to the requirements provided for in Section 240.01 or 220.01 of this Resolution, any application for approval of a conditional use permit or zoning certificate for such use shall include a preliminary traffic study completed to the requirements of the Union County Engineer or correspondence from the County Engineer's Office or other relevant public agency that a traffic study is not required for the proposed development.
- b) Performance Standards – In addition to the requirements provided for in Section 240.01 or 220.01 of this Resolution, any application for approval of a conditional use permit or zoning certificate for such use shall include a description of the facility that stipulates how, when, why, and by whom the facility will be used in accordance with the applicable provisions of this Resolution, including but not limited to, Chapter 670.

5. Outdoor Shooting Range

When provided for as a permitted use, conditional use, or when deemed to be an accessory use to any use provided for by the regulations for a zoning district, outdoor shooting range uses shall comply with the standards contained in this subsection. Nothing contained herein shall be applicable to the lawful use and discharge of firearms not associated with an outdoor shooting range or similar use as defined by this Resolution.

- a) Setbacks – All shooting stations and target areas shall be setback a minimum of 1,500 feet any residential use and a minimum of 300 feet from any other lot line.
- b) Performance Standards – In addition to the requirements provided for in Section 240.01 or 220.01 of this Resolution, any application for approval of a conditional use permit or zoning certificate for such use shall include a description of the range that stipulates how, when, why, and by whom the facility will be used in accordance with the applicable

provisions of this Resolution, including but not limited to, Chapter 670. (Adopted 12-6-2022, Amnd. 9-5-2023)

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Chapter 665 – Adult Entertainment

665.001 Adult Entertainment Generally

Whereas, the establishment of adult entertainment facilities has a deleterious effect on existing businesses and the surrounding residential segments of neighborhoods, causing blight and downgrading of property values, and has an overall detrimental effect on the health and welfare of the Township; and whereas, such businesses characteristically utilize excessive illumination to identify their locations at night, thereby distracting passing motorists; and whereas, such facilities characteristically operate during the late hours of the evening and early hours of the morning, thereby creating excessive noise levels adversely affecting contiguous and surrounding properties and persons utilizing such properties; and Whereas, such businesses have a general overall adverse effect on the health and welfare of the patrons of such facilities, of visitors to the Township, of the citizens of the Township, and upon the surrounding neighborhoods, thereby necessitating the regulation of the location of such facilities within the Township; The following standards shall govern adult entertainment facilities. (Amnd. 10-20-2020)

665.01 Adult Entertainment Defined

An adult entertainment facility is defined as a facility having a significant portion of its function as adult entertainment which includes the following listed categories:

1. **Adult Bookstore** – An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" as herein defined or an establishment with a segment or section devoted to the sale or display of such material.
2. **Adult Mini Motion Picture Theater** – A facility with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.
3. **Adult Motion Picture Theater** – A facility with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.
4. **Adult Entertainment Business** – Any establishment involved in the sale or services or products characterized by the exposure or presentation of "specified anatomical areas" or physical contact of live males or females, and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage, and similar functions which utilize activities as specified above.

665.02 Requirements for Adult Entertainment Facilities

Adult entertainment facilities are subject to the conditions set forth in the Zoning Resolution and the following requirements.

1. No adult entertainment facility shall be established within one thousand (1,000) feet of any area zoned for residential use.
2. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any school, library, or teaching facility, whether public or private,

- governmental or commercial, which school, library, or teaching facility is attended by persons less than eighteen (18) years of age.
3. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any park or recreational facility attended by persons less than eighteen (18) years of age.
 4. No adult entertainment facility shall be established within a radius of two thousand (2,000) feet of any other adult entertainment facility.
 5. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any established church, synagogue, or established place of religious services which is attended by persons less than eighteen (18) years of age.
 6. No advertisements, displays or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.
 7. All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.
 8. No screens, loudspeakers or sound equipment shall be used for adult motion picture theaters (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.
 9. Off-street parking shall be provided in accordance with the standards for permitted use within RR District for similar uses.

Chapter 668 – Mining, Commercial Quarries, Sand and Gravel Pits**668.01 Mining, Commercial Quarries, Sand and Gravel Pits Generally**

Mining, commercial quarries, sand and gravel pits, when listed as a permitted or conditional use in a zoning district, shall be subject to the requirements in of this Chapter and shall be in conformance with the applicable portions of Ohio Revised Code, including but not limited to Sections 519.141, 1514.01, and 1514.02. In addition, the following regulations shall apply to all such uses:

1. Setbacks – The setbacks for all mining, commercial quarries, sand and gravel pits, structures related to such operations, and the parking and storage of equipment related to such operations shall be as follows:
 - a. Front Yard Setback – 200 feet
 - b. Side Yard Setback – 75 feet
 - c. Rear Yard Setback – 75 feet
2. Noise – All blasting and quarrying operations (except loading) shall be limited to between the hours of 7 o'clock a.m. and 7 o'clock p.m. except in emergencies.
3. Air Pollution – Control measures shall be implemented on a continuing basis, during times of operation, to control dust on entrance roadways, in equipment operation and throughout the mining site. The Zoning Inspector may require additional control measures during periods of high wind or very dry weather.
4. Screening from Residential Uses, Industrial Parkway, US Highway 42 and US Highway 33 – Any mining, commercial quarries, sand and gravel pits or parking and storage area for mining equipment visible to adjacent residential lots or uses, Industrial Parkway, US Highway 42, and/or US Highway 33 shall be entirely screened from view through the use of one of the following:
 - (i) A combination of a continuous 5 foot high earthen mound and completely opaque masonry walls or fences, in accordance with Chapter 625 of this Resolution and deciduous shade trees planted at a maximum of 40' on center similar to Buffer Type 'A' shown in Appendix 1. Said walls or fences shall be a minimum of 8 feet in height and not exceed 12 feet in height, as measured from the top of mound to the top of wall.
 - (ii) A combination of a continuous 5 foot high earthen mound and a continuous planting of evergreen trees, a minimum of 6 feet in height at the time of planting. Evergreen trees shall be planted on top of the mound and staggered or spaced to achieve 100% screening of the mining operation and equipment within 3 years of the time of planting similar to Buffer Type 'B' shown in Appendix 1.
5. Transportation
 - a. Points of ingress and egress associated with extraction or processing sites shall be located as approved by the County Engineer or the Ohio Department of Transportation as appropriate.
 - b. The applicant shall include with his submittal a map describing the proposed major access roads to be utilized for ingress and egress for the extraction operation.
6. Surface Water
 - a. The hydrographs and quality of water leaving the site of an extraction activity meet the Ohio EPA standards.
 - b. During mining and reclamation, drainage shall be controlled so as to prevent the causing of flooding, landslides and flood hazards to adjoining lands resulting from the mining operations. Upon completion of mining, ponds shall be left in such condition as to avoid constituting a hazard to adjacent parcels. Where ponds,

impoundments, or other resulting bodies of water are intended for recreational use, banks and slopes shall be established that will assure safe access to such bodies of water. Where such bodies of water are not intended for recreation, measures to ensure public safety, including the locations of proposed emergency access shall be indicated.

7. Vibration and Blasting

- a. The operation of stationary and mobile equipment shall not cause vibration in excess of that permitted by applicable federal and state law.
- b. Blasting shall be done in accordance with the applicable laws of the State of Ohio and shall be carried out by persons certified to be knowledgeable and competent in the sizing and placing of the explosive to be used for blasting.
- c. When the blasting area is within one thousand (1,000) feet of an existing residential structure the maximum hours of blasting operation shall be 7:00 a.m. to 7:00 p.m.

8. Slope Stability

- a. The sides of excavation sites shall be set back a minimum of 50 feet from the property line with a sufficient slope of excavation to insure the lateral support of surrounding property with the following provisions:
 - A) The reclaimed sides of excavation sites shall be set back a minimum of 50 feet from the right-of-way of all public streets or roads.
- b. Final slopes shall be graded, contoured, or terraced, wherever needed, sufficient to achieve soil stability and control landslides, erosion, and sedimentation. High walls will be permitted if they are compatible with the future uses specified in the site plan and measures taken to ensure public safety.

9. Soil Erosion Sedimentation Control

- a. The area of land affected shall be re-soiled, wherever needed, with topsoil or suitable subsoil, fertilizer, lime or soil amendments, as appropriate, in sufficient quantity and depth to raise and maintain a diverse growth of vegetation adequate to bind the soil and control soil erosion and sedimentation.
- b. A diverse vegetative cover of grass and legumes or trees, grasses and legumes capable of self-regeneration and plant succession wherever required by the site plan shall be established.

10. Other Requirements

- a. Mining and reclamation shall be carried out in the sequence and manner set forth in the site plan and reclamation measure shall be performed in a timely manner. All reclamation of an area of land affected shall be completed no later than three years following the active mining of such area, unless a showing satisfactory to the Board of Zoning Appeals is made that the future use of such area requires a longer period for completing reclamation.

2. Application for a Conditional Use Permit for Mining, Commercial Quarries, Sand and Gravel Pits

In addition to the application requirements for conditional use permits established under Chapter 240 of this Resolution, applications for a conditional use permit for mining, commercial quarries, sand and gravel pits shall be accompanied by site plans and text providing the following information:

- a) The location, true shape, topography, contours, dimensions, area and description of the lands proposed as a new area of mineral extraction, or the area proposed for expansion of an existing area of mineral extraction;
- b) The use of all land and the location and use of all buildings and structures lying within a distance of five hundred (500) feet of any of the boundaries of the lands set aside for the purposes of the mineral extraction or other operations;

- c) The pattern, quality and estimated quantity of the mineral aggregate resources within the property;
- d) The location, height, dimensions and use of all existing or proposed buildings or structures;
- e) Existing and anticipated final grades of excavation;
- f) Engineering plans showing the proposed drainage system;
- g) Proposed ingress and egress to the site except as may be limited by Section 519.141(C) of the Ohio Revised Code;
- h) To the extent possible, plans showing the ultimate area of mineral extraction, progressive and ultimate road plan, any water diversion or storage facilities, location of stockpiles for stripping and products, tree screening and mounding, progressing and ultimate rehabilitation of the site, and where possible, intended use and ownership of the land after mineral extraction has ceased;
- i) If applicable, a copy of the surface mining permit application required by Ohio Revised Code Section 1514.01(A) and any amendments thereto proposed by the State or applicant.
- j) The extent of adjacent property holdings intended for future mineral extraction; and
- k) Additional information such as hydrology, wildlife, vegetation or soil studies which may be required due to special concerns related to a specific site; and any other information as deemed necessary by the Board. (Adopted 12-6-2022)

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Chapter 670 – Objectionable, Noxious, or Dangerous Uses, Practices, or Conditions**670.001 Objectionable, Noxious, or Dangerous Uses, Practices, or Conditions Generally**

No land or building in any district shall be occupied or used in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect adjacent or adjoining premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Chapter, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions is found to exist at any time:

1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire-protection equipment or by such safety devices as are normally required for such activities;
2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved;
3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency;
4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency;
5. Objectional noise as determined by the Zoning Inspector due to volume, frequency or beat is present;
6. Vibration discernible by the Zoning Inspector without instruments is present on an adjacent lot;
7. Direct or reflected glare is present which is visible from any road or from any lot where manufacturing or industrial uses are not permitted.
8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot;
9. Water pollution or contamination is present in violation of the regulations of the Ohio Environmental Protection Agency. (Amnd. 12-21-2021, 12-6-2022, 9-5-2023)

670.01 Assurance Requirements and Plans

Prior to the issuance of a zoning certificate, the Zoning Inspector may require the submission of written assurances and plans indicating the manner in which dangerous and objectionable aspects or elements of processes or operations entailed in certain uses or occupations are to be eliminated or reduced to acceptable limits and tolerances. (Adopted 12-21-2021)

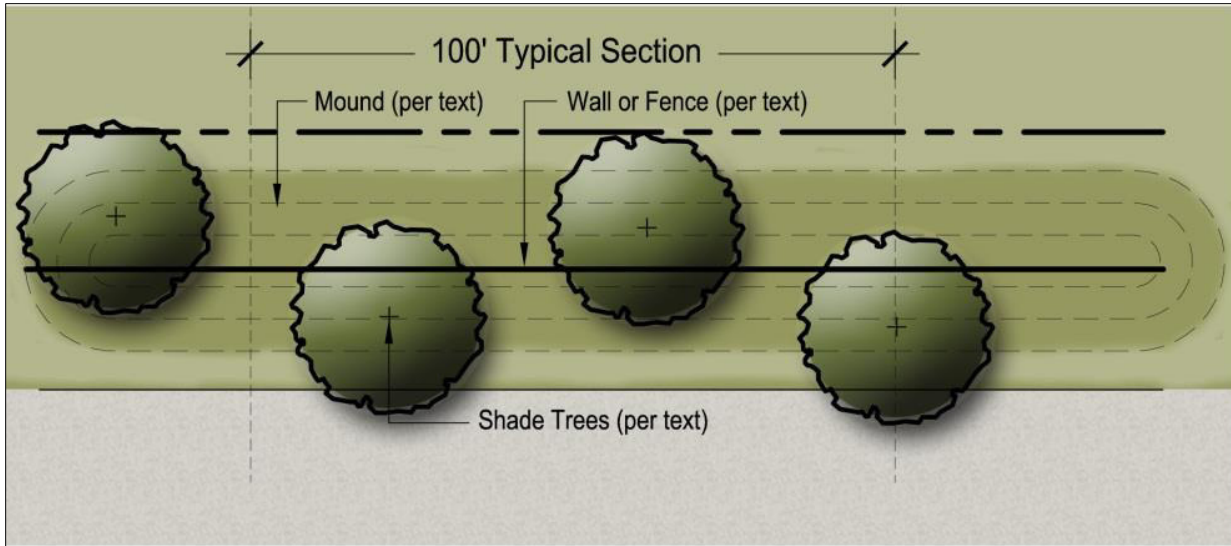
670.02 Enforcement Provisions

Any occupancy, use, conditions or circumstances existing in violation of this Chapter of this shall constitute a violation of this Resolution and be subject to the enforcement procedures and penalties provided for in Chapter 260. (Adopted 12-21-2021)

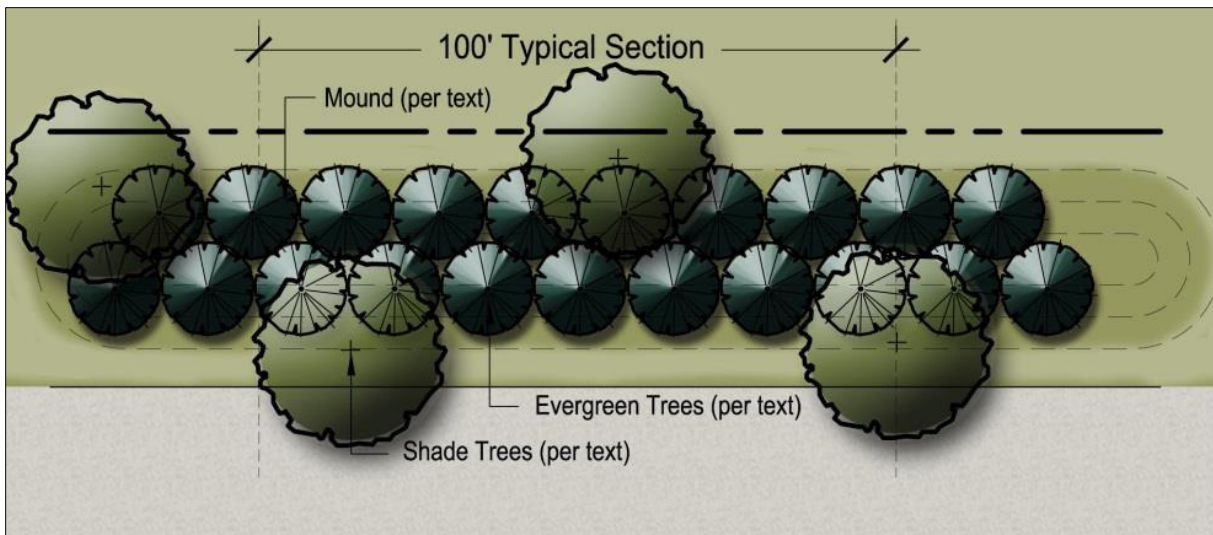
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Chapter 705 – Appendix 1 – Buffer Diagrams

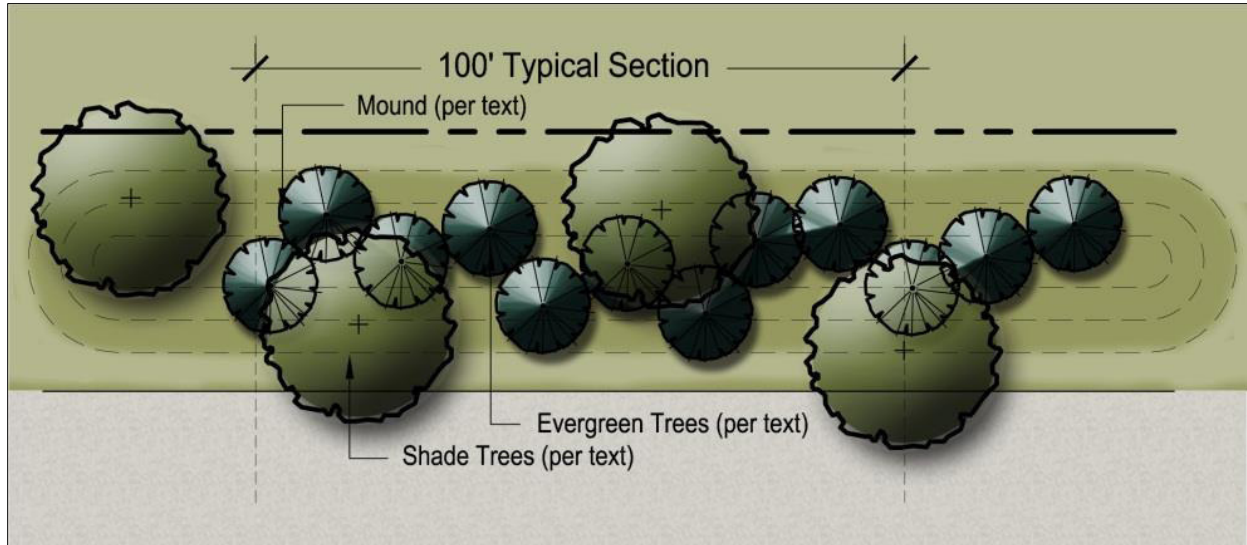
The following buffer diagrams provide a representative example of the required screening and buffering referenced within each zoning district. The following diagrams shall serve as a guide while the requirements of the individual zoning districts within the Resolution shall govern the height of the mounding, size and spacing of the plant materials and opacity of screening required.



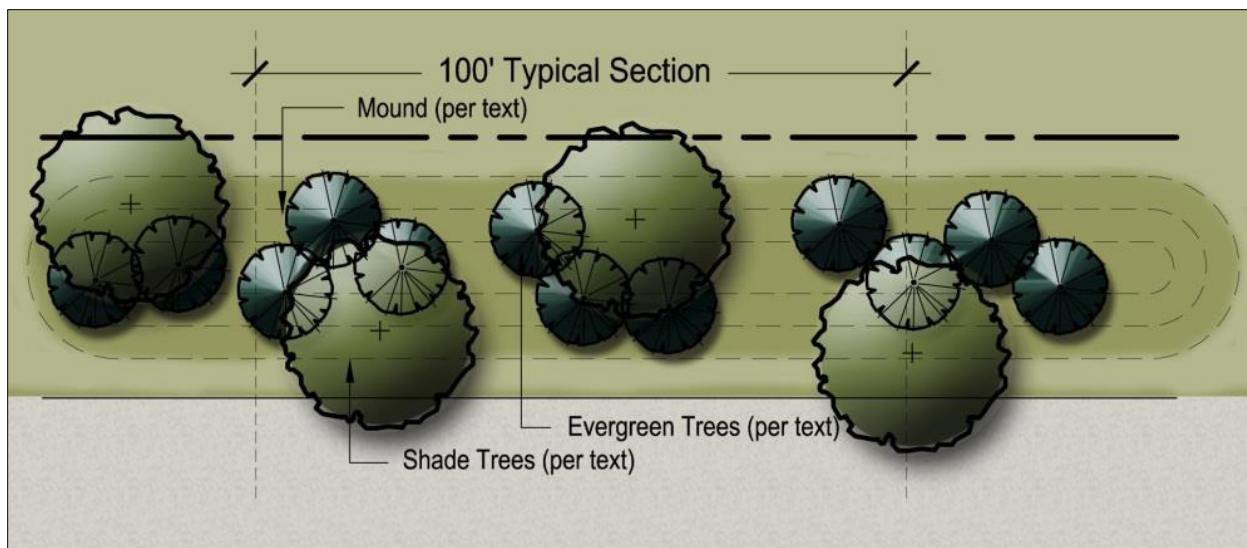
Buffer Type 'A'



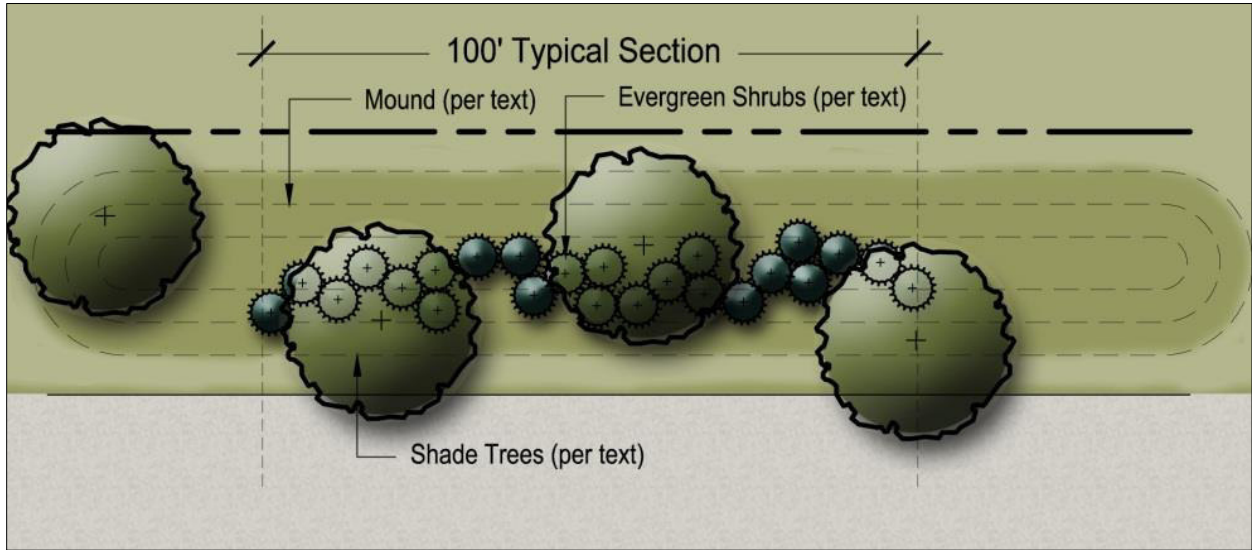
Buffer Type 'B'



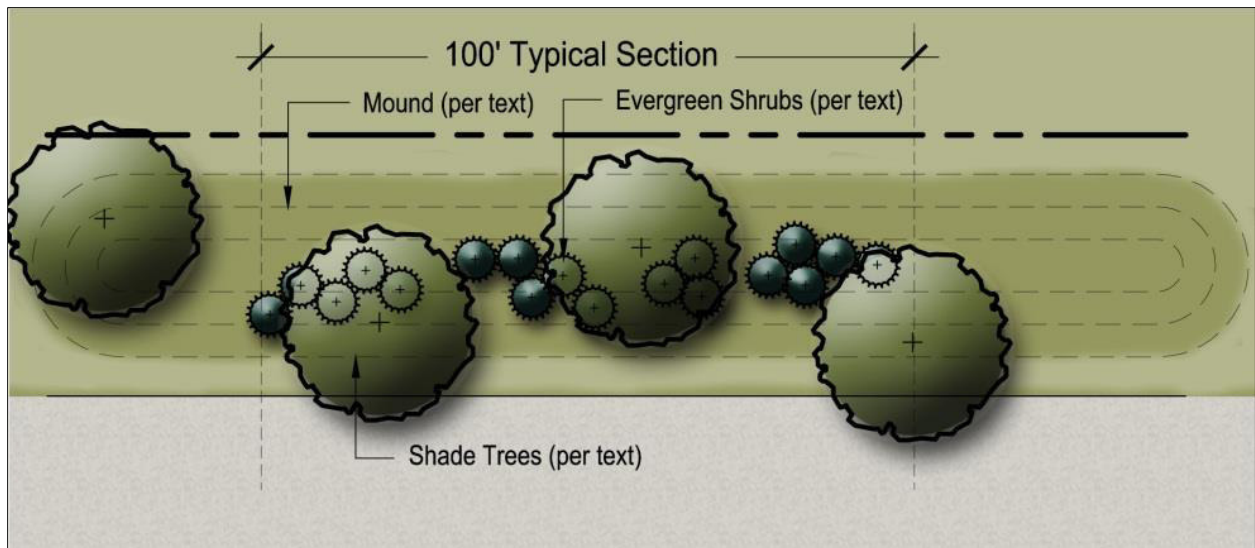
Buffer Type 'C'



Buffer Type 'D'



Buffer Type 'E'

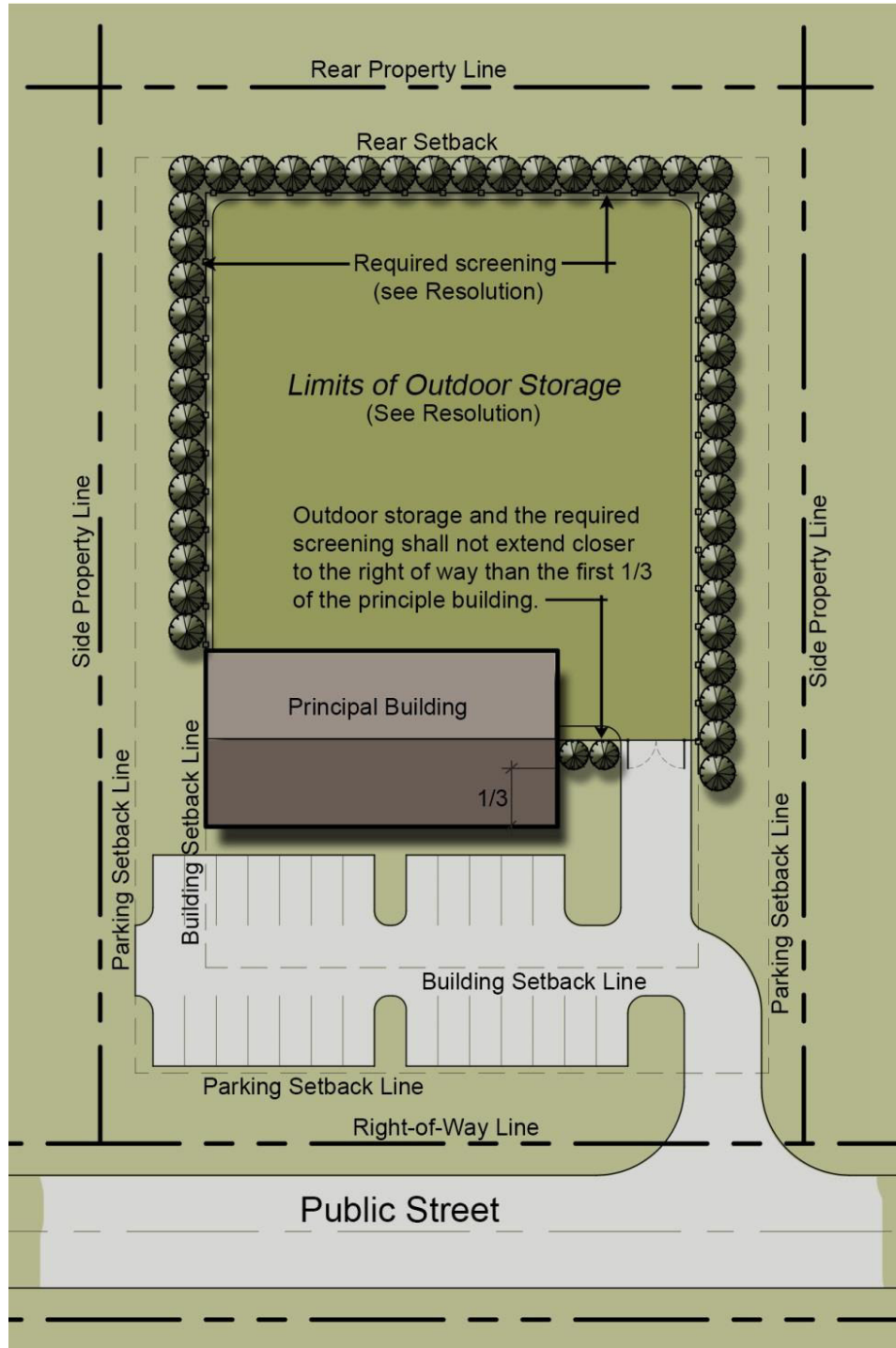


Buffer Type 'F'

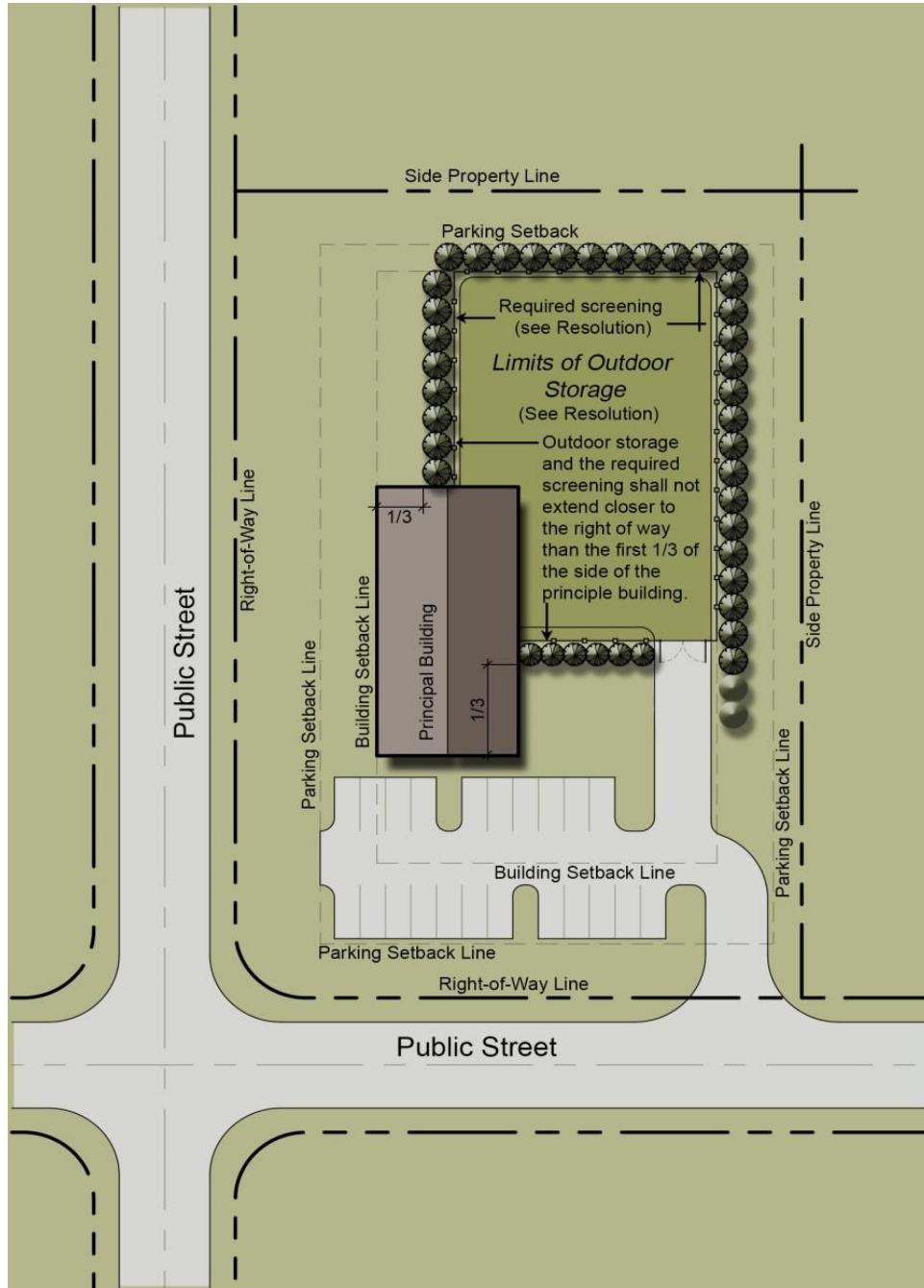
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Chapter 710 – Appendix 2 – Outdoor Storage Diagrams

The following diagrams provide a representative example of the required setbacks and screening and buffering referenced for the outdoor storage of materials and equipment within the Commerce District. The following diagrams shall serve as a guide while the requirements of the individual zoning districts within the Resolution shall govern the height of the mounding, size and spacing of the plant materials and opacity of screening required.

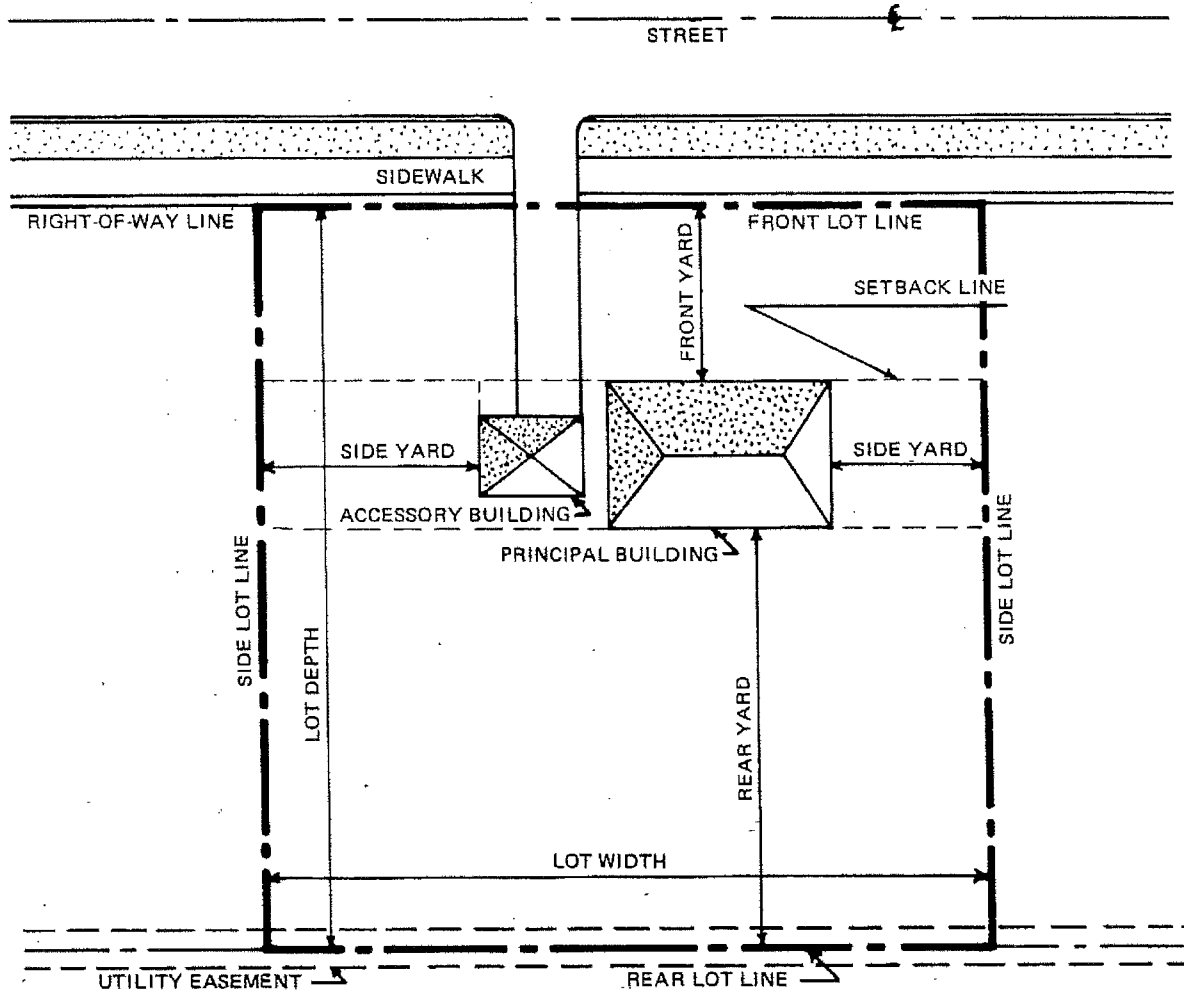


Outdoor Storage Placement and Screening – Interior Lot



Outdoor Storage Placement and Screening - Corner Lot

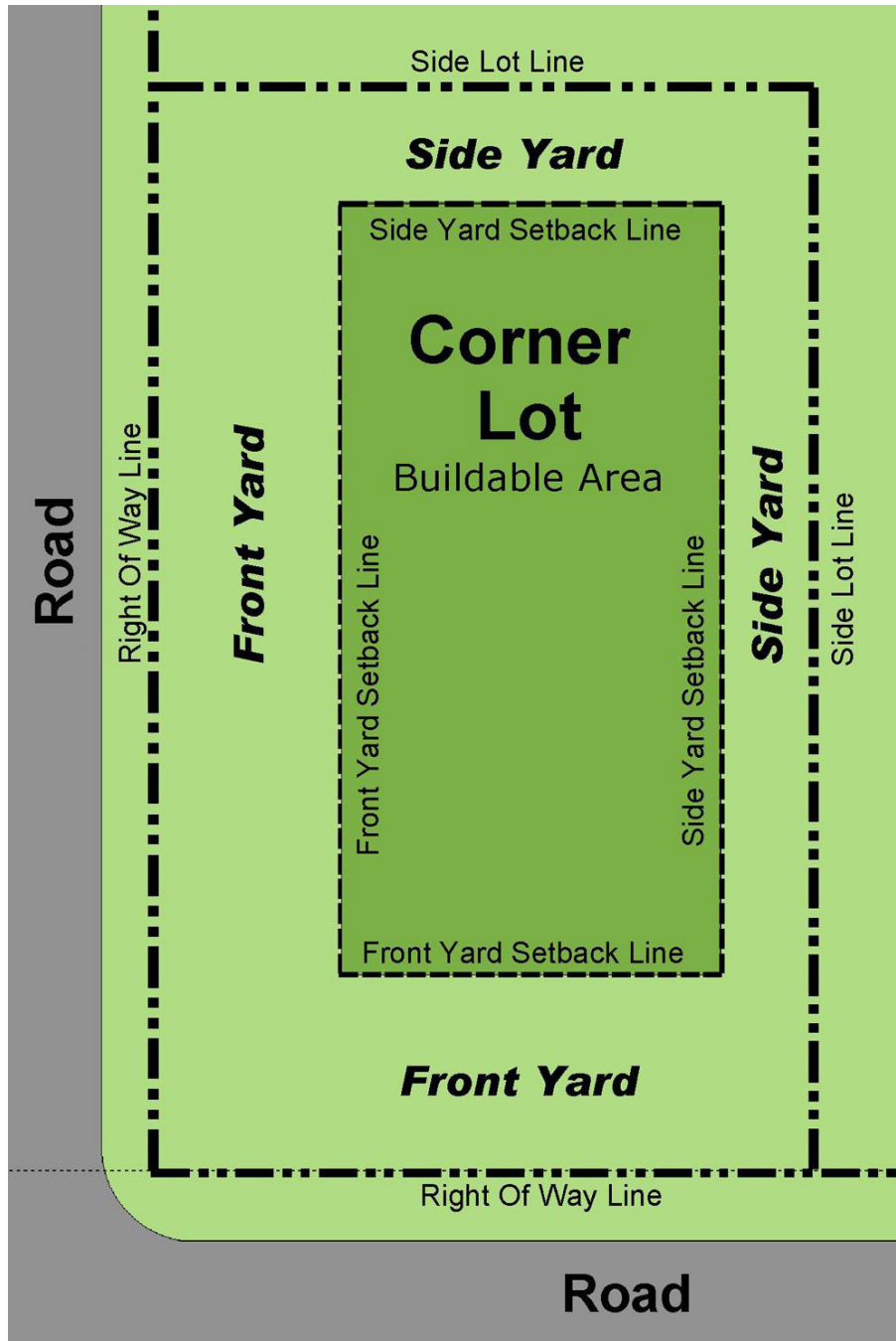
Chapter 715 – Appendix 3 – General Diagrams



LOT AREA= TOTAL HORIZONTAL AREA

LOT COVERAGE= PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS



LOT AREA= TOTAL HORIZONTAL AREA

LOT COVERAGE* PER CENT OF LOT OCCUPIED
 . BY BUILDING

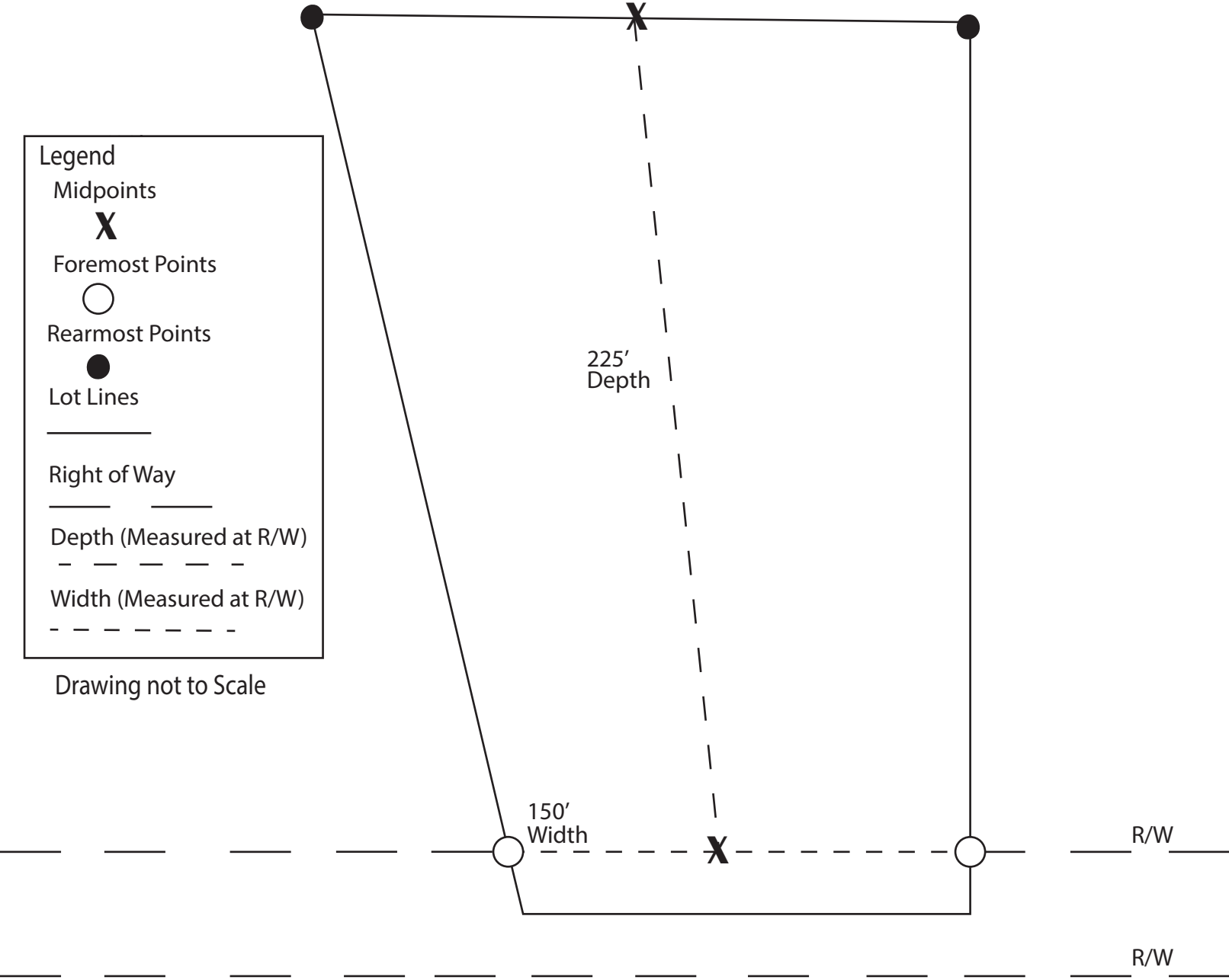
LOT TERMS – CORNER LOT

Width = 150'
Depth = 225'
150' of Width x 3 = 450'
Max Depth Allowed = 450'

Legend

- Midpoints **X**
- Foremost Points **○**
- Rearmost Points **●**
- Lot Lines
- Right of Way
- Depth (Measured at R/W)
- Width (Measured at R/W)

Drawing not to Scale



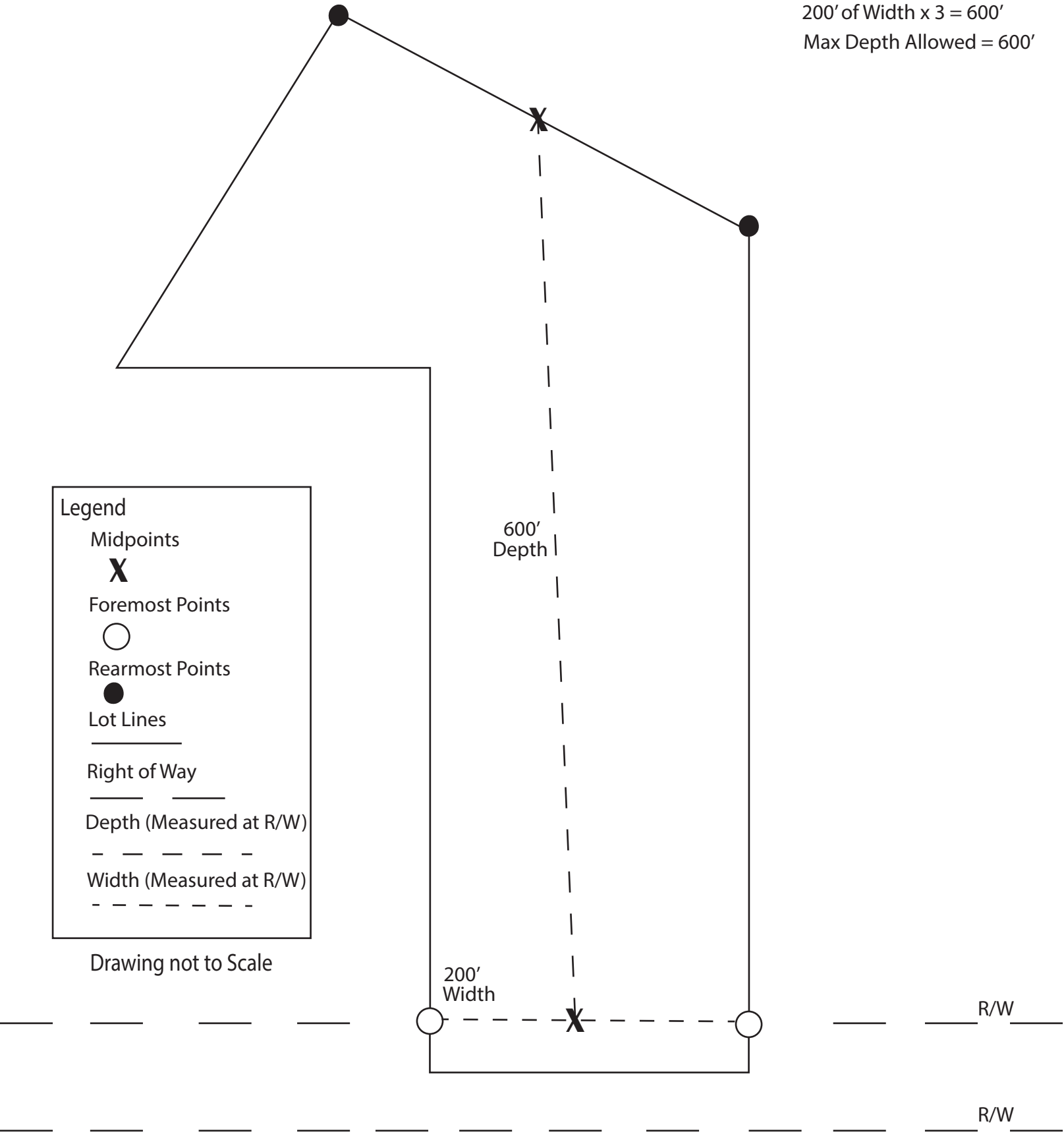
Depth to Width Ratio Calculation
(3:1)

Width = 200'
Depth = 600'
200' of Width x 3 = 600'
Max Depth Allowed = 600'

Legend

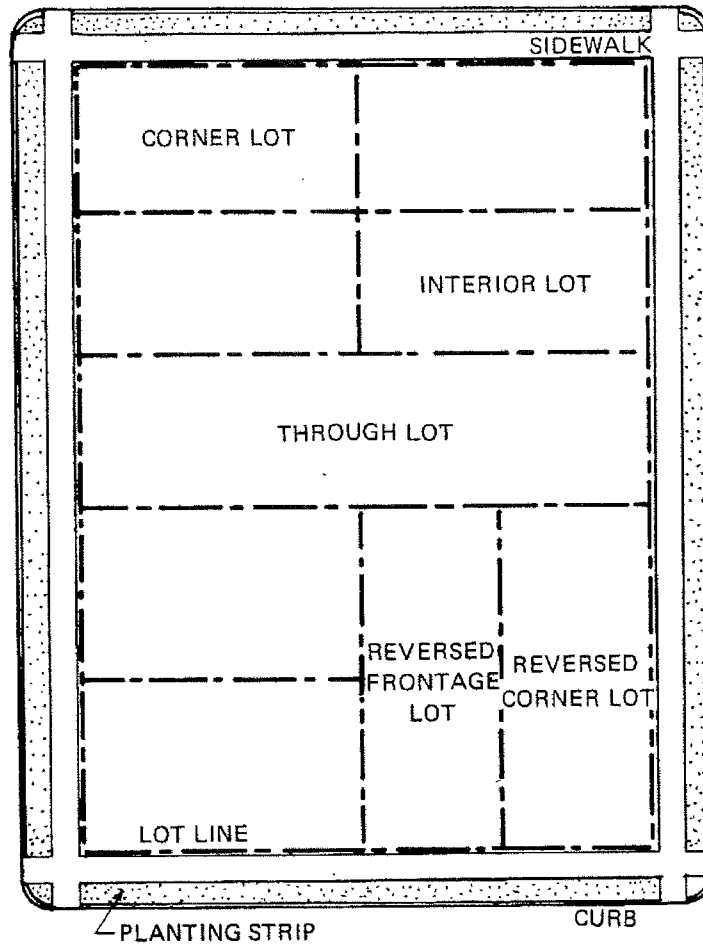
- Midpoints
X
- Foremost Points
○
- Rearmost Points
●
- Lot Lines
—
- Right of Way
— — — —
- Depth (Measured at R/W)
- - - - -
- Width (Measured at R/W)
- - - - -

Drawing not to Scale



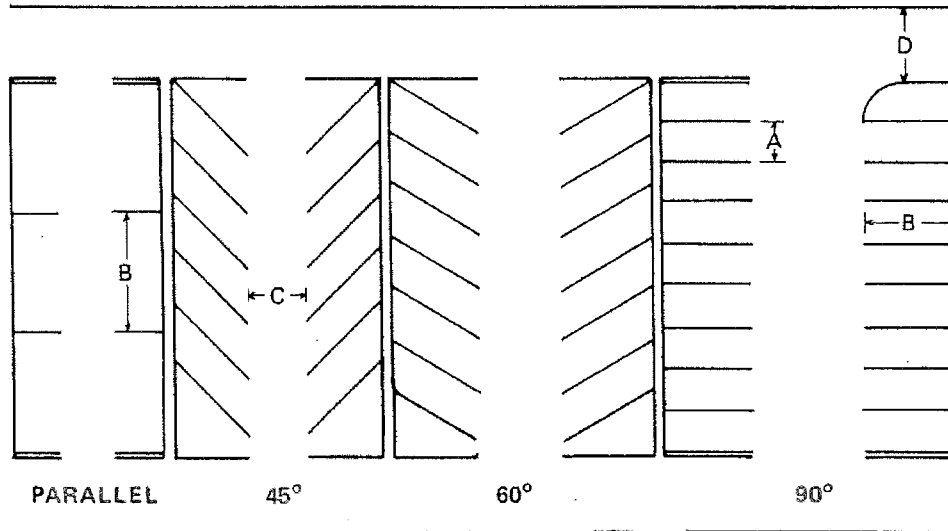
Depth to Width Ratio Calculation
(3:1)

STREET



TYPES OF LOTS

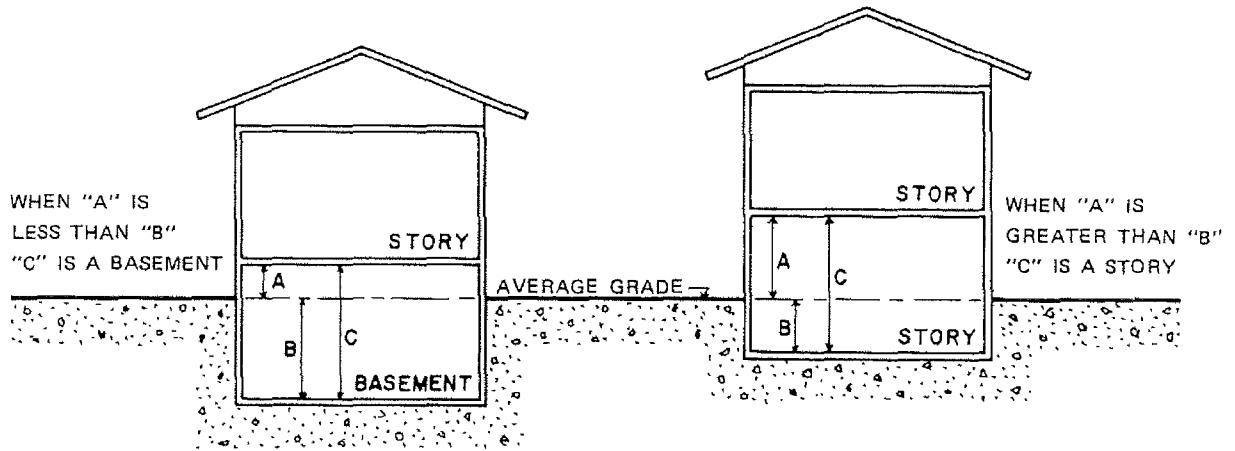
OFF-STREET PARKING AND LOADING FACILITIES



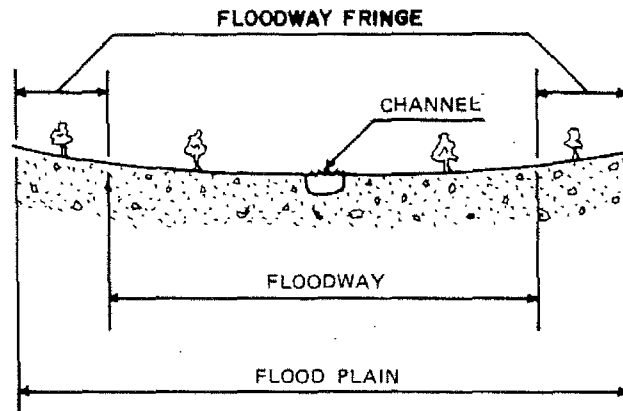
OFF-STREET PARKING

OFF-STREET PARKING DIMENSIONAL TABLE

		45°	60°	90°	Parallel
A	Width of Parking Space	12'	10'	9'	9'
B	Length of Parking Space	19'	19'	19'	23'
C	Width of Driveway Aisle	13'	17'6"	22'	12'
D	Width of Access Driveway				

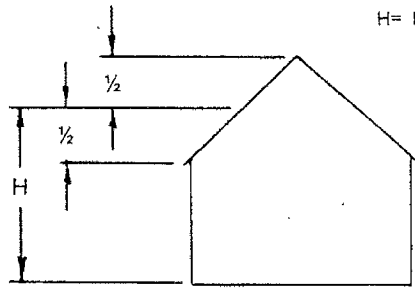


BASEMENT & STORY



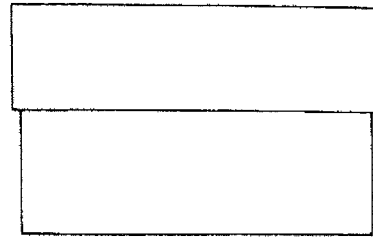
FLOOD PLAIN TERMS

H = HEIGHT OF BUILDING

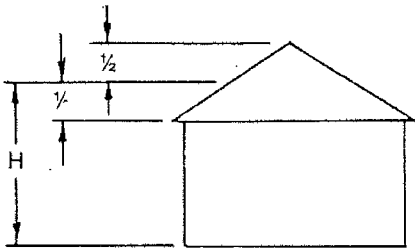


END VIEW

GABLE ROOF

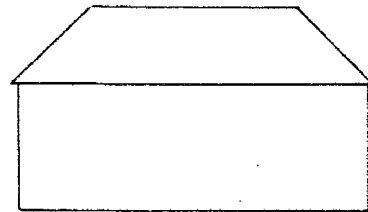


SIDE VIEW

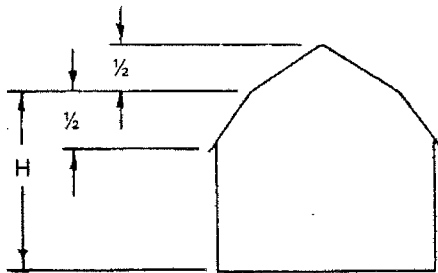


END VIEW

HIP ROOF

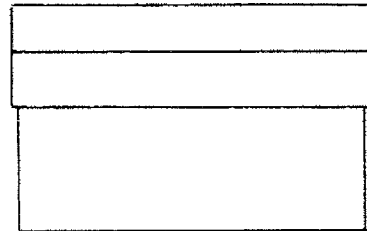


SIDE VIEW

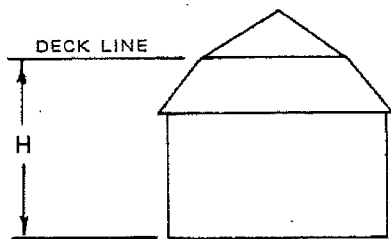


END VIEW

GAMBREL ROOF

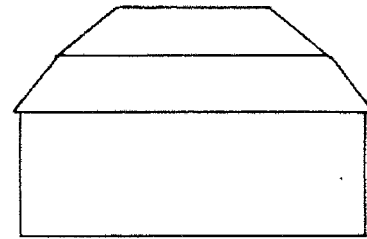


SIDE VIEW



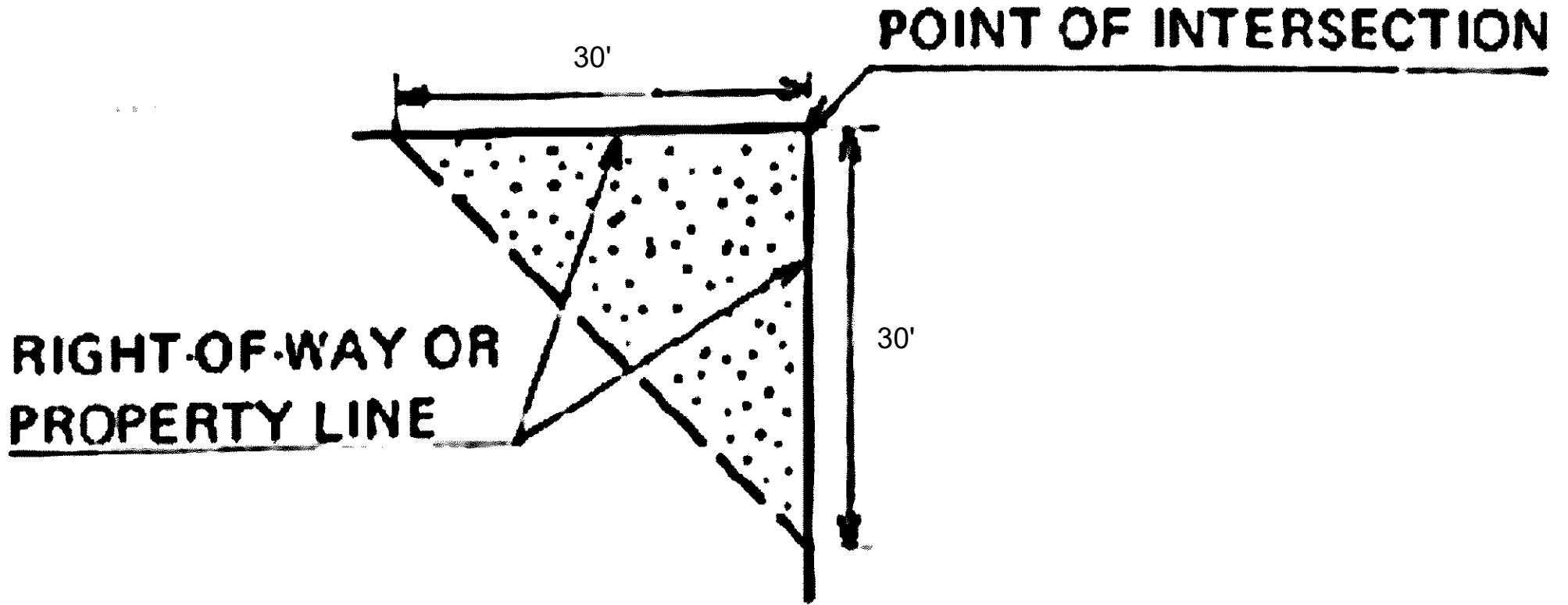
END VIEW

MANSARD ROOF



SIDE VIEW

ROOF TYPES AND BUILDING HEIGHT



VISIBILITY AT INTERSECTIONS