

# JEFFERSON TOWNSHIP ZONING RESOLUTION

AMENDED OCTOBER 28, 2015  
MAP CURRENT DECEMBER 2018



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

*Certified May 20, 1974*

**TOWNSHIP TRUSTEES**

Richard P. Courter  
Michael A. Rowan  
Claire J. Yoder

**TOWNSHIP FISCAL OFFICER**

Kenneth E. Jones

**ZONING COMMISSION**

(Ike) Lee W. Westfall  
Richard A. Winnestaffer  
Linda Mosbacher  
Charley Wise  
Brian Sichel  
Daniel Mefford, Alternate

**BOARD OF ZONING APPEALS**

Terry R. Broas  
David P. Keseg  
Bradley E. Shull  
Richard Hendrix  
Karen Bokor  
, Alternate

**ZONING DEPARTMENT**

Charles C. McCroskey, Zoning Administrator  
Melanie A. Barnette, Zoning/Building Administrative Assistant  
Mike Anderson, Assistant Zoning Inspector/Planner

*Amended:*

*March 30, 1978*  
*December 21, 1983*  
*June 6, 1995*  
*November 25, 2003*  
*October 28, 2015*

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# Article I

## Preface

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

### **SECTION 100 - TITLE**

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

### **SECTION 110 - NATURE OF ZONING**

This Zoning Resolution is an exercise of the police power derived from Ohio Revised Code (the “ORC”) 519.

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

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

To the extent possible, the zoning districts as they are delineated on the zoning district map shall be comprehensive in nature. Where ambiguous, the zoning districts and the fixing of their boundaries shall further be determined in accordance with the land use plans as such plans may exist at the time of determination.

### **SECTION 120 - ORGANIZATION OF THE ZONING DISTRICT REGULATIONS**

The zoning district regulations are set forth in three (3) groups based on the nature of the zoning districts and the purpose of the regulation. These groups are organized under separate articles of the Zoning Resolution.

#### **Section 120.01 - Standard District Regulations**

A) Definition

The standard district regulations are composed of the regulations of three (3) residential zoning districts based on density and/or dwelling structure type; three (3) commercial zoning districts based on the types and nature of commercial uses and two (2) industrial zoning districts based on use activity and methods of site development.

B) Intent

The intended use of the standard districts is two-fold. The primary use is to delineate areas of existing land use and developmental character most nearly represented by the regulations of these zoning districts. Each district will provide for the regulations necessary to maintain their essential qualities and to assure that additional development will be in keeping with that which has been established. Secondly, the standard districts are intended to be used to make limited adjustments in the zoning district boundaries (rezoning) as are necessary.

## Section 120.02 - Planned District Regulations

### A) Definition

The planned district regulations are composed of three (3) residential districts, one (1) commercial district, and one (1) industrial district. The intended use of the planned development districts is to allow predetermined development in appropriate locations to provide for the highest possible degree of freedom of design within the site while maintaining a desirable relationship to adjacent lands and the community.

### B) Intent

Land to be included in the planned districts is intended to be designed to preserve unique natural features of the landscape or manmade structures using innovative land use concepts which would better achieve this goal than would standard zoning. Such designs should be developed in recognition of the existing and potential development character of the vicinity to assure provision of adequate public utilities, streets, community facilities, and compatible land uses, including useable open space as the focus of the planned residential plan.

## Section 120.03 - Special District Regulations

### A) Definition

The special districts provide for the use or development of land under certain unique circumstances or developmental requirements. Included in the special districts are the procedures and regulations pertaining to development and use of land in areas subject to periodic flooding; the extraction of sand and gravel or other mineral resources, and the rehabilitation of the land after extracting, and procedures and regulations to allow for the establishment of uses of such an exceptional nature as to warrant individual consideration.

### B) Intent

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

## SECTION 130 - GENERAL DEVELOPMENT STANDARDS

The general development standards are composed of those provisions and regulations that pertain generally and uniformly to the arrangement and development of land and structures within the various zoning districts.

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

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

## SECTION 140 - THE NATURE OF THE ZONING DISTRICTS

Each of the zoning districts includes all land so zoned or classified in Jefferson Township, and differs from all others by reason of the uses that are permitted or by reason of the standards of development that are applicable in the zoning districts.



# Article II

## General Provisions

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

#### **Section 200.01 - Authority**

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

#### **Section 200.02 - Purpose of Zoning**

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

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

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

### **SECTION 210 - INTERPRETATION**

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

### **SECTION 220 - SEVERABILITY CLAUSE**

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

### **SECTION 230 - SCOPE OF ZONING RESOLUTION**

#### **Section 230.01 - Territorial Limits**

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

## SECTION 240 - APPLICATION OF ZONING RESOLUTION

### Section 240.01 - Exempt from Regulation

The regulations set forth in this Zoning Resolution shall affect all land, every structure and every use of land or structure, except such structures and uses as are now specifically exempt by law or as may be hereafter amended by law or as are exempted by Paragraph D below.

#### A) Agriculture

As used in this section, agriculture includes farming, ranching, algaculture meaning the farming of algae, aquaculture, apiculture, horticulture, viticulture, animal husbandry, including, but not limited to the care and raising of livestock, equine and fur bearing animals; poultry husbandry, and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber, pasturage, any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with but are secondary to, such husbandry or production.

Agriculture shall not be prohibited on lots greater than five (5) acres. The use of any land for agricultural purposes or the construction or use of buildings or structures incidental to the agricultural use of the land on which such buildings or structures are located shall not be prohibited on lots greater than five (5) acres and no zoning certificate shall be required for any such building or structure (ORC 512.21).

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

- 1) Agricultural uses, except for well-maintained gardens for the residences persona consumption, are prohibited on lots of one acre or less.
- 2) Buildings or structures incident to the use of land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres must conform to all setbacks, size and height requirements that apply in the underlying zoning district.
- 3) Dairying and animal and poultry husbandry on lots greater than one (1) acre but less than five (5) acres when at least thirty-five percent (35%) of the lots in the subdivision are developed with at least one (1) building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under Section 4503.06 of the Ohio Revised Code are subject to the provisions of this Zoning Resolution. After thirty-five percent (35%) of the lots are so developed, lawfully existing dairying and animal and poultry husbandry shall be considered nonconforming use of land, and buildings or structures pursuant to Section 519.19 of the Ohio Revised Code and are thereafter prohibited.

B) Farm Markets

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

- 1) Temporary and seasonal buildings, tents, trailers and other structures associated with a seasonal and temporary farm market shall be placed outside of the road right-of-way and located at least twenty-five (25) feet from the edge of any road pavement so as to safely allow for adequate ingress and egress and for customer off-street parking. Seasonal and temporary farm markets may use marked grassed areas reasonably cleared and limited in size for parking. In no case shall any portion of any road pavement be used for or considered customer parking to serve a farm market. If a culvert is required in order to obtain access to a seasonal and temporary farm market, then the farm market operator shall obtain a driveway permit from the appropriate governmental agency. Temporary and seasonal farm markets are farm markets that are open to the public and operate for no more than a total of ninety (90) calendar days in a calendar year. Any temporary and seasonal buildings, tents, trailers and other structures associated with a farm market remaining for more than ninety (90) days in a calendar year shall be considered structures associated with a permanent farm market and shall comply with the provisions of Subsection B(2) below.
- 2) All buildings and structures associated with a permanent farm market shall meet the applicable setback requirements for the underlying zoning district. Parking for permanent farm markets shall be graveled or paved. Operators of a permanent farm market shall obtain a driveway permit from the appropriate governmental agency. Off-street parking shall be provided at a ratio of one (1) space for each one hundred (100) square feet of farm market. Permanent farm markets are farm markets that are open to the public and operate for more than ninety (90) calendar days in a calendar year.
- 3) No more than one sign for a permanent or temporary and seasonal farm market denoting the name and address of the operator, denoting produce or products for sale on the premises and denoting membership in organizations may be permitted on a property. Farm market signs shall all the applicable sign requirements for the underlying zoning district.

C) Public Utilities and Railroads

Public utilities and railroads shall not be prohibited in respect to the location, erecting, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any buildings or structures for the operation of its business except as otherwise provided for telecommunication towers in Article VIII hereof. (ORC 519.211).

D) Governmental Functions

Any local, state or federal governmental use shall not be prohibited in any zoning district. Such local, state or federal governmental bodies proposing a use of land or construction of a building incidental to their governmental functions and responsibilities shall make a good faith effort to comply with this Zoning Resolution.

E) Sale or Use of Alcoholic Beverages

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

F) Outdoor Advertising

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

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

New development including the subdivision of land, construction and the use of land or structures shall conform to the regulations for the zoning district in which such development is located.

A) *New Subdivision*

The subdivision or re-subdivision of land shall not create lots less than the minimum size required for the zoning district in which such land is located nor shall lots be provided or intended for uses not allowed in the zoning district.

B) *New Structures*

New structures and/or developments shall be permitted only on lots meeting the requirements of this Zoning Resolution and shall conform with the development standards of the zoning district in which such construction is proposed.

C) *New Uses*

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

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

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

# Article III

## Zoning District Map

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### SECTION 300 - ZONING DISTRICT MAP ADOPTED

#### Section 300.01 - Division of Land

All land in the unincorporated area of Jefferson Township within the scope of this Zoning Resolution is placed into zoning districts as shown on the Official Zoning District Map of Jefferson Township, Franklin County, Ohio, which is hereby adopted and incorporated by this reference and made a part of this Zoning Resolution.

A) Final Authority

The Zoning District Map, as amended from time to time, shall be the final authority for the current zoning district status of land under the jurisdiction of this Zoning Resolution.

B) Land Not Otherwise Designated

All land subject to this Zoning Resolution in accordance with Zoning Resolution Section 230 and not designated or otherwise included within a zoning district on the Official Zoning District Map shall be included in the Countryside Residential District (CSR).

#### Section 300.02 - Official Zoning District Map

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

#### Section 300.03 - Availability of Zoning District Map

A current Official Zoning District Map shall be maintained by the Jefferson Township Trustees. Such map is available to the public in accordance with ORC Chapter 519.

## SECTION 310 - DESIGNATION OF ZONING DISTRICTS

### Section 310.01 - Zoning Districts

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

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

### Section 310.02 - Residential Districts

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

- A) Countryside Residential (CSR)
- B) Restricted Suburban Residential (RSR)

### Section 310.03 - Planned Residential Districts

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

- A) Planned Residential District (PRD)
- B) Planned Suburban Residential District (PSRD)
- C) Suburban Periphery Residential District (SPRD)

### Section 310.04 - Legend

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

## Section 310.05 - Limited Suburban Residential Districts

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

## SECTION 320 - INTERPRETATION OF ZONING DISTRICT BOUNDARIES

### Section 320.01 - Rules for Determination

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

A) Along a Street or Other Right-of-Way

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

B) Along a Lot Line

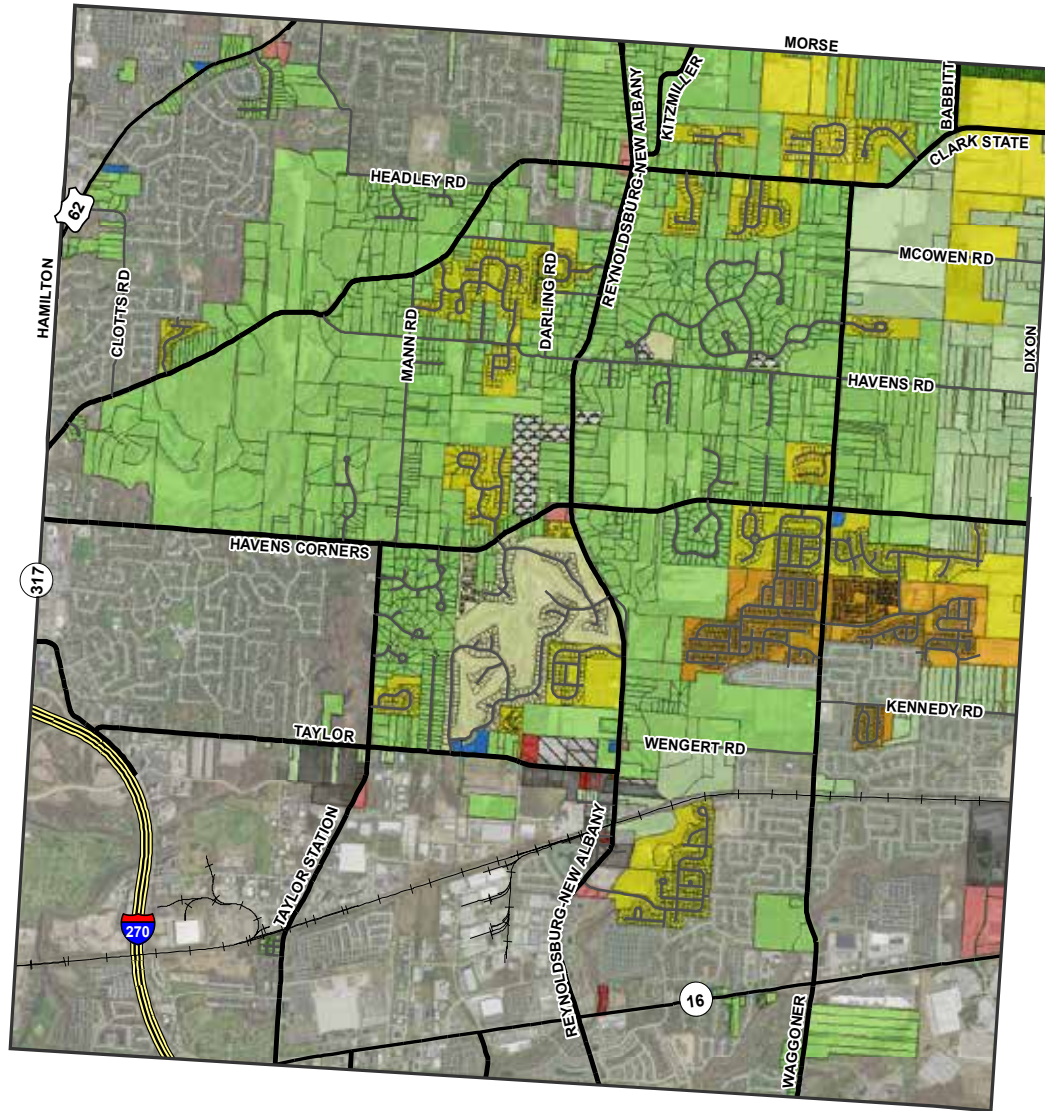
Where zoning district boundary lines are indicated as approximately following a lot line, such lot line shall be the zoning district boundary; provided, however, that where a street or highway located in the unincorporated territory of Jefferson Township abuts a lot line, the zoning district boundary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

C) Parallel to Right-of-Way or Lot Line

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

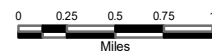
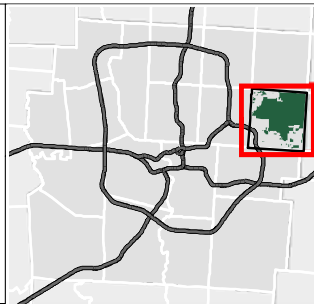
D) Actual Conflict with Map

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



**ZONING**

- |                                 |                         |
|---------------------------------|-------------------------|
| Countryside Residential         | Neighborhood Commercial |
| Restricted Suburban Residential | Community Service       |
| Limited Residential Suburban    | Planned Commercial      |
| Planned Residential District    | Restricted Industrial   |
| Planned Suburban Residential    | Limited Industrial      |
| Suburban Periphery Residential  | Planned Industrial      |
| Suburban Office & Institution   | Exceptional Use         |



The information shown on this map is compiled from various sources available to us which we believe to be reliable.



# Article IV

## Non-Conforming Lots, Structures or Uses

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### SECTION 400 - INTENT

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

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

### SECTION 410 - NONCONFORMING LOTS OF RECORD

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

### SECTION 420 - NONCONFORMING STRUCTURES AND DEVELOPMENT

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

Such alteration or extension shall be in compliance with the development standards of the zoning district as would be required of a new structure to the extent practicable and so that the spirit and intent of the development standards are accomplished.

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

## **SECTION 430 - NONCONFORMING USES**

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

- A) Change of a non-conforming use shall be allowed to a permitted use of the zoning district in which the non-conforming use is located.
- B) On approval of an appeal to the Board of Zoning Appeals, a non-conforming use may be:
  - 1) Changed to a use found to be more nearly in character with the zoning district in which the non-conforming use is located.
  - 2) Expanded within the existing structure where the nonconforming use is located.
- C) No nonconforming use may be re-established where such nonconforming use has been discontinued for a period of at least two (2) years. A nonconforming structure or use of any structure damaged by fire, explosion, flood, riot, or act of God may be continued and used as before any such calamity, provided the building or structure has not been destroyed to an extent of more than one-half of its fair market value, and provided such reconstruction is started within twelve (12) months of such calamity and is continued in a reasonable manner until completed.

## **SECTION 440 - REPAIRS AND MAINTENANCE**

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

# Article V

## Standard District Regulations

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

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

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

#### Section 500.02 - Rules of Application

The standard district regulations set forth in this section shall be interpreted and enforced according to the following rules.

A) Identification of Uses

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

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

B) Permitted Uses

Only a use designated as a permitted use shall be allowed as a matter of right in a zoning district and any use not so designated shall be prohibited. Additional uses may be added to the permitted uses of the zoning district by an amendment of this Zoning Resolution, or, upon determination by the Board of Zoning Appeals that the use is substantially similar to a designated permitted use within the same zoning district.

C) Conditional Uses

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

D) Development Standards

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

## SECTION 510 - COUNTRYSIDE RESIDENTIAL DISTRICT (CSR)

### Section 510.01 - Purpose

The Countryside Residential District (CSR) is intended for areas where agricultural uses are appropriate and where conservation of the land is important. The CSR regulations attempt to protect agricultural and open land from the premature development of uses which are not compatible with agricultural activities or which are not in conformance with the Jefferson Township Comprehensive Plan. The principal use of land is for agriculture and farm dwellings, although other uses, such as countryside residences, religious and educational facilities may be permitted subject to meeting special development standards and /or conditional land suitability requirements.

### Section 510.02 - Permitted Uses

The following uses shall be permitted in the CSR:

A) Single Family Dwellings

B) Home Occupation

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

C) Accessory Structures/Uses

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

D) Guest House

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

E) Schools

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

F) Religious

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

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

G) Adult Family Homes

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

H) Child Day Care Type B Home

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

### Section 510.03 - Conditional Uses

The following uses may be allowed in the CSR District subject to approval in accordance with Article X, Sections 1020.03, 1020.04 and 1020.05.

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

- 1) Grain elevator, mill, or other facilities for the storage, sorting, or other preliminary processing of agricultural products including other than those produced on the premises provided that:
  - a) Storage facilities shall not be within fifty (50) feet of side or rear lot lines, except when along a railroad right of way; and
  - b) Processing facilities shall not be within one hundred (100) feet of a side or rear lot lines, except when along a railroad right of way.

B) Mobile Homes

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

C) Private School and Child Care

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

D) Cemetery

- 1) Cemetery provided it shall occupy a parcel of not less than forty (40) acres.
- 2) Internment shall not be within one hundred (100) feet of any property line.
- 3) A mausoleum, crematory or other structure shall not be within three hundred (300) feet of any property line.

E) Boarding and Care of Animals

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

F) Parks

Parks, playgrounds, and playfields open to the public.

G) Child Day Care Type A Home

Child day care Type A Home may be permitted provided:

- 1) The child day care is an accessory use to the principal use of the dwelling as a residence.
- 2) State licenses have been granted, if necessary.
- 3) Lot size is adequate to meet the sewage disposal and water supply needs.
- 4) Adequate buffering to adjacent residential uses is provided as needed in accordance with Article VIII.
- 5) Off-street parking and maneuvering is provided so that no car will back into roadway upon entering or leaving.
- 6) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be placed on the structure, said sign not to exceed three (3) square feet, single sided. Neither sign may be internally lit, nor made of plastic. If lighted, they must be lit by a steady indirect white light, and lit only during hours of operation.
- 7) Day care must be provided in the residence, or, if it is to be provided in an accessory structure, that structure must meet the local building code and no other conditional use shall be allowed on the lot.
- 8) Adequate space indoors and outdoors is provided for recreation. Five hundred (500) square feet per child shall be provided for an outside play area. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with appropriate fencing.

## Section 510.04 - Development Standards

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

### A) Lot Area and Coverage

- 1) For each permitted dwelling there shall be a lot area not less than five (5) acres. For each approved conditional use dwelling there shall be an additional lot area above the minimum required of not less than one (1) acre. Permitted and conditional uses shall meet the land suitability and performance standards of this Resolution and the environmental, health and sanitation requirements of the appropriate agency.
- 2) Only one (1) principal use shall be permitted on a lot, and such lot shall not be covered more than twenty (20%) percent by impervious surfaces including structures.

### B) Lot Width

For a family dwelling there shall be a lot width of one hundred and fifty (150) feet or more at the front line. Each lot shall have access to and abut a public right-of-way for a distance of one hundred and fifty (150) feet or more, except as follows:

- 1) Road frontage and abutment requirements for “pie-shaped” lots on cul-de-sacs or curved streets may be reduced to a minimum of sixty (60) feet, provided the lot has a width of one hundred and fifty (150) feet or more at the front building line.
- 2) Road frontage and abutment requirements may be reduced to a minimum of sixty (60) feet, provided:
  - a) A minimum lot width of three hundred (300) feet is established at the front building line. The full three hundred (300) foot width shall extend into the front yard of the dwelling for a minimum distance of one hundred (100) feet.
  - b) The lot is at least five (5) acres in size.

### C) Side Yards

- 1) For all primary structures, including single family dwelling there shall be a side yard on each side of the dwelling of twenty-five (25) feet or more.
- 2) For accessory detached structures refer to Article VIII, Section 820.

### D) Rear Yard

- 1) For all primary structures, including single family dwelling, there shall be a rear yard of twenty percent (20%) or more of the lot depth, except that a rear yard of more than fifty (50) feet shall not be required.
- 2) For accessory detached structures refer to Article VIII, Section 820.

## SECTION 520 – RESTRICTED SUBURBAN RESIDENTIAL DISTRICT (RSR)

### Section 520.01 - Purpose

The Restricted Suburban Residential District (“RSR”) is intended to define areas in the township, which are suitable for low density residential uses and related facilities desirable in a residential environment. Standards in the RSR district are intended to promote attractiveness, order and efficiency and a healthful, safe environment.

### Section 520.02 - Permitted Uses

The following uses shall be permitted in the RSR provided the use is located on a lot not less than five (5) acres and meets all of the development requirements of this section:

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

A) Single family dwelling structures

B) Home Occupation

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

C) Accessory Structures/Uses

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

D) Guest House

Guest house provided the gross floor area of the guest house is less than fifty (50) percent of the gross floor area of the primary dwelling and located to the side or rear of the primary family dwelling.

E) Schools

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

F) Religious

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

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



G) Adult Family Homes

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

H) Child Day Care Type B Home

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

### **Section 520.03 - Conditional Uses**

The following uses may be allowed in the RSR and subject to approval in accordance with Article X, Sections 1020.03, 1020.04 and 1020.05..

A) Borrow Pit

A borrow pit in accordance with the requirements of Article VII, Section 720 - Excavation and Quarry Regulations provided that such excavation and required rehabilitation shall be completed within one (1) year from the date of approval.

B) Parks

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

C) Child Day Care Type A Home

Child Day Care Type A Home may be permitted provided:

- 1) The child day care is accessory to the principal use of the dwelling as a residence.
- 2) State licenses have been granted, if necessary.
- 3) Lot size is adequate to meet the sewage disposal and water supply needs.
- 4) Adequate buffering to adjacent residential uses is provided as needed in accordance with Article VIII.
- 5) Off-street parking and maneuvering is provided so that no car will back into roadway upon entering or leaving.
- 6) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be paced on the structure, said sign not to exceed three (3) square feet, single sided. Neither sign may be internally lit, nor made of plastic. If lighted, they must be lit by a steady indirect white light, and lit only during hours of operation.
- 7) Day care must be provided in the residence, or, if it is to be provided in an accessory structure, that structure must meet the local building code, and no other conditional use shall be allowed on the lot.
- 8) Adequate space indoors and outdoors is provided for recreation. Five hundred (500) square feet per child shall be provided for an outside play area. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with appropriate fencing.

## Section 520.04 - Development Standards

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

### A) Lot Area and Coverage

- 1) For each single-family dwelling unit there shall be a lot area not less than one (1) acre.
- 2) One (1) principal use shall be permitted on a lot, and said lot shall not be covered by more than twenty percent (20%) with impervious surfaces, including structures.
- 3) The total floor area of all structures combined shall not cover more than twenty percent (20%) of the total area of the lot.

### B) Lot Width

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

### C) Side Yards

- 1) For all single-family dwellings, there shall be a side yard on each side of the structure of at least twenty-five (25) feet.
- 2) For "Accessory Detached Structures" refer to Article VIII, Section 820.

### D) Rear Yard

- 1) For all single-family dwellings, there shall be a rear yard of twenty percent (20%) of the lot depth, except that in no case shall a rear yard of more than fifty (50) feet be required.
- 2) For Accessory Detached Structures refer to Article VIII, Section 820.

### E) Sanitary Water and Sewer

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

## SECTION 530 – LIMITED SUBURBAN RESIDENTIAL DISTRICT (LSR)

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

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

### Section 530.01 - Purpose

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

### Section 530.02 - Permitted Uses

The following uses shall be permitted in the LSR provided the use is located on a lot not less than five (5) acres and all the development requirements of this Section:

A) Single Family Dwelling Structure

B) Home Occupation

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

C) Accessory Structures/Uses

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

D) Adult Family Homes

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

E) Child Day Care Type B Home

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

F) Religious

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

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

G) Schools

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

**Section 530.03 - Conditional Uses**

The following uses may be allowed in the Limited Suburban Residential District subject to approval in accordance with Article X, Sections 1020.03, 1020.04 and 1020.05.

A) Dwelling Structures

Two-family dwelling structures.

B) Child Day Care Type A Home

Child Day Care Type A Home may be permitted provided:

- 1) The child day care is an accessory to the principal use of the dwelling as a residence.
- 2) State licenses have been granted, if necessary.
- 3) Lot size is adequate to meet the sewage disposal and water supply needs.
- 4) Adequate buffering to adjacent residential uses is provided as needed in accordance with Article VIII.
- 5) Off-street parking and maneuvering is provided so that no car will back into roadway upon entering or leaving.
- 6) One (1) ground or pole sign, not to exceed three (3) square feet may be placed on the lawn. Another flat sign may be placed on the structure, said sign may not exceed three (3) square feet, single sided. Neither sign may be internally lit, nor made of plastic. If lighted, they must be lit by a steady indirect white light, and lit only during hours of operation.
- 7) Day care must be provided in the residence, or, if it is to be provided in an accessory structure, that structure must meet the local building code, and no other conditional use shall be allowed on the lot.
- 8) Adequate space indoors and outdoors is provided for recreation. Five hundred (500) square feet per child shall be provided for an outside play area. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with appropriate fencing.

C) Parks

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

## Section 530.04 - Development Standards

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

### A) Lot Area and Coverage

- 1) For each single-family dwelling, there shall be a lot area not less than one half (1/2) acre (21,780 square feet) per dwelling.
- 2) Only one (1) principal use shall be permitted on a lot and such lot shall not be covered by more than twenty percent (20%) by impervious surfaces including structures.
- 3) The total floor area of all structures combined shall not cover more than twenty percent (20%) of the total area of the lot.

### B) Lot Width

For a single-family dwelling, there shall be a minimum lot width of one hundred (100) feet at the front line of the dwelling, and such lot shall have access to and abut on a public right-of-way for a distance of at least sixty (60) feet. The minimum total lot width for a two-family dwelling shall be one hundred and twenty (120) feet at the front line of the structure.

### C) Side Yards

- 1) For all single-family dwellings, there shall be a side yard on each side of the structure of at least twenty (20) feet.
- 2) For “Accessory Detached Structures” see Article VIII, Section 820.

### D) Rear Yard

- 1) For all single-family dwellings, there shall be a rear yard of twenty percent (20%) of the lot depth, except that a rear yard shall not exceed fifty (50) feet.
- 2) For “Accessory Detached Structures” see Article VIII, Section 820.

## SECTION 540 – SUBURBAN OFFICE DISTRICT (SO)

### Section 540.01 - Purpose

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

### Section 540.02 - Permitted Uses

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

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

<b>812910</b>	Pet Care (except veterinary) Services
<b>813410</b>	Civic and Social Organizations
<b>813910</b>	Business Associations
<b>813920</b>	Professional Organizations

**Section 540.03 - Conditional Uses**

The following uses may be allowed in the SO subject to approval in accordance with Article X, Sections 1020.03, 1020.04 and 1020.05:

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

The following conditional uses are also permitted, subject to approval in accordance with Article X, Sections 1020.03, 1020.04 and 1020.05:

- A) Drive-in facility, developed in association with a permitted use. In addition to the standards of Article X, Sections 1020.03, 1020.04 and 1020.05, the following standards shall also be met before a drive-in facility may be approved:
  - 1) The Jefferson Township Zoning Commission and/or Jefferson Township Trustees may require that the applicant submit a traffic analysis and detailed plot plan performed by a registered professional engineer that demonstrates that the proposed drive-in facility will not create traffic congestion or unsafe points of traffic conflict. All parking, ingress, egress and interior circulation shall be clearly marked with striping and/or curb barriers.
  - 2) The proposed drive-in facility and access drive shall conform to all developmental standards in accordance with this Section, including side and rear yard setbacks.
  - 3) The proposed drive-in facility shall be screened by plantings or other appropriate methods when adjacent to residential areas.
- B) Single-family dwellings in association with a permitted principal use The applicant shall clearly indicate, on a plot plan, the areas intended for residential use and the areas intended for commercial use. Sewage and water system approvals from Jefferson Water & Sewer District, Ohio EPA and Franklin County Public Health shall be required.
- C) Kindergarten or childcare which provides an outdoor play area of five hundred (500) square feet or more per child. Such play area shall be arranged in accordance with the provisions of this district for accessory uses and shall be enclosed with a chain link fence or its equivalent in strength and protective character to a height of four (4) feet, but not more than six (6) feet.

## Section 540.04 - Development Standards

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

A) Lot Area and Coverage

- 1) A minimum lot size of one (1) acre is required.
- 2) One (1) or more structures may be placed on a lot.
- 3) Impervious surfaces, including structures shall not occupy more than ten percent (10%) of a lot, nor in total gross floor area exceed twenty percent (20%) of the lot area.

B) Lot Width

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

C) Side Yards

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

D) Rear Yards

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

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

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

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

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

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

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



## SECTION 550 – NEIGHBORHOOD COMMERCIAL DISTRICT (NC)

### Section 550.01 – Purpose

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

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

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

451	Retail Trade Stores
448	Clothing and Accessory Stores
443142	Electronic Stores
445110	Supermarkets and Other Grocery (except convenience) Stores
445210	Meat Markets
445220	Fish and Seafood Markets
445230	Fruit and Vegetable Markets
445291	Baked Goods Stores
445299	All Other Specialty Food Stores
445310	Beer, Wine and Liquor Stores
446110	Pharmacies and Drug Stores
446120	Cosmetics, Beauty Supplies and Perfume Stores
451221	Book Stores
453110	Florists
453220	Gift, Novelty and Souvenir Stores
453920	Art Dealers
811211	Consumer Electronics Repair and Maintenance
811212	Computer and Office Machine Repair and Maintenance
811430	Footwear and Leather Goods Repair
811490	Other Personal and Household Goods Repair and Maintenance

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

For areas where larger stores are permitted, refer to the Planned Commercial District or the Community Service District.

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

The following uses may be allowed in the NC subject to approval in accordance with Article X, Sections 1020.03, 1020.04 and 1020.05.:

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

The NC retail limit of 5,000 square foot shall apply to all indoor sales areas, but shall not apply to outdoor sales or storage areas. However, such outdoor sales and storage areas shall be calculated as floor space in determining lot area coverage.

- A) Drive-in facilities may be developed in association with a permitted or conditional use. In addition to the standards of Article X, Sections 1020.03, 1020.04 and 1020.05, the following standards shall be met before a drive-in facility may be approved:
  - 1) The Jefferson Township Zoning Commission and/or Jefferson Township Trustees may require that the applicant submit a traffic analysis and detailed plot plan performed by a registered professional engineer that demonstrates the proposed drive-in facility will not create traffic congestion or unsafe points of traffic conflict. All parking, ingress, egress, and interior circulation shall be clearly marked with striping and/or curb barriers.
  - 2) The proposed drive-in facility and access drive shall conform to all development standards in accordance with this Section, including side and rear yard setbacks.
  - 3) The proposed drive-in facility shall be screened by plantings or other appropriate methods when adjacent to residential zoning districts.
  
- B) Single-family dwellings in association with a permitted use. The applicant shall clearly indicate on a plot plan the areas intended for commercial use and the areas intended for residential use. Sewage and water system approvals from Jefferson Water & Sewer District, the Ohio EPA and the Franklin County Public Health shall be required.

## Section 550.04 - Development Standards

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

A) Lot Area/Coverage

- 1) A minimum lot size of one (1) acre is required. One (1) or more structures may be placed on a lot.
- 2) Impervious surfaces including structures shall not occupy more than twenty percent (20%) of a lot nor in total gross floor area exceed forty percent (40%) of the lot area, including outside sales or storage areas.

B) Lot Width

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

C) Side Yards

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

D) Rear Yard

- 1) For structures located in the NC, the rear yard shall be not less than twenty percent (20%) of the lot depth or fifty (50) feet, whichever is greater.
- 2) A use to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty (40) feet wide in addition to the minimum rear yard setback required above.

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

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

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

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

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

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

## SECTION 560 – COMMUNITY SERVICE DISTRICT (CS)

### Section 560.01 – Purpose

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

### Section 560.02 - Permitted Uses

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

444	Building Materials Dealers
511	Publishing
441110	New Car Sales
441120	Used Car Sales
441210	Recreational Vehicle Dealers
441228	Motorcycle, ATV and All Other Motor Vehicles Dealers
447110	Gasoline Stations with Convenience Stores
512131	Motion Picture Theatres (except Drive-Ins)
532299	All Other Consumer Goods Rental (provided all outside storage areas are totally screened from view from and Residential District, Planned Residential District or Suburban Office District)
532310	General Rental Centers (provided all outside storage areas are totally screened from view from and Residential District, Planned Residential District or Suburban Office District)
721110	Hotels (except Casinos) and Motels
811111	General Automotive Repair (incidental to automotive sales or gasoline service stations)
	Retail stores which exceed the maximum square footage limits of the NC District of Article V; Section 550.02 (except adult entertainment retail stores)

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

- 1) All work is performed indoors.
- 2) There is no outside storage.
- 3) No inoperable vehicles are parked outside the building.
- 4) The proposed repair facility is located more than one hundred (100) feet from any Residential District or Planned Residential District, or, the written consent of all residential property owners with one hundred (100) feet is provided.

### Section 560.03 - Conditional Uses

The following uses may be allowed in the Community Service District, subject to approval in accordance with Article X, Sections 1020.03, 1020.04 and 1020.05.

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

- A) All outside storage areas for any of the above listed permitted uses, provided that such outdoor storage areas shall be totally screened from view from any Residential District, Planned Residential District or Suburban Office District.
- B) Game rooms, pool rooms and associated uses, provided that:
  - 1) A complete schedule of hours of operation is submitted with the conditional use permit. The hours of operation shall be adhered to. Changes in hours of operation shall require an amended conditional use permit.
  - 2) A plan for supervision of the facility, including hours of supervision, number of supervisors, and type of supervision that is provided.

## Section 560.04 - Development Standards

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

A) Lot Area/Coverage

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

B) Lot Width

- 1) A minimum lot width of one hundred (100) feet at the building line shall be required.
- 2) All lots shall front and abut on a public street for a minimum distance of sixty (60) feet.

C) Side Yards

For structures located in the CS, there shall be a side yard of not less than fifty (50) feet on each side of any structure located on the lot.

D) Rear Yard

- 1) For structures located in the CS, the rear yard shall be no less than twenty percent (20%) of the lot depth or fifty (50) feet, whichever is greater.
- 2) A use to be serviced from the rear shall have a service court, alley or combination thereof not less than forty (40) feet wide in addition to the required minimum rear yard setback listed above.

## Section 560.05 - Supplementary Development Standards

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

- A) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained, and screened from the view of adjacent residential and office areas.
- B) Repair and service of automotive and marine items shall be conducted wholly within an enclosed structure permanently located on the lot.
- C) All exterior lighting shall be designed to prevent direct glare on adjoining residential zoning.
- D) The required parking setback shall be established by the appropriate placement of bumper guards designed to prohibit direct access from the display area onto the public road right-of-way. Bumper guards may be cast concrete, landscaping timbers or vertical poles all of which are permanently attached to the ground and designed to prohibit direct access to the public road.
- E) Attention-getting devices such as banners, posters, pennants, ribbons, streamers, spinners or other similar moving devices shall be prohibited.
- F) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at the property line on which such loudspeaker or noise attention-getting device is used, the noise level emitted from such loudspeaker shall not be above a decibel level of sixty (60), as measured at any property line.

## SECTION 570 – RESTRICTED INDUSTRIAL DISTRICT (RI)

### Section 570.01 – Purpose

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

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

### Section 570.02 - Permitted Uses

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

311340	Non-chocolate Confectionery Manufacturing
311351	Chocolate and Confectionery Manufacturing from Cacao Beans
311423	Dried and Dehydrated Food Manufacturing
311812	Commercial Bakeries
311813	Frozen Cakes, Pies, and Other Pastries Manufacturing
311821	Cookie and Cracker Manufacturing
315280	Other Cut and Sew Apparel Manufacturing
316210	Footwear Manufacturing
316992	Women's Handbag and Purse Manufacturing
325411	Medicinal and Botanical Manufacturing
325412	Pharmaceutical Preparation Manufacturing
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing
327211	Flat Glass Manufacturing
327213	Glass Container Manufacturing
333316	Photographic and Photocopying Equipment Manufacturing
334111	Electronic Computer Manufacturing
334310	Audio and Video Equipment Manufacturing
334417	Other Electronic Component Manufacturing
334514	Totalizing Fluid Meter and Counting Device Manufacturing
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals
339910	Jewelry and Silverware Manufacturing

### Section 570.03 - Conditional Uses

The following use may be allowed in the Restricted Industrial District, subject to approval in accordance with Article X, Sections 1020.03, 1020.04 and 1020.05.

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

### Section 570.04 - Development Standards

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

A) Lot Area/Coverage

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

- 1) A use allowed in this district shall operate entirely within an enclosed structure, emitting no dust, smoke, noxious odor or fumes outside this structure, and producing a noise level audible at the property line no greater than the average noise level occurring on any adjacent street.
- 2) Open service areas and loading docks shall be effectively screened to conceal service and loading operations from adjoining streets and from any Residential District or Planned Residential district as defined in Article III.

B) Lot Width

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

C) Side Yards

For structures, including open service and loading areas, the minimum required side yards shall be not less than fifty (50) feet on each side of the structure from the interior lot line. A minimum of one hundred (100) feet shall be required from any Residential District or Planned Residential District as defined in Article III, or any non-conforming residential lot.

D) Rear Yard

For structures, the required rear yard shall be not less than twenty percent (20%) of the lot depth or fifty (50) feet, whichever is greater, from any interior lot line. A minimum of one hundred (100) feet shall be required from any Residential District or Planned Residential District as listed in Article III, or any non-conforming residential lot.

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

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

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

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

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

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



## SECTION 580 – LIMITED INDUSTRIAL DISTRICT (LI)

### Section 580.01 – Purpose

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

### Section 580.02 - Permitted Uses

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

238	Contractors
337	Manufacturing
444	Building Material Dealers
481	Air Transportation
482	Rail Transportation
484	General Freight Trucking Transportation
493	Warehousing (except Farm Product and Warehousing Storage)
531	Mini-warehouses and Self-Storage Units
3112	Grain Manufacturing
3115	Dairy Manufacturing
321992	Prefabricated Wood Building Manufacturing
335210	Small Electrical Appliance Manufacturing
337121	Upholstered Household Furniture Manufacturing
337122	Non-upholstered Wood Household Furniture Manufacturing
337211	Wood Office Furniture Manufacturing
337212	Custom Architectural Woodwork and Millwork Manufacturing
337214	Office Furniture (except wood) Manufacturing
339920	Sporting and Athletic Goods Manufacturing
339930	Doll, Toy and Game Manufacturing
339940	Office Supplies (except paper) Manufacturing
423320	Brick, Stone, and Related Construction Material Merchant Wholesalers
423620	Household Appliances, Electric Housewares, and Consumer Electronics Merchant Wholesalers

**Section 580.03 - Conditional Uses**

The following uses may be allowed in the Limited Industrial District subject to approval in accordance with Article X, Section 1020.03, 1020.04 and 1020.05:

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

- A) Other industrial uses not permitted in any other zone which demonstrate they can meet the development standards, nuisance provisions, and other applicable requirements of this Resolution.
- B) All establishments selling forms of adult material provided that all development standards of this section and Article VIII are met.

**Section 580.04 - Development Standards**

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

- A) Intensity of Use  

A use allowed in this district shall entirely enclose its primary operation within a structure. Open storage, service areas and loading docks shall be screened by walls or fences at least six (6) feet, but not more than twelve (12) feet in height. These walls or fences shall conceal production, storage, service, and loading operations from adjoining streets and from any Residential District or a Planned Residential District as defined in Article III.
- B) Lot Width  

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

For structures, including open service and loading areas, the minimum required side yards shall be not less than fifty (50) feet on each side of the structure from the interior lot line. A minimum of one hundred (100) feet shall be required from any Residential District or Planned Residential District as defined in Article III, or any non-conforming residential lot.
- D) Rear Yard  

For structures, the required rear yard shall be not less than twenty percent (20%) of the lot depth or fifty (50) feet, whichever is greater, from any interior lot line. A minimum of one hundred (100) feet shall be required from any Residential District or Planned Residential District as listed in Article III, or any non-conforming residential lot.

- E) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained.
- F) Repair and service of automotive and marine items shall be conducted wholly within an enclosed structure permanently located on the lot.
- G) All exterior lighting shall be designed to prevent direct glare on adjoin residential zoning districts.
- H) The required parking setback shall be established by the appropriate placement of bumper guards designed to prohibit direct access from the display area onto the public road right-of-way. Bumper guards may be cast concrete, landscaping timbers or vertical poles all of which are permanently attached to the ground and designed to prohibit direct access to the public road.
- I) Attention-getting devices such as banners, posters, pennants, ribbons, streamers, spinners or other similar moving devices shall be prohibited.
- J) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at any property line of the lot upon which such loudspeaker or noise attention-getting devices is used, the noise level emitted from such loudspeaker shall not be above a decibel level of sixty (60).



# Article VI

## Planned Districts

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### SECTION 600 - PROCEDURES AND REGULATIONS FOR PLANNED DISTRICTS ADOPTED

#### Section 600.01 - Procedures and Regulations for Planned Districts Adopted

Planned Zoning Districts may be established by application in accordance with the provisions of this Article and Article IX and the district requested by each application.

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

Regulations pertaining to the use of land and/or structures, and the physical development thereof within each of the zoning districts as adopted as a Planned Zoning District in Article III and VI of this Resolution, and shown on the Official Zoning District Map attached hereto are hereby established by this Article VI. Any applicant thus requesting a rezoning to any of the Planned Zoning District designations shall follow the procedures and regulations pertaining to the requested district, as outlined infra.

#### Section 600.03 - Rules of Application

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

A) Identification of Uses

Listed uses are to be defined by their customary name or identification, except where they are specifically defined or limited in this Zoning Resolution. When a listed use has a number preceding the name, that number shall refer to the code number and activity title as listed in the North American Industrial Classification System (NAICS) Manual, 2012 Edition. A group code and title (those with two (2) or three (3) digits) shall include all industry codes and titles listed in the group other than those specifically excepted.

B) Permitted Uses

Only uses designated as a permitted use shall be allowed as a matter of right in a Planned Zoning District and any use not so designated shall be prohibited, except, an additional use may be approved as a part of the development plan at the discretion of the Zoning Commission, if the use is deemed to be substantially similar to other permitted uses allowed within the Planned Zoning District.

C) Procedures

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

D) Development Standards

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

## SECTION 610 - PLANNED RESIDENTIAL DISTRICT (PRD)

### Section 610.01 - Purpose

#### A) General

The Planned Residential District (PRD) is provided to promote imaginative, well-designed developments, which preserve open space, respect the physical qualities and limitations of the land, and provide improved living environments; opportunities to reduce development costs also may be provided by the PRD.

#### B) Benefits of PRD

To achieve the goals of the PRD, the development standards established by the PRD provide for the following advantages:

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

#### C) Responsibilities of Applicant

The applicant is required to provide all the information to confirm that the application meets the development standards established by this Section of the Zoning Resolution. Any applications deemed incomplete will not be processed until the Zoning Inspector determines that the application provides all the necessary required information required in accordance with this Section.

### Section 610.02 - Permitted Uses

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

- A) Detached single-family residences.
- B) Zero lot line, attached twin single, townhouse, or other innovative forms of residential development, provided all density criteria and applicable requirements are met.
- C) Home occupations in association with a permitted dwelling, and in accordance with the standards of Article VIII.
- D) Accessory buildings and uses in association with a permitted dwelling, in accordance with the standards of Article VIII.
- E) Public or private schools offering general educational courses and having no rooms used for housing or sleeping of students.
- F) Parks, playgrounds and playfields open to the public.
- G) Public or private golf courses or other similar outdoor recreational facilities and normal accessory buildings and uses, provided all uses and functional characteristics are specifically included in the approved development plan.

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

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

- I) Day care or childcare facilities provided such facilities obtain all required licenses and provide a minimum of five hundred (500) square feet of outdoor play area per child. Such play area shall be enclosed by fencing, which shall conform to the architectural requirements of the development plan.
- J) Other residentially-oriented uses which, in the opinion of the Zoning Commission and the Township Trustees, meet the purpose and intent of the PRD and are adequately designed, located and otherwise provided for by the development plan and other required documents.

### Section 610.03 - Tract and Density Criteria

The owner(s) of a tract of land ten (10) acres or more in area may request that the Official Zoning District Map be amended to include such tract in the PRD.

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

### Section 610.04 - Development Standards

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

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

- 2) Open space should be unified and massed so that no open space is narrower than the development’s average lot width in any direction, excluding bike paths and pedestrian trails. Open space may include retention ponds, as needed, so long as the ponds are designed and maintained as natural features that blend in to the landscape. Open space should be platted as an open space reserve, including appropriate conservation easements, and should be interconnected with open space areas on abutting parcels. Areas that should not be considered as open space include:
  - a) Private roads and public road right-of-ways;
  - b) Parking areas, access ways and driveways;
  - c) Required setbacks between buildings, parking areas and project boundaries;
  - d) Required setbacks between buildings and streets;
  - e) Private yards; and
  - f) Other small fragmented or isolated open space areas that have a dimension less than seventy-five (75) feet in any direction.
  
- 3) Open space credit shall be given for thirty-three and one third percent (33 1/3%) of the total amount of land within a proposed school site or within wetlands or floodplain; however, the Jefferson Township Trustees may grant additional credit if the land proposed for open space is determined to be an exceptional natural resource or meets a recognized need, the satisfaction of which benefits the public health, safety, convenience, comfort, prosperity or general health safety and welfare of the Jefferson Township. Except as otherwise permitted herein, no structures or buildings shall be permitted within jurisdictional wetlands or within floodplains as defined by this Zoning Resolution. The lands to be set aside to meet the open space requirements of this section are subject to the approval of the Zoning Commission and the Jefferson Township Trustees, which bodies shall determine that the open space is of a size, character, shape, topography and location to be useable and accessible. Land set aside as open space shall not be included in the minimum yard space required for a dwelling.

B) Lot and Yard Areas

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

C) Private Roads

- 1) Private roads as a common easement may be utilized, provided the following criteria are met:
  - a) Preliminary street plans and typical sections are submitted and approved with the development plan.
  - b) Township fire and safety officials provide a written statement indicating to the Township Trustees that the private roads will provide suitable access for emergency vehicles.
  - c) Private maintenance responsibilities are clearly indicated in legal documents.
  - d) All applicable Franklin County Subdivision Regulations.



D) Parking

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

E) Lot Arrangement

No dwelling unit may back up to a street.

## Section 610.05 - Application Requirements and Procedure

A) Site Plan

In exchange for flexibility, the PRD requires that the applicant provide some details, which are traditionally found in the sub-division stage of development approval. It is therefore suggested that the applicant informally discuss the plans with county subdivision authorities (e.g. Franklin County Economic Development and Planning Department, Franklin County Engineer, Franklin County Board of Health, etc.) and the Jefferson Township Zoning Commission, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on a byway) and the Jefferson Water and Sewer District prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.

B) Submission of Application

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

C) Development Plan Submission

Ten (10) copies of a development plan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Official Zoning District Map. Such development plan shall conform to the following:

- 1) The preliminary plan requirements of the Franklin County Subdivision Regulations, as amended and adopted by the Franklin County Commissioners January 16, 2001, and as may be amended in the future. Such requirements include, but are not limited to, topographical contours at one (1) foot or two (2) foot intervals, soils information at a 1" = 100' scale, information on wooded areas, floodplains, and engineering feasibility studies for proposed sewage disposal, water supply, and storm water drainage systems.
- 2) The proposed location and size of areas of residential use, indicating dwelling unit densities, dwelling unit types, the total number of dwelling units for each density area, and the total number of dwelling units proposed in the development plan.
- 3) The proposed size, location, and use of any non-residential portion of the tract, including usable open areas and spaces with the suggested ownership of such open areas and open spaces.
- 4) Architectural design concepts to be utilized, landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.
- 5) The proposed traffic circulation patterns, including public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, existing streets, or showing other evidence of reasonableness.
- 6) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, and easements.

- 7) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.
- 8) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan. Evidence of control includes property rights, and the engineering feasibility data, which may be necessary.
- 9) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.
- 10) Other information, as may be required by the Jefferson Township Zoning Commission and/or the Jefferson Township Trustees, in order to determine compliance with this Zoning Resolution.

D) Basis of Approval

The basis for approving a PRD application shall be:

- 1) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution.
- 2) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.
- 3) That the proposed development advances the general welfare of Jefferson Township and the immediate vicinity.
- 4) That the benefits, improved arrangement, and the design of the proposed development justify the deviation from standard residential development requirements included in this Zoning Resolution.
- 5) Any and all other considerations deemed appropriate by the Zoning Commission to protect and promote the interest of public health, safety, convenience, comfort, prosperity, and general welfare of the Township.

E) Effect of Approval

The development plan as approved by the Jefferson Township Trustees shall constitute an amendment to the PRD Regulations as they apply to the land included in the approved amendment. Approval shall be for a period of three (3) years for tracts less than fifty (50) acres and five (5) years for tracts more than fifty (50) acres. This time period is to allow the preparation of the required subdivision plat, submitted in accordance with the subdivision regulations for Franklin County, Ohio. Unless the required subdivision plat is submitted and recorded within the required time limit, approval of the final development plan shall expire, except if an application for time extension is approved in accordance with the following section.

F) Plat Required

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

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

- 2) The nature and extent of earthwork required for site preparation and development.
- 3) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvement thereon, including those areas which are to be commonly owned and maintained.

G) Review Opportunity of Final Development Plan/Preliminary Plat

- 1) Upon approval of the zoning by the Jefferson Township Trustees, but prior to development of a final plat, the applicant will provide a review opportunity to the Township Zoning Commission of a final Development Plan/Preliminary Plat. The applicant will provide ten (10) copies of such document(s) which make(s) up the final Development Plan/Preliminary Plat for review at a public meeting of the Zoning Commission. A public hearing shall not be required. The review will permit the Zoning Commission to determine that the final Development Plan/Preliminary Plat meets the goals, purposes and requirements of the Suburban Periphery Residential District.
- 2) After such review, the Zoning Commission will forward its comments and findings to the Jefferson Township Trustees and to other agencies responsible for the platting of land within Franklin County.

H) Extension of Time

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

I) Divergences

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

**Section 610.06 - Procedure to Modify an Approved Plan**

- A) The Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall vote to approve, approve with modifications or deny the modification. Approval of modification(s) whether major or minor in character, shall be given upon a finding that:
- 1) A necessity exists requiring the modification;
  - 2) There is evidence of a reasonable effort to construct the development according to the original development plan; and
  - 3) That the modification is not in conflict with the general health and safety of the public or with the development standards for the zoning district.

- B) Minor Modification: A modification which does not substantially alter the design, layout and character of the approved development plan; which does not increase the size of residential areas or reduce the size of open space areas, or which in any other way is not a major deviation of the approved development plan is a minor modification. Minor modifications include, but are not limited to:
- 1) Lot line adjustments (no additional lots may be created).
  - 2) Adjusting the location of easements for public utilities so long as designated open space is not disturbed and the layout, design and character of the approved development is not altered;
  - 3) Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.
  - 4) Altering and/or modifying deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.
  - 5) Increasing the amount of open space when such increase benefits the general character of the approved development.
  - 6) Minor relocation of public street(s) or entries (Relocation is less than one hundred (100) feet from original approved location).
  - 7) Such other changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.
- C) Major Modification: A modification, which substantially alters the design, layout and character of the approved development plan; increases the size of residential areas or reduces the size of open space areas or in any other way is a major deviation of the approved development plan, is a major modification. Major modifications include, but are not limited to:
- 1) Enlarging residential areas or increasing the number of lots.
  - 2) Increasing impervious cover.
  - 3) Reducing open space from the amount approved at the time of rezoning; altering open space shown in the approved development plan or approved at the time of rezoning.
  - 4) Relocating easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development.
  - 5) Relocation of public streets, entries, and/or other infrastructure so as to significantly alter the approved layout, design, and character of the approved development, or where the relocation is one hundred (100) feet or more from the original approved location.
  - 6) Such other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved plan, or as approved as part of the rezoning.

## SECTION 620 - PLANNED SUBURBAN RESIDENTIAL DISTRICT (PSR)

### Section 620.01 - Purpose

A) General

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

B) Benefits of the PSR

To achieve these goals, the PSR provides the potential for the following:

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

C) Responsibilities of Applicant

The applicant shall provide all information to confirm that the application meets the development standards established by this Section of the Zoning Resolution. Any application deemed incomplete will not be processed until the Zoning Inspector determines that the application provides all the information required in accordance with this Section.

### Section 620.02 - Permitted Uses

Land and buildings in the PSR shall be limited to one or more of the following uses:

- A) Detached single-family residences.
- B) Single-family, attached twin singles, townhouses, or other innovative forms of suburban residential development, provided all density criteria and applicable requirements are met.
- C) Home occupations in association with a permitted dwelling and in accordance with the standards of Article VIII.
- D) Accessory buildings and uses in association with a permitted dwelling, in accordance with the standards of Article VIII.
- E) Public or private schools that offer general educational courses and have no rooms used for the housing or sleeping of students.
- F) Parks, playgrounds and playfields open to the public.
- G) Public or private golf courses or other similar outdoor recreational facilities and normal accessory buildings and uses, provided all uses and functional characteristics are specifically included in the approved development plan.

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

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

- I) Day care or childcare facilities provided such facilities obtain all required licenses and provide a minimum of five hundred (500) square feet of outdoor play area per child. Such play area shall be enclosed by fencing, which shall conform to the architectural requirements of the development plan.
- J) Other residentially-oriented uses which, in the opinion of the Jefferson Township Zoning Commission and the Jefferson Township Trustees, meet the purpose and intent of the PSR and are adequately designed, located and otherwise provided for by the development plan and other required documents.

**Section 620.03 - Tract and Density Criteria**

The owner(s) of a tract of land ten (10) acres or more in area may request that the Official Zoning District Map be amended to include such tract in the PSR.

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

**Section 620.04 - Development Standards**

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

A) Open Space

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

- 2) Open space should be unified and massed so that no open space is narrower than the development's average lot width in any direction, excluding bike paths and pedestrian trails. Open space may include retention ponds, as needed, so long as the ponds are designed and maintained as natural features that blend in to the landscape. Open space should be platted as an open space reserve, including appropriate conservation easements, and should be interconnected with open space areas on abutting parcels. Areas that should not be considered as open space include:
- a) Private road and public road right-of-ways.
  - b) Parking areas, access ways and driveways.
  - c) Required setbacks between buildings, parking areas and project boundaries.
  - d) Required setbacks between buildings and streets.
  - e) Private yards.
  - f) Other small fragmented or isolated open space areas that have a dimension of less than seventy-five (75) feet in any direction.
- 3) Open space credit shall be given for thirty-three and one third percent (33 1/3%) of the total amount of land within a proposed school site or within wetlands or floodplain, however, the Jefferson Township Trustees may grant additional credit if the land proposed for open space is determined to be an exceptional natural resource or meet a recognized need, the satisfaction of which benefits the public health, safety, convenience, prosperity, and general welfare of Jefferson Township. Except as otherwise permitted herein, no structures or buildings shall be permitted within jurisdictional wetlands or within floodplains as defined by this Zoning Resolution. The lands to be set aside to meet the open space requirements of this section are subject to the approval of the Zoning Commission and the Township Trustees, which shall determine that the open space is of a size, character shape, topography and location to be useable and accessible. Land set aside as open space shall not be included in the minimum yard space required for a dwelling.

B) Lot and Yard Areas

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

C) Private Roads

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

- 1) Preliminary street plans and typical sections are submitted and approved with the development plan.
- 2) Jefferson Township fire and safety officials provide a written statement indicating to the Jefferson Township Trustees that the private roads will provide suitable access for emergency vehicles.
- 3) Private maintenance responsibilities are clearly indicated in legal documents.
- 4) All applicable Franklin County Subdivision Regulations.

D) Parking

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

E) Buffer Area

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

F) Lot Arrangement

- 1) No dwelling unit may back up to a street.
- 2) If the development cannot be planned so as to set back a sufficient distance so as not to impose or affect the streetscape of the existing street upon which it is located, then lots adjacent to existing public rights-of-way are encouraged to create open space adjacent to such right-of-way, fronting such dwelling units on reduced pavement width section streets or private drives arranged as follows:

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

## Section 620.05 - Natural Resource Protection

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

A) Wetlands

- 1) Determination: Wetland areas shall be determined by reference to the following sources in the order indicated below. If the first source is considered inaccurate or inappropriate, the succeeding techniques may be used:
  - a) Wetland inventory maps prepared by Franklin County.
  - b) Field survey of plan material by a botanist.
  - c) Soil borings provided by a registered soil engineer or soils scientist.



- 2) Protection Levels: One hundred percent (100%) of all wetland areas shall be protected except as follows:
  - a) Where disturbance of filling is essential to provide access to the buildable portions of the property and no other alternative is feasible.
  - b) Where required to provide access to a water-related use.
  - c) Where a crossing of the wetland is essential to the establishment of a permitted use provided that a Conditional Use Permit is obtained; and also provided that:
    - i) The street cannot, as a practical matter, be located outside a wetland; and
    - ii) The street is designed and constructed to minimize the adverse impact upon the natural functions of the wetland, and meets the following standards:
      - A) The street shall be designed and constructed for the minimum cross-section practical to serve the intended use.
      - B) Street construction activities are to be carried out in the immediate area of the road bed only.
      - C) Any filling, flooding, draining, dredging, ditching, tiling, or excavating that is to be done must be necessary for the construction or maintenance of the street.
- 3) Disruption and/or Modification: All development proposals which disturb any wetland areas shall, in addition to the provisions of this Zoning Resolution, provide proof of approval by the U.S. Army Corp of Engineers.

B) Drainageways

- 1) Determination: Drainageways are determined as follows:
  - a) The land, except where areas are designated as floodplain, on either side of and within fifty (50) feet of the centerline of any intermittent or perennial stream shown on the U.S. Geological Survey's 7 ½ minute quadrangle sheets covering Franklin County.
  - b) The land, except where areas are designated as floodplain, on either side of and within twenty-five (25) feet of the centerline of any swale identified by topography and hydrologic analysis as serving as the principal stormwater outfall rather than tributary for, at a minimum, the subbasin of a sub watershed area.
  - c) The land included within the following soil classes as mapped in the soil maps provided by the U.S. Department of Agriculture as published in Soil Survey of Franklin County, Ohio dated February 1980 (or as amended) determined to be floodplain soils.
- 2) Protection Levels: Drainage ways shall be protected areas as permanent open space.

C) Floodplains

- 1) Determination: The Federal Emergency Management Agency Flood Insurance Rate Maps shall determine the one hundred (100) year recurrence interval floodplain and floodways.

- 2) Protection Levels:
  - a) For all developments, the level of protection provided for floodplains shall distinguish between the floodway and the one hundred (100) year recurrence interval floodplain boundary (as designated on the Flood Boundary and Floodway Maps or as determined by a required on-site survey). Floodways and one hundred (100) year recurrence interval floodplains shall be protected as permanent open space.
  - b) No uses or improvements, other than those permitted herein shall be permitted in any area consisting of floodway or one hundred (100) year recurrence interval floodplain as defined by this Zoning Resolution.
  - c) All development shall have the approval of the Franklin County NFIP Administrator.

D) Woodlands

- 1) Definition:
  - a) **Woodland, Mature:** An area of mature deciduous trees covering one (1) acre or more and consisting of thirty percent (30%) or more largely deciduous canopy trees have a ten (10) inch or greater caliper or any grove of deciduous trees consisting of eight (8) or more trees having an eighteen (18) inch or greater caliper.
  - b) **Woodland, Young:** An area of deciduous or evergreen trees covering one (1) acre or more and consisting of seventy percent (70%) or more of canopy trees have a three (3) inch caliper or greater.

- 2) Determination:
 

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

- 3) Methodology:
 

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

- 4) Protection Levels:
 

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

## Section 620.06 - Application Requirements and Procedure

### A) Site Plan

In exchange for flexibility, the PSR requires that the applicant provide some details, which are traditionally found in the subdivision stage of a development approval. It is therefore suggested that the applicant informally discuss the plans with Franklin County subdivision authorities (e.g. Franklin County Economic Development and Planning Department, Franklin County Engineer, Franklin County Board of Health, etc.) and the Jefferson Township Zoning Commission, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on a byway) and the Jefferson Water and Sewer District prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.

### B) Submission of Application

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

### C) Development Plan Submission

Ten (10) copies of a development plan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Official Zoning District Map. Such development plan shall conform to the following:

- 1) The preliminary plan requirements of the Franklin County Subdivision Regulations, as amended and adopted by the Franklin County Commissioners on January 16, 2001 and as may be amended in the future. Such requirements include, but are not limited to, topographical contours at two (2) foot intervals, soils information at a 1" = 100' scale, information on wooded areas, flood-plains, wetlands and engineering feasibility studies for proposed sewage disposal, water supply, and storm water drainage systems.
- 2) The proposed location and size of areas of residential use, indicating dwelling unit densities, dwelling unit types, the total number of dwelling units for each density area, and the total number of dwelling units proposed in the development plan.
- 3) The proposed size, location, and use of non-residential portions of the tract, including usable open areas, parks, playgrounds, school sites, and other areas and spaces with the suggested ownership of such areas and spaces.
- 4) Architectural design concepts to be utilized, landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.
- 5) The proposed traffic circulation patterns, including all dedicated public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, existing streets, or showing other evidence of reasonableness.
- 6) The proposed time schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, and easements.
- 7) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.
- 8) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan. Evidence of control includes property rights, and the engineering feasibility data, as may be necessary.

- 9) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned and maintained.
- 10) Other information, as may be required by the Jefferson Township Zoning Commission and/or the Jefferson Township Trustees, in order to determine compliance with this Zoning Resolution.
- 11) Evidence that sewer and water is available for the project from the Jefferson Water and Sewer District.

D) Basis of Approval

Approval of an application requesting a rezoning to PSR shall provide, but not be limited to, the following:

- 1) That the proposed development plan is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution.
- 2) That the proposed development plan is in conformity with the comprehensive plan or portion thereof as it may apply.
- 3) That the proposed development plan advances the general welfare of Jefferson Township and the immediate vicinity.
- 4) That the benefits, improved arrangement, and the design of the proposed development plan justify the deviation from standard residential zoning district requirements included in this Zoning Resolution.
- 5) Any and all other considerations deemed appropriate by the Zoning Commission to protect and promote the interests of public convenience, comfort, prosperity, and general welfare of the Township.

E) Effect of Approval

The development plan as approved by Jefferson Township Trustees shall constitute an amendment to the PSR as they apply to the land included in the approved amendment.

The approval shall be for a period of three (3) years for tracts between ten (10) and fifty (50) acres and five (5) years for property in excess of fifty (50) acres to allow the preparation of the required subdivision plat in accordance with the subdivision regulations of Franklin County, Ohio. Unless the required subdivision plat is submitted and recorded within the required time limits, approval of the final development plan shall expire, except if an application for time extension is approved in accordance with the following section.

F) Plat Required

In the PSR, no use may be established or changed and no structure may be constructed or altered until the required Subdivision Plat has been record in accordance with the Subdivision Regulation for Franklin County, Ohio. The Subdivision Plat shall be in accordance with the approved development plan and illustrate or include:

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

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

G) Review Opportunity of Final Development Plan/Preliminary Plat

- 1) Upon approval of the zoning by the Jefferson Township Trustees, but prior to development of a final plat, the applicant will provide a review opportunity to the Township Zoning Commission of a final Development Plan/Preliminary Plat. The applicant will provide ten (10) copies of such document(s) which make(s) up the final Development Plan/Preliminary Plat for review at a public meeting of the Zoning Commission. A public hearing shall not be required. The review will permit the Zoning Commission to determine that the final Development Plan/Preliminary Plat meets the goals, purposes and requirements of the Suburban Periphery Residential District.
- 2) After such review, the Zoning Commission will forward its comments and findings to the Jefferson Township Trustees and to other agencies responsible for the platting of land within Franklin County.

H) Extension of Time

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

I) Divergences

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

### **Section 620.07 - Procedure to Modify**

- A) The Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall, vote to approve, approve with modifications or deny the modification.
- B) Approval of modification(s) whether major or minor in character, shall be given upon a finding that:
  - 1) A necessity exists requiring the modification;
  - 2) There is evidence of a reasonable effort to construct the development according to the original development plan; and
  - 3) That the modification is not in conflict with the general health and safety of the public or with the development standards for the zoning district.

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

- 1) Lot line adjustments (no additional lots may be created).
- 2) Adjusting the location of easements for public utilities so long as designated open space is not disturbed, or the layout, design and character of the approved development is not altered.
- 3) Altering or modifying deed restrictions, architectural concepts or landscaping design so as to be less restrictive than those made a part of the approved development plan or approved as part of the rezoning.
- 4) Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.
- 5) Increasing the amount of open space when such an increase benefits the general character of the approved development.
- 6) Minor relocation of public street(s) or entries (Relocation is less than one hundred (100) feet from original approved location).
- 7) Such other changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

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

- 1) Enlarging residential areas or increasing the number of lots.
- 2) Increasing impervious cover.
- 3) Reducing open space from the amount approved at the time of rezoning; altering open space shown in the approved development plan or approved at the time of rezoning.
- 4) Relocating easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development.
- 5) Relocation of public streets, entries, and/or other infrastructure so as to significantly alter the approved layout, design, and character of the approved development, or where the relocation is one hundred (100) feet or more from the original approved location.
- 6) Such other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved plan, or as approved as part of the rezoning.

# SECTION 630 - SUBURBAN PERIPHERY RESIDENTIAL DISTRICT (SPR)

## Section 630.01 - Purpose

The Suburban Periphery Residential District (SPR) is provided for large-scale residential areas that are served by a centralized sanitary sewer and water system. The SPR is appropriate for peripheral areas of Jefferson Township to create a buffer to and transition from parcels in other political jurisdictions that are used or zoned at a residential density similar to that allowed by the SPR. The use of this zoning district is limited to parcels or parts of parcels within Jefferson Township which are twenty-five (25) acres or greater, which have been designated as “extra-high density” on the Jefferson Township Comprehensive Plan, adopted on September 4, 1996, and its subsequent amendments, and which are adjacent to parcels in other jurisdictions that are used or zoned at a residential density the same or greater than that allowed by this zoning district.

## Section 630.02 - Permitted Uses

A) Dwelling

- 1) Single-family dwellings.
- 2) Two-family dwellings, condominiums and town homes.
- 3) Multi-family dwellings.

B) Accessory Uses

Accessory buildings and uses in association with dwellings as specified in Article VIII.

C) Parks, Playgrounds and Playfields Open to the Public

D) Home Occupation

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

E) Public or Private Schools

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

F) Religious

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

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

G) Child Care

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

**Section 630.03 - Development Standards**

The following standards for arrangement and development of land and buildings are required in the Suburban Periphery Residential District. When not specifically supplanted by the following standards as approved in the development plan, provisions of Article VIII – the General Development Standards shall also apply:

A) Lot Area

- 1) Detached single-family dwelling structures:

A variable lot width mix of forty-eight (48) foot, fifty-four (54) foot and sixty (60) foot shall be used in each single-family area to provide a greater range of floor plans and variety in structures as viewed from the street. Lot area standards in Table VI-1 shall be followed.

**TABLE VI-1**

**Detached Single-Family Variable Lot Size Standards**

<i>Minimum</i>	<i>Small Lot</i>	<i>Average Lot</i>	<i>Large Lot</i>
Lot Area	4,800 sqft	5,400 sqft	6,000 sqft
Lot Width	48 ft.	54 ft.	60 ft.
Min. % of Total Units	20%	50%	30%
Street Setback (with alley)	15 ft.	15 ft.	15 ft.
Street Setback (Collector*)	35 ft.	35 ft.	35 ft.
Side Yard	5 ft.	5 ft.	5 ft.
Rear Yard	20 ft.	20 ft.	20 ft.
Rear Yard (with alley)	20 ft.	20 ft.	20 ft.

\*Setbacks of the development from existing streets that are designed to be of such a distance so as to not impose the newly developed areas on the existing streetscape or substantially change the existing streetscape are encouraged. Open space credit shall be granted on an acre per acre basis to those applicants whose plans substantially meet these criteria.



- 2) Two-family dwellings, condominiums, town homes, and other attached single-family dwelling structures shall follow standards in Table VI-2:

**TABLE VI-2**

**Lot Standards**

<i>Minimum</i>	<i>Two-Family</i>	<i>Attached Single-Family</i>
Lot Area	4,500 sqft. per d.u.**	3,300 sqft. per d.u.
Lot Width at Setback	45 ft. per d.u.	32 ft. per d.u.
Lot Width at Street	40 ft. per d.u.	28 ft. per d.u.
Resulting Lot Depth	100 ft.	100 ft.
Street Setback*	25 ft.	25 ft.
Side Yard Setback	5 ft.	20 ft. separation between buildings (may be common open space)
Rear Yard Setback	20 ft.	20 ft.

\*Setbacks of the development from existing streets that are designed to be of such a distance so as to not impose the newly developed areas on the existing streetscape or substantially change the existing streetscape are encouraged. Open space credit shall be granted on an acre per acre basis to those applicants whose plans substantially meet these criteria.

\*\*d.u. means “dwelling unit”

- 3) Detached single-family dwelling structures developed as part of condominium shall be permitted, and shall be laid out as if they were lots. They shall follow standards for attached single-family dwelling units in Table VI-2, with the following exceptions:
- a) Side yard minimum setback shall be five (5) feet.
  - b) Rear yard minimum setback shall be twenty (20) feet.
  - c) Lot width minimum shall be thirty-six (36) feet at street and at building setback.
  - d) Front yard setbacks for lots with alleys in the rear shall be a minimum of fifteen (15) feet from back of curb for a private street or edge of right-of-way for a public street.
  - e) A detached garage in the rear yard serviced by a private alley may be located at the rear lot line. Minimum separation between detached garages shall be ten (10) feet.
- 4) Multi-family dwelling structures:

For each dwelling unit, there shall be a lot area of not less than 3,300 square feet.

B) Tract and Development Density Criteria

- 1) To be designated as SPR, tracts of land:
  - a) Must be at least twenty-five (25) acres or greater in size.
  - b) Must have been previously designated as “extra-high residential density” on Jefferson Township’s Comprehensive Land Use Map.
  - c) Must be adjacent to tracts in other jurisdictions, which are zoned to or have been developed at a density of four point five (4.5) dwelling units per acre or greater.
- 2) Any development tract located in the SPR shall not exceed four point five (4.5) dwelling units (d.u.) per acre.

C) Lot Width and Frontage on a Public Right-of-Way

- 1) For detached single-family dwelling structures on separate platted lots, refer to Table VI-1. Each lot shall have access to and abut on a public right-of-way.
- 2) For two-family, town homes, and other attached single-family dwelling structures, see standards listed in Table VI-2.
- 3) For detached single-family dwelling structures developed as part of a condominium, refer to Table VI-2.
- 4) For multi-family dwelling structures, there shall be a lot width of one hundred twenty (120) feet or more measured both at the public right-of-way and at the setback line.

D) Front Yard Setback

- 1) The front yard setback for all structures located on a collector or larger street shall be thirty-five (35) feet measured from the edge of the public right-of-way.
- 2) The front yard setback for all residential structures located on streets smaller than a collector street shall be twenty (20) feet measured from the edge of the public right-of-way.

E) Side Yards

- 1) For detached single-family dwelling structures, see standards listed in Table VI-1.
- 2) For two-family, townhomes and other attached single-family dwellings, see standards listed in Table VI-2.

F) Rear Yard

- 1) For detached single-family residential structures, see standards listed in Table VI-1.
- 2) For two-family, townhomes and other attached single-family dwellings, see standards listed in Table VI-2.
- 3) For multi-family dwelling structures, a perimeter yard of twenty-five (25) feet shall be required. A perimeter yard is defined as that area around the exterior of a multi-family dwelling structure where a front, side or rear yard is not easily determined.

G) Service Alleys

The use of service alleys in areas to be developed for detached single-family residential uses is strongly encouraged in order to allow for reduced street widths and to create a more pleasing view from the street. The minimum right-of-way width for public service alleys shall be twenty (20) feet, with a minimum sixteen (16) foot pavement width. The minimum right-of-way width for private service alleys shall be twelve (12) feet of pavement in a twenty (20) foot easement or right-of-way. Private streets shall be a minimum of twenty (20) feet in width. Private alleys and streets shall be constructed with a structural number 2.2 as certified to Jefferson Township by a civil engineer licensed to practice in the State of Ohio. Stabilized or improved sub grade may be included as part of the pavement composition.

H) Open Space

- 1) A minimum of twenty-five percent (25%) of the gross area of the tract included in the development plan shall be designated as open space or public use organized, arranged and restricted by easement, covenant, deed or dedication, or by approved plan. Public use may include, but is not limited to, public schools and parks and other public recreational or educational facilities. Except for public schools, no structures shall be permitted in the open space set-aside except those normally associated with or accessory to a public park, such as shelter houses, swimming pools, tennis courts, playground equipment, etc.
- 2) Open space areas are encouraged to be located in areas which preserve and protect natural resources and features such as ravines, tree-lined fence rows and wood lots, or areas which provide floodplain protection. The open space shall be of a size, shape, topography and location to be usable or accessible. Open space shall not be included in the minimum yard space required for any dwelling, or used to provide required off-street parking, excepting there from, tree-lined fence rows on single-family dwelling lots which are protected by a platted easement of not less than twenty-five (25) feet.
- 3) Open space should be unified and massed so that no open space is narrower than the development's average lot width in any direction, excluding pike paths and pedestrian trails. Open space may include retention ponds, as needed, so long as the ponds are designed and maintained as natural features that blend in to the landscape. Open space should be platted as an open space reserve, including appropriate conservation easements, and should be interconnected with open space areas on abutting parcels. Areas that should not be considered as open space include:
  - a) Private road and public road right-of-ways.
  - b) Parking areas, access ways and driveways.
  - c) Required setbacks between buildings, parking areas and project boundaries.
  - d) Required setbacks between buildings and streets.
  - e) Private yards.
  - f) Other small fragmented or isolated open space areas that have a dimension less than seventy-five (75) feet in any direction.

- D) Lot Arrangement
- 1) No dwelling unit may back up to a street.
  - 2) If the development cannot be planned so as to set back a sufficient distance so as not to impose or affect the streetscape of the existing street upon which it is located, then lots adjacent to existing public rights-of-way are encouraged to create open space adjacent to such right-of-way, fronting such dwelling units on reduced pavement width section streets or private drives arranged as follows:

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

### Section 630.04 - Application Requirements and Procedures

In addition to any other procedure set out in this Zoning Resolution, all applications for the SPR shall follow the procedures hereinafter set forth:

- A) Site Plan

In exchange for flexibility, the SPR requires that the applicant provide some details, which are traditionally found in the subdivision stage of a development approval. It is therefore suggested that the applicant informally discuss the plans with Franklin County subdivision authorities (e.g. Franklin County Economic Development and Planning Department, Franklin County Engineer, Franklin County Board of Health, etc.) and the Jefferson Township Zoning Commission, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on a byway) and the Jefferson Water and Sewer District prior to submitting a formal application. This site plan phase is mandatory if private streets are proposed.

- B) Submission of Application

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

C) Development Plan Submission

Ten (10) copies of the development plan, plus one digital copy which can be imported into the Jefferson Township GIS system shall be submitted with the application, which plan shall include in either text and/or map form.

- 1) The proposed size and location of the parcel(s) included in the application for rezoning to the Suburban Periphery Residential District, and the relationship of the proposed development to existing and proposed uses of surrounding areas.
- 2) A description of the proposed general development character of the tract. Such description shall include a concept plan showing the proposed size and location of individual areas to be used for each category of dwelling structure, the proposed number of dwelling units planned for each area, and the proposed density of each area.
- 3) The proposed provisions for water, sanitary sewer, and surface discharge.
- 4) The proposed traffic access points showing locations and their relationship to existing streets.
- 5) The proposed size, location and use of the non-residential portion of the tract, including schools, parks or other public facilities, if any.
- 6) The proposed time schedule for development of the site including streets, buildings, utilities and other facilities.
- 7) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan.
- 8) Signed statement of commitment to provide proposed deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained for review and approval by the Jefferson Township Trustees prior to submittal of final plat.
- 9) A map indicating topographical contours at two (2) foot intervals, soils information at a 1" = 100' scale, information on wooded areas, floodplains, and wetlands.
- 10) Other information, as may be required by the Jefferson Township Zoning Commission and/or the Jefferson Township Trustees, in order to determine compliance with this Resolution.

D) Plat Required

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

- 1) Site arrangement, including building set-back lines or buildable space within lots; water, sewer, and other public utility installations, including sanitary sewage, surface drainage, and waste disposal facilities; public and private street rights-of-way, easements, and walks; school sites, recreation areas, and other land to be dedicated to public use, including the purpose and intent of such dedication; and land to be commonly owned and maintained.
- 2) The nature and extent of earthwork required for site preparation and development.
- 3) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.

E) Action by Zoning Commission

The Zoning Commission shall hold a public hearing on the development plan as provided by this Resolution. Such public hearing shall consider all aspects of the development plan. Within thirty (30) days after the public hearing on such plan, the Zoning Commission shall prepare and transmit to the Jefferson Township Trustees and to the applicant specific findings of fact regarding the development plan, along with recommendations to the Jefferson Township Trustees with respect to the action to be taken on the development plan. The Zoning Commission may recommend disapproval, approval, or approval with amendments, conditions or restrictions.

F) Zoning Commission Findings Required

- 1) The location and physical character of the site shall be suitable for development in the manner proposed and the site is shown on the Jefferson Township comprehensive plan as "extra-high density."
- 2) The site is contiguous to parcels used or zoned at similar residential densities in other political jurisdictions.
- 3) The existing and proposed utility services are adequate to serve the proposed area.
- 4) The benefits, improvements, and the design of the proposed development justify the deviation from the standard residential district requirements included in this Zoning Resolution.

G) Action by the Township Trustees

The Jefferson Township Trustees shall hold a public hearing on the recommendations of the Zoning Commission regarding the development plan as provided by this Resolution. After such hearing, the Trustees may deny, adopt, or adopt with modifications the recommendations of the Zoning Commission. If the application is granted, the area of land involved shall be designated as a Suburban Periphery Residential District by Resolution, and such Resolution shall incorporate the development plan, including any condition or restriction or safeguard that may be imposed by the Jefferson Township Trustees. Violations of such conditions, restrictions or safeguards when made a part of the terms under which the development plan is approved, shall be deemed a violation of this Resolution and subject to the provisions of Article XIII of this Resolution.

H) Review Opportunity of Final Development Plan/Preliminary Plat

- 1) Upon approval of the zoning by the Jefferson Township Trustees, but prior to development of a final plat, the applicant will provide a review opportunity to the Township Zoning Commission of a final Development Plan/Preliminary Plat. The applicant will provide ten (10) copies of such document(s) which make(s) up the final Development Plan/Preliminary Plat for review at a public meeting of the Zoning Commission. A public hearing shall not be required. The review will permit the Zoning Commission to determine that the final Development Plan/Preliminary Plat meets the goals, purposes and requirements of the Suburban Periphery Residential District.
- 2) After such review, the Zoning Commission will forward its comments and findings to the Jefferson Township Trustees and to other agencies responsible for the platting of land within Franklin County.

I) Conflict with Other Sections

Because of the special characteristics of the Suburban Periphery Residential District, special provisions governing the development of land for this purpose are required. Whenever there is a conflict or difference between the provisions of Article VI and those of other Articles of this Resolution, the provisions of Article VI shall prevail. Subjects not covered by Article VI shall be governed by the respective provisions found elsewhere in this Resolution.

J) Relationship to the Subdivision Regulations

The uniqueness of each proposal for a Suburban Periphery Residential District development may require that there may be modifications from the specifications established in the Subdivision Regulations of Franklin County, Ohio. Modifications may be incorporated into the plan by the developer after review and approval by the Franklin County or Regional Planning Commission for consideration by the Zoning Commission and the Jefferson Township Board of Trustees.

K) Divergences

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

### **Section 630.05 - Procedure to Modify an Approved Plan**

The Jefferson Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, then the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall vote to approve, approve with modifications, or deny the modification.

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

- 1) Lot line adjustments (no additional lots may be created).
- 2) Adjusting the location of easements for public utilities, so long as designated open space is not disturbed and the layout, design and character of the approved development plan is not altered.
- 3) Reducing impervious cover (street/driveway width, length, etc.) so long as subdivision layout development design concepts are not modified.
- 4) Altering or modifying deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.
- 5) Increasing the amount of open space when such increase benefits the general character of the approved development.
- 6) Minor relocation of public street(s) or entries (Relocation is less than one hundred (100) feet from original approved location).
- 7) Such other changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

- B) Major Modification: Modification, which substantially alters the design, layout and character of the approved development plan; increase the size of residential areas or reduces the size of open space areas or in any other way is a major deviation of the approved development plan is a major modification. Major modifications include, but are not limited to:
- 1) Enlarging residential areas or increasing the number of lots.
  - 2) Increasing impervious cover.
  - 3) Reducing open space from the amount approved at the time of rezoning; altering open space shown in the approved development plan or approved at the time of rezoning.
  - 4) Relocation easements for public utilities when such relocation intrudes into open space or otherwise alters the layout, design and character of the approved development.
  - 5) Relocation of public streets, entries, and/or other infrastructure so as to significantly alter the approved layout, design, and character of the approved development, or where the relocation is one hundred (100) feet or more from the original approved location.
  - 6) Such other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved plan, or as approved as part of the rezoning.



## SECTION 640 - PLANNED COMMERCIAL DISTRICT (PC)

### Section 640.01 - Purpose

The Planned Commercial District (PC) seeks to address and coordinate the special needs created by highway and arterial road-oriented commercial development. It also provides a zoning district and appropriate controls for commercial and recreation-for-fee uses, which are not specifically permitted in any other commercial zoning district. The PC recognizes the peculiar operational characteristics and traffic congestion connected with automobile-oriented and other intense commercial uses. It requires preparation of a detailed plan and provides performance criteria to coordinate and control these characteristics.

### Section 640.02 - Permitted Uses

Land and buildings within the PC shall be used only for those specifically selected uses identified by an applicant for zoning plan amendment and found within the Suburban Office, Neighborhood Commercial, and Community Service zoning district. Proposed uses shall be enumerated in the application as being appropriate to provide compatibility with the neighborhood and community character and for compliance with the Comprehensive Plan. All permitted uses shall be specifically approved by the Board of Township Trustees as part of the Development Plan required for the subject tract. Said permitted uses shall run with the land as long as the PC zoning as approved remains in effect.

### Section 640.03 - Tract Size Criteria

The owner of a tract of land one (1) acre or more in area may request that the Official Zoning District Map be amended to include such tract in the PC.

### Section 640.04 - Development Standards

The following standards for arrangements and development of land and buildings apply to the PC. When not specifically supplanted by the following standards as approved in the development plan, provision of Article VIII – the General Development Standards shall also apply:

A) Lot Width

Minimum lot width is required to be greater than two hundred (200) feet. However, adequate lot width shall be provided to achieve the yard space required by the development standards.

B) Side Yards

The required yard shall be no less than fifty (50) feet.

C) Rear Yard

The required yard shall be twenty percent (20%) of lot depth, except that a rear yard shall not exceed fifty (50) feet.

D) Access

Whenever multiple structures to be located in a PC are located on a collector street or arterial street, as defined by the Franklin County Thoroughfare Plan, access onto the collector or arterial shall be via interior local streets or marginal access (frontage) roads. All uses with the PC shall derive their access from the interior streets within the PC, unless specific exemptions are made as part of the approved development plan.

E) Parking

Off-street parking, loading and service areas shall be provided in accordance with Article VIII. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and structural arrangement set forth in the development plan.

F) Screening

- 1) Screening shall consist of earth mounding, plantings, fencing, or a combination of the same. A general screening and landscaping plan shall be prepared and submitted as a part of the development plan. Fencing utilized in providing screening shall be incorporated into the overall architectural design concept. Whenever a proposed PC abuts or can be seen from a residential area, screening shall be provided along the entire area of abutment in a manner that is acceptable to the Zoning Commission and effectively screens the residential areas from the proposed commercial activities.
- 2) All open off-street parking areas consisting of five (5) or more parking spaces or one thousand (1,000) square feet or more shall be screened from view of residential uses. Curb barriers shall be provided. Grass plantings or other acceptable surface material shall be provided for all areas bordering the parking area. When large parking areas are planned, landscaped islands or medians shall be utilized to lessen negative visual impact and direct traffic flow.
- 3) Whenever a parking lot or access drive is located adjacent to a residential area, screening shall be designed to prevent vehicle lights from shining directly onto the residential property.
- 4) When mounding is utilized in conjunction with plantings, the plant materials shall be of a size and species suitable which together will produce a minimum six (6) foot high screen. When plant material without mounding is utilized, the plant materials shall be a minimum five (5) feet in height when planted and be of such species that will produce a total visual screen. All screen plantings shall be maintained permanently, and any plant material, which does not survive, shall be replaced within one (1) year with material meeting the specifications of the original planting. Maintenance responsibilities for the screen plantings shall be address in the development plan.

G) Landscaping

Landscaping shall mean the improvement of the natural beauty of the land by grading, clearing and decorative planting or grass to create a pleasant and functional environment. Landscaping of a lot shall be installed within six (6) months after the building is completed. Any portion of a lot upon which a building or parking area is to be constructed per the development plan shall be landscaped. For every ten (10) parking spaces on an individual lot, the owner shall be required to place at least one (1) tree (3" caliper or larger) in such a manner as to be spaced and placed in or among the parking rows. Such trees shall be in addition to any screening requirements contained herein and all replacement material shall meet the specifications of the original planting. All shrubs, trees, grass, ground covers, and plantings of every kind or type, shall be well maintained, properly cultivated and free from trash and other unsightly material and/or debris.

H) Stormwater Drainage

Drainage and runoff from the proposed development shall not cause property damage. All drainage improvements shall be designed in conformance with the requirements of the Franklin County Subdivision Regulations.

I) Sewage Disposal and Water Supply

Information regarding sewage disposal and water supply techniques to be utilized will be provided in the application for the proposed PC, together with letters of approval from the pertinent local, state and, if applicable, private agencies. The letters shall be submitted with the development plan.

J) Architectural Design

- 1) The development plan shall indicate general exterior design and potential materials. All buildings shall be constructed with materials compatible with the surrounding environment and with the design character of adjacent buildings.
- 2) All private deed restrictions pertaining to design character and location of buildings shall be included in the development plan.
- 3) No parcel or lot shall have constructed thereon any building(s) which shall have a ground level floor area of greater than thirty percent (30%) of the lot or parcel upon which said building(s) is or are constructed.
- 4) Building height shall not exceed fifty (50) feet unless otherwise indicated and approved as a part of the development plan as appropriate to the specific site and neighborhood character.
- 5) No outside storage shall be permitted within the PC. No rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the parcel or lot so as to render any portion of the property unsanitary, unsightly or detrimental to the public health, safety convenience, comfort, prosperity and general welfare. Trash dumpsters shall have lids and shall be screened from view on all sides.
- 6) All utilities shall be placed underground.
- 7) All belowground storage facilities not under the ground floor of structures must be illustrated on the development plan.

K) Graphics

- 1) The development plan shall specify the signage concept indicating the general locations and sizes of all exterior signs and the relationship of signs to overall architectural design of the development. No sign located within the PC shall advertise off-premise activity. The detailed site plan shall illustrate sign materials and composition.
- 2) Each business may have one (1) sign attached to the structure below roof level, other than identification signs for service areas. No sign attached to the structure in which the business is located shall be located above roof level. No sign shall project more than two (2) feet from the exterior surface to which it is attached.
- 3) Prior to the installation of any signage, an application for zoning compliance and an application for commercial plan review must be submitted and approved.
- 4) Wall mounted signs for individual businesses shall be limited to one (1) square foot of sign area for each linear foot of building face which the sign is mounted upon and may be greater than fifty (50) square feet. Signs not on a single plane surface or on an irregularly shaped building shall be considered on an individual basis.
- 5) One (1) development area identification sign shall be permitted within the PC as part of the development plan submission. More than one (1) development area identification sign may be approved based upon information submitted as a part of the development plan submission verifying the need for same.

Any development area identification sign proposed shall be constructed with durable material and shall conform to the overall design concept proposed and be compatible with the surrounding uses and environment.

Total maximum area permitted for one (1) development area identification sign shall not exceed the following:

- a) One (1) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way for the first fifty (50) feet.
  - b) One-half (1/2) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way for the second fifty (50) feet.
  - c) One-fourth (1/4) square foot of additional sign area per lineal foot of a lot abutment on a public right-of-way exceeding one hundred (100) feet.
  - d) No development area identification sign shall exceed one hundred (100) square feet in area unless otherwise indicated and approved as a part of the development plan as being appropriate to the specific site and neighborhood character.
- 6) Freestanding signs shall be no more than ten (10) feet in height, unless otherwise approved as a part of the development plan.
  - 7) Temporary real estate for sale or for lease signs shall not exceed thirty-two (32) square feet in total area, and shall meet all sign setbacks.
  - 8) A sign may be illuminated provided that no flashing, traveling, animated or intermittent illumination shall be used. Such illumination shall be confined to the area of the sign except when such illumination is backlighting for an otherwise non-illuminated sign.
  - 9) All private deed restrictions pertaining to signs shall be included as part of the development plan.

L) Lighting

- 1) The development plan must indicate the types of lamps and lighting fixtures, and the height of lighting fixtures to be used and the relationship of lighting fixtures to overall architectural design of the development, subject to Jefferson Township Zoning Commission approval.
- 2) Light sources outside the public right-of-way shall be located and arranged to provide good visibility and reflect the light away from adjacent residential properties or any streets.
- 3) Streetlights shall be installed by the developer or by petition to the Jefferson Township Trustees on all interior streets dedicated as public rights-of-way unless otherwise exempted by the Township Trustees.
- 4) All private deed restrictions pertaining to lighting shall be included in the development plan.

## Section 640.05 - Application Procedure and Requirements

A) Site Plan

The PC requires that the applicant provide some details, which are traditionally found in the subdivision stage of development approval. It is therefore suggested that the applicant informally discuss his plans with Franklin County subdivision authorities (e.g. Franklin County Economic Development and Planning Department, Franklin County Engineer, Franklin County Board of Health, etc.) and Jefferson Township Zoning Commission, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on a byway) and the Jefferson Water and Sewer District prior to submitting a formal application.

B) Submission of Application

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

C) Development Plan Submission

Ten (10) copies of a development plan, signed by a registered engineer or surveyor and architect or landscape architect, shall be submitted with the application to amend the Official Zoning District Map. Such development plan shall conform to the following:

- 1) The preliminary plan requirements of the Franklin County Subdivision Regulations, as amended and adopted by the Franklin County Commissioners on January 16, 2001 and as may be amended in the future. Such requirements include, but are not limited to, topographical contours at one (1) foot or two (2) foot intervals, soils information at a 1" = 100' scale, information on wooded areas, floodplains, and engineering feasibility studies for proposed sewage disposal, water supply, and stormwater drainage systems.
- 2) The proposed location and size of areas of commercial use, indicating building locations, building type, total square feet for each area, and the total number of parking spaces proposed in the development plan.
- 3) The proposed size, location, and use of non-commercial portions of the tract, including usable open areas, parks, playgrounds, and other areas and spaces with the suggested ownership of such areas and spaces.
- 4) Architectural design concepts to be utilized, screening, and landscaping plans, street views of typical improvements, and other information relating to the architectural and landscape themes.
- 5) The proposed traffic circulation patterns, including public and private streets, parking areas, walks, and other access ways, indicating their relationship to topography, existing streets, or showing other evidence of reasonableness.
- 6) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing features such as topography, structures, streets, and easements.
- 7) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.
- 8) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan. Evidence of control includes property rights and the engineering feasibility data which may be necessary.
- 9) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained, and those areas intended for lease.
- 10) Other information, as may be required by the Township Zoning Commission and/or the Jefferson Township Trustees, in order to determine compliance with this Resolution.

D) Basis of Approval

The basis for approving a PC application shall be:

- 1) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;
- 2) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;
- 3) That the proposed development advances the general welfare of Jefferson Township and the immediate vicinity;
- 4) That the benefits, improved arrangement, and the design of the proposed development justify the deviation from standard residential district requirements included in the Zoning Resolution; and
- 5) Any other consideration as determined by the Board of Trustees to be important to the Township in accordance with the Community Core Values and the Comprehensive Plan.

E) Effect of Approval

The development plan as approved by the Jefferson Township Trustees shall constitute the PC Regulations as they apply to the land included in the approved amendment.

The development plan approval shall be for a period of five (5) years to allow the preparation of the required subdivision plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required subdivision plat is submitted and recorded within the five (5) year time limit, approval of the final development plan shall expire, except if an application for time extension is approved in accordance with the following section.

F) Plat Required

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

- 1) Site arrangement, including building set-back lines or buildable space within lots; water, sewer, and other public utility installations, including sanitary sewage, surface drainage, and waste disposal facilities; public and private street rights-of-way, easements, and walks; school sites, recreation areas, and other land to be dedicated to public use, including the purpose and intent of such dedication; and land to be commonly owned and maintained.
- 2) The nature and extent of earthwork required for site preparation and development.
- 3) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.

G) Extension of Time

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

H) Divergences

- 1) An applicant for PC approval may request a divergence from any development standard or other requirement set forth in this Section 640. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the development plan submittals, with a request that the proposed divergence be approved as part of and as shown on the development plan.

**Section 640.06 - Procedure to Modify an Approved Plan**

- A) Due to the nature of this zoning district Category, it is contemplated that modification of the approved development plan is likely. The Jefferson Township Zoning Commission shall be notified of any proposed or contemplated modification of the approved development plan. The applicant desiring to modify the approved development plan shall furnish all particulars, including site plan, etc., that may be required by the Zoning Inspector, for review by the Zoning Commission. Such materials must be filed in the same quantities as require for a zoning hearing at least ten (10) days prior to review by the Zoning Commission. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall, vote to approve, approve with modification or deny the modification based upon the following findings:

- 1) A necessity exists requiring the modification;
- 2) There is evidence of a reasonable effort to construct the development according to the original development plan; and
- 3) That the modification is not in conflict with the general health and safety of the public or with the development standards for the zoning district.

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

- 1) Adjusting the location of easements for public utilities.
- 2) Altering and/or modifying deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.
- 3) Minor relocation of public street(s) or entries (Relocation less than one hundred (100) feet from original approved location.
- 4) Changing the location of approved uses when such change does not substantially alter the layout as shown on the approved development plan.
- 5) Reducing impervious cover increasing screening, stormwater retention or other green space.
- 6) Such other changes that do not substantially alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

- C) Major Modification: A modification which substantially deviates from or alters the design, layout and general character of the approved development plan or approved as part of the rezoning, shall be characterized as a major modification.
- 1) Altering the mix of uses when such mix has been approved as part of the development plan.
  - 2) Enlarging footprint of structures more than fifteen percent (15%) above the size approved as part of the development plan.
  - 3) Increasing the number of structures.
  - 4) Modifying deed restrictions, architectural concepts or landscaping design so as to be more restrictive than those made a part of the approved development plan or approved as part of the rezoning.
  - 5) Relocating easements when such relocation alters the layout, design and character of the approved development.
  - 6) Relocation of public street(s) or entries (Relocation more than one hundred (100) feet from original approved location).
  - 7) Changing the location of approved uses when such change substantially alters the layout as shown on the approved development plan.
  - 8) Increasing impervious cover decreasing screening, stormwater retention or green space.
  - 9) Other changes that significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.



## **SECTION 650 - PLANNED INDUSTRIAL PARK DISTRICT (PIP)**

### **Section 650.01 - Permitted Uses**

The following uses shall be permitted in the Planned Industrial Park District (PIP).

A) Industrial Development

The purpose of this district is to allow manufacturing, processing, warehousing and industrial service activities located and maintained within the limits of the development standards of these regulations and in accordance with the approved development plan. The PIP may also include commercial establishments normally associated with and intended to serve the industrial establishments or their employees and approved as a part of the development plan.

### **Section 650.02 - Permitted Uses**

Land and buildings within the PIP shall be used only for those specifically selected uses identified by an applicant for zoning plan amendment and found within the Suburban Office, Neighborhood Commercial, Community Service, Restricted Industrial and Limited Industrial zoning districts. Proposed uses shall be enumerated in the application as being appropriate to provide compatibility with the neighborhood and community character and for compliance with the Comprehensive Plan. All permitted uses shall be specifically approved by the Board of Township Trustees as part of the Development Plan required for the subject tract. Said permitted uses shall run with the land as long as the PIP zoning as approved remains in effect.

### **Section 650.03 - Tract Size Criteria**

The owner or owners of a tract of land twenty-five (25) acres or more in area may request that the Official Zoning District Map be amended to include such tracts in the PIP in accordance with the provisions of Article IX and the following requirements:

The twenty-five (25) acre requirement may be reduced if the use of the total area is set forth in the application, including:

- A) Type of firm or firms to be located in the district;
- B) A site plan for the development of each lot, including the placement of structures, storage area, parking areas, yard space, and other activities; and
- C) Any other consideration deemed appropriate by Zoning Commission.

### **Section 650.04 - Development Standards**

In addition to the provisions of Article VIII – General Development Standards, the following standards for arrangement and development of land and buildings are required in the PIP:

A) Intensity of Use

- 1) A use allowed in this zoning district shall entirely enclose its primary operation within a structure. Open storage and service areas and loading docks shall be screened from view by walls or fences at least six (6) feet, but not more than twelve (12) feet in height.
- 2) Permitted uses of this zoning district may be developed in accordance with the development standards of Article V, Section 570, Restricted Industrial District Regulation (RI).

B) Lot Width

No minimum lot width is required. However, all lots shall abut a public street or otherwise provide access to such public street by means of roadway easement.

C) Side Yards

Side yards shall not be less than two hundred (200) feet.

D) Rear Yard

Rear yards shall not be less than two hundred (200) feet.

E) Improvements Required

The following improvements shall be required:

- 1) Street improvements within or adjacent to the tract in accordance with the requirements of the subdivision regulations for Franklin County, Ohio;
- 2) Water and sewer facility improvements in accordance with the requirements of the subdivision regulations for Franklin County, Ohio; and
- 3) An easement for landscaping and screening twenty-five (25) feet or more in width shall be provided around the entire tract and shall be landscaped in accordance with an approved landscape plan. Such plan shall provide plantings, which will screen the industrial uses from view of residential and rural areas. All intervening spaces between the right-of-way line and project building line and intervening spaces between buildings, drives, parking areas.

### Section 650.05 - Application Requirements and Procedure

The following procedure shall be followed in placing land in the PIP.

A) Site Plan

The PIP requires that the applicant provide details, which are traditionally found in the subdivision stage of development approval. It is therefore suggested that the applicant informally discuss his plans with Franklin County subdivision authorities (e.g. Franklin County Economic Development and Planning Department, Franklin County Engineer, Franklin County Board of Health, etc.) and Jefferson Township Zoning Commission, the Jefferson Township Fire Department, the Jefferson Township Scenic Byway Committee (where the development is on byway) and the Jefferson Water and Sewer District prior to submitting a formal application.

B) Submission of Applicant

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

C) Development Plan Submission

Ten (10) copies of a development plan shall be submitted with the application to amend the Official Zoning District Map. Such development plan shall include in text and map form:

- 1) The proposed location and size of industrial areas, indicated by sketch, map, or text indicating the general development character of the tract, limitations or controls to be placed on industrial uses, processes, operations, locations, or the types of tenants, probable lot size, and other development features, including the landscaping plan, and screening.
- 2) The proposed location and size of non-industrial uses within the tract indicating types of proposed uses such as commercial, community service or facility, or other associated non-industrial activity.
- 3) The proposed provisions of water, sanitary sewer, industrial waste disposal, and surface drainage facilities, including engineering feasibility studies.
- 4) The proposed schedule of site development and associated facilities, including streets, utilities, services, and other facilities.
- 5) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services and other public improvements.
- 6) Evidence that the applicant has sufficient control over the land to prepare required land improvements, including street, water, sanitary sewers, waste disposal, surface drainage, and other facilities for subdivision development required by the Subdivision Regulations for Franklin County, Ohio. Evidence of control includes property rights and the engineering feasibility data, which may be necessary.

D) Basis of Approval

The basis for approving a PIP application shall be:

- 1) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;
- 2) That the proposed development is in conformity with a comprehensive plan or a portion thereof as it may apply;
- 3) That the proposed development advances the general welfare of Jefferson Township and the immediate vicinity;
- 4) That the benefits of improved arrangement and design of the development justifies deviation from the standard zoning districts for industrial development included in this Zoning Resolution; and
- 5) Any other consideration as determined by the Board of Trustees to be important to the Township in accordance with the Community Core Values and the Comprehensive Plan.

E) Effect of Approval

The development plan as approved by the Jefferson Township Trustees, shall constitute an amendment to the Zoning Map, causing the land subject to the application to be rezoned as PIP. Those regulations approved as part of the development plan shall apply to the land included in the approved amendment:

The approval shall be for a period of five (5) years to allow the preparation of the required Subdivision Plat, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. Unless the required subdivision plat is submitted and recorded within the five (5) year time limit, approval of the final development plan shall expire, except if an application for time extension is approved.

F) Plat Required

In the PIP, no use shall be established or changed and no structure shall be constructed or altered until the required subdivision plat has been recorded in accordance with the Subdivision Regulations for Franklin County, Ohio. The subdivision plat shall be in accord with the approved development plan and shall show or include:

- 1) Public and private street and block layout (lot divisions are not required, but probable arrangement should be indicated); building setback lines; water, sewer, fire-hydrant and other public utility installations, including sanitary sewage and waste disposal facilities; easements, rights-of-way, pavements, and walks; and land reserved for non-industrial use with indication of the nature of the use.
- 2) The nature and extent of earthwork required for site preparation and the installation of public improvements such as streets and utilities.
- 3) Deed restrictions, covenants, easements and encumbrances to be used to control the private use, development, and maintenance of the land and improvements thereon, including those applicable to areas within the tract to be developed non-industrially.

G) Extension of Time

- 1) An extension of the time limit of the approved development plan may be approved by the Zoning Commission. Such approval shall be given upon a finding of the necessity for such extension and that such extension is not in conflict with the general health and safety of the public or of the development standards for the zoning district. An application for extension of time shall be filed with the Zoning Commission no later than one hundred eighty (180) days prior to the date that approval will terminate.

H) Divergences

- 1) An applicant for PIP approval may request a divergence from any development standard or other requirement set forth in this Section 650. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the development plan submittals, with a request that the proposed divergence be approved as part of and as shown on the development plan.

### **Section 650.06 - Procedure to Modify an Approved Plan**

- A) Due to the nature of the PIP, it is contemplated that modification of the approved development plan is likely. The Jefferson Township Zoning Commission shall be notified of any proposed or contemplated modification to the approved development plan. The applicant desiring to modify the approved development plan shall furnish all particulars, including site plan, etc., that may be required by the Zoning Inspector, for review by the Zoning Commission. Such materials must be filed in the same quantities as required for a zoning hearing at least ten (10) days prior to review by the Zoning Commission. The Zoning Commission shall determine by vote whether the proposed or contemplated modification is a major modification or a minor modification. If the Zoning Commission finds that the proposed or contemplated modification is a major modification, the normal rezoning procedure must be followed prior to action on the modification. If the Zoning Commission finds that the proposed or contemplated modification is minor, it shall, vote to approve, approve with modifications or deny the modification based upon the following findings:

- 1) A necessity exists requiring the modification;
- 2) There is evidence of a reasonable effort to construct the development according to the original development plan; and
- 3) That the modification is not in conflict with the general health and safety of the public or with the development standards for the zoning district.

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

- 1) Adjusting the location of easements for public utilities.
- 2) Altering deed restrictions and architectural/landscaping theme when such alterations would result in less restrictive standards than approved as part of the rezoning.
- 3) Minor relocation of public street(s) or entries (Relocation less than one hundred (100) feet from original approved location).
- 4) Changing the location of proposed structures/uses when such change does not substantially alter the layout as shown on the approved development plan.
- 5) Reducing impervious cover increasing screening, storm water retention or other green space.
- 6) Such other minor changes that do not significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.

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

- 1) Altering the mix of approved uses when such mix has been approved as part of the rezoning.
- 2) Enlarging footprint of structures more than fifteen percent (15%) above the size approved as part of the development plan.
- 3) Increasing the number of structures.
- 4) Relocating easements when such relocation alters the layout, design and character of the approved development.
- 5) Relocation of public street(s) or entries (Relocation more than one hundred (100) feet from original approved location).
- 6) Changing the location of approved uses when such change substantially alters the layout as shown on the approved development plan.
- 7) Increasing impervious cover; decreasing screening, stormwater retention or green space.
- 8) Such other major changes that significantly alter the approved layout, design and general character of the development as outlined in the approved development plan or approved as part of the rezoning.



# Article VII

## Special District Regulations

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### SECTION 700 – SPECIAL DISTRICT REGULATIONS AND RULES

#### Section 700.01 - Special Districts Established

The Special Districts are established to provide for special uses of land with unique characteristics or development requirements not adequately provided for in this Zoning Resolution. The Special Districts also provide development standards for lands with unique characteristics that require special regulations.

#### Section 700.02 - Special District Regulations

Regulations are provided for the following:

A) Floodplain Development

Regulations for the use and development of lands subject to periodic flooding are provided. Such regulations help minimize the impact or potential impact of flooding on existing or future land uses, promote and safeguard the public health, safety, convenience, comfort, prosperity and general welfare, and maintain Jefferson Township's eligibility for continues participation in the National Flood Insurance Program.

B) Excavation and Quarry

Regulations for the extraction of sand, gravel and other mineral resources are provided to allow the removal of mineral resources. To promote the public health, safety, convenience, comfort, prosperity and general welfare throughout Jefferson Township, the regulations will ensure and promote minimal impact to adjacent lands while providing for the rehabilitation of the excavated area.

C) Exceptional Uses

Regulations of certain uses of unique nature as to warrant individual consideration are provided to allow appropriate location and development of such uses in relation to adjacent land use and development in a manner appropriate to promote the public health, safety, convenience, comfort, prosperity and general welfare of Jefferson Township.

#### Section 700.03 - Relation to Zoning Districts

Special Districts Regulations, where applicable, shall be in addition to the zoning district regulations as established on the Official Zoning District Map and nothing herein is intended to amend, modify or otherwise change the zoning district regulations except as specifically set forth in the Special District Regulations.

#### Section 700.04 - Relation to Zoning District Map

The inclusion of land in a Special District shall be in addition to the zoning district as established on the Official Zoning District Map, and nothing herein is intended to amend, modify or otherwise change the zoning district boundaries as shown on the Official Zoning District Map.

## SECTION 710 – FLOODPLAIN DISTRICT REGULATIONS

### Section 710.01 - Establishment of Floodplain District Regulations

The Floodplain District shall exist as an overlay district and shall apply concurrently with other zoning district classifications. Land uses and development allowed under Section 710 must comply with all other applicable sections of this Zoning Resolution.

A) *Designation of the Regulatory Floodplain District*

The Floodplain District shall be designated as those flood hazard areas which are identified in the “Flood Insurance Study, County of Franklin, Ohio, unincorporated areas” and accompanying Flood Insurance Rate Maps (FIRM) and Flood Boundary and Floodway Maps (FBFM) published by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program (NFIP) dated June 17, 2008, and all revisions and amendments thereto. These maps and data shall be on file at the Jefferson Township Zoning Department, the Franklin County Engineers’ office, and the Mid-Ohio Regional Planning Commission (MORPC).

B) *Floodway and Floodway Fringe*

The Floodplain District is further divided into two portions consisting of the floodway and floodway fringe. The floodway is that portion of the floodplain consisting of the channel and sufficient adjacent lands to convey the base flood discharge without increasing the base flood elevation more than one-half (1/2) foot. The floodway fringe is that portion of the floodplain outside of the floodway. The FEMA water surface profiles of the base flood shall govern the location of the floodplain boundary. The base flood elevation and the floodway boundaries shall be established as those indicated by NFIP maps and data published by FEMA, including all revisions and amendments thereto. FEMA maps and data shall govern in case of omission or conflict with the zoning map.

C) *Non-Detailed Flood Hazard Areas*

In designated flood hazard areas for which FEMA has not determined detailed flood elevations and floodway boundaries, the applicant shall be required to furnish such information prepared by qualified personnel to enable the administration of this Zoning Resolution consistent with its intent. Flood maps and data published by State or Federal sources such as the USDA Soil Conservation Service, U.S. Army Corps of Engineers, U.S. Geological Survey, or Ohio Department of Natural Resources (ODNR) shall be utilized when available. In case of differing information from two (2) or more of these sources, the more comprehensive and recent technical data shall be used. A qualified professional engineer in accordance with currently accepted hydrologic and hydraulic engineering techniques and methodology shall prepare such information and data. Such studies, analyses, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Community NFIP Administrator and the State NFIP Coordination Agency.

### Section 710.02 - Permitted Uses in the Floodway

The following uses, not including buildings, shall be permitted within the floodway, comply with all other applicable sections of this Zoning Resolution

- A) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open air nurseries, truck farming, forestry, sod farming, and other similar uses; and
- B) Private or public recreational land uses such as golfing, tennis, archery, picnicking, boating, swimming, parks, wildlife, or nature preserves, shooting ranges, hunting and fishing areas, hiking, biking, jogging, horseback riding trails, and other similar uses.
- C) Residential open space uses such as lawns, gardens, play areas, and other similar uses.



### **Section 710.03 - Conditional Uses in the Floodway**

The following uses, not including buildings, shall be conditional uses within the floodway and must comply with all other applicable sections of this Zoning Resolution and any conditions required by the Board of Zoning Appeals in approving the conditional use permit.

- A) Navigational and stream flow aids, docks, piers, wharves, and water measuring and monitoring devices;
- B) Construction, placement, or improvement or maintenance of public or private culverts, utilities, bridges, stream crossings of any type or size, erosion control and protection measures;
- C) Extraction of sand, gravel or other resources that also complies with the requirements of the Excavation and Quarry special district; and
- D) Alteration or relocation of the channel or watercourse.

### **Section 710.04 - Prohibited Uses in Floodway**

The following structures and uses are prohibited in the floodway.

- A) Buildings and structures, including mobile homes, for residential, commercial, industrial, or other use;
- B) Storage or processing of materials.
- C) Trash, garbage, or waste disposal operations, landfills, wastewater treatment and disposal facilities.
- D) Placement of material, fill, or spoil of any type or the construction or extension of levees, dams, dikes, floodwalls, or other such mounding or embankments.
- E) Encroachments, which would cause any increase in the Base Flood Elevations.

### **Section 710.05- Permitted Uses in the Floodway Fringe**

The following uses shall be permitted within the floodway fringe and must comply with all other applicable sections of this Zoning Resolution:

- A) Agricultural land uses such as general farming and cultivation, pasturing, grazing, outdoor open-air nurseries, truck farming, forestry, sod farming, and similar uses;
- B) Private or public recreational land uses such as golfing, tennis, archery, picnicking, boating, swimming, parks, wildlife, or nature preserves, shooting ranges, hunting and fishing areas, hiking, biking, jogging, horseback riding trails, and other similar uses; and
- C) Residential open space uses such as lawns, gardens, play areas, and other similar uses.

## Section 710.06 - Conditional Uses in the Floodway Fringe

The following uses shall be conditional uses in the floodway fringe, provided all applicable standards and requirements of this Zoning Resolution and any conditions required by the Board of Zoning Appeals in approving the conditional use permit are met:

- A) All conditional uses in the floodway as listed in Section 710.03;
- B) Residential, commercial, industrial, manufacturing, or similar structures or buildings;
- C) Storage or processing of materials;
- D) Parking and loading areas;
- E) Waste processing, disposal facilities, wastewater treatment and disposal systems;
- F) Flood control or mitigation structures and measures; and
- G) Temporary or permanent placements of material, fill, or spoil of any type or other such mounding or embankment or additions or extensions thereto.

## Section 710.07 - Development Standards

In addition to other applicable development standards of this Zoning Resolution, the following standards for arrangement, development, and use of land and buildings shall be required in the Floodplain District.

A) Maintain Flow Characteristics

No use of the floodplain shall unduly or adversely affect or impact the efficiency, flow characteristics, or flood heights of the main channel or other affected tributaries, ditches, drainage facilities or systems for storm frequencies up to and including a base flood event. No use or encroachment within the floodway shall increase the base flood elevation.

B) Minimize Flood Damage

All activities and developments shall be planned, designed, constructed, and installed consistent with the need to minimize damages in time of flooding.

C) Buildings and Structures

Temporary or permanent buildings and structures, including mobile homes, new construction and substantial improvement of residential and non-residential buildings shall be designed and constructed that such that:

- 1) The lowest floor, including basement, is at least one (1) foot above the base flood elevation, plus floodway computation increases. Floodway computation increases range from 0.0 to 0.5 feet and are listed in the Flood Insurance Study published by FEMA and available at the offices listed in Section 710.01(A);
- 2) Fill used to elevate structures, which are located within the floodway fringe, shall extend a minimum of ten (10) feet beyond the walls of the structure at a grade not to exceed ten percent (10%), and be suitably placed and protected to prevent erosion or scour during periods of high water;
- 3) A means of vehicular ingress and egress shall be provided to land outside the Floodplain District, which shall be at least fifteen (15) feet wide and at least one (1) foot above the base flood elevation;
- 4) The applicant shall obtain and furnish to the Community NFIP Administrator built elevations, certified by a registered surveyor, of the basement and first floor, which shall be maintained on file with such office for public inspection;
- 5) Flood protection shall be achieved by elevating the structure. Structures shall not be permitted with floor levels below the base flood elevations; and

- 6) Placement of a mobile home, where permissible by this Zoning Resolution, shall meet or exceed the requirements of 44 CFR §60.3 as may be amended and shall be protected from flotation or lateral movement by over-the-top ties at each corner plus two (2) additional ties per side or frame ties at each corner plus five (5) additional ties per side. Additions to the mobile home shall also be anchored. Individual components of the anchoring system shall be able to carry a 4,800-pound force.

D) Storage or Processing of Materials

Storage or processing of materials which are buoyant, pollutants, flammable, explosive, or could be injurious to human, animal or plant life in time of flooding shall be stored one and one half (1 ½) feet above the base flood elevation, or suitably flood-proofed and protected. The Ohio EPA shall approve proposed protection measures and safeguards. Storage of materials, equipment or placement of other obstructions, which in time of flooding may be dislodged or otherwise carried off site by flood waters, to the possible damage or detriment to life or property must be protected by suitable safety measures approved by the Board of Zoning Appeals.

E) Parking and Loading Areas

Approved public or private parking or loading areas which would be inundated to a depth of one and one half (1 ½) feet or more or subjected to flow velocities over four (4) feet per second shall be provided with adequate flood warning devices and measures approved by the Board of Zoning Appeals.

F) Waste Processing and/or Disposal facilities and Wastewater Treatment and Disposal Systems

Where permissible, such facilities must be approved by the Jefferson Water & Sewer District, Ohio EPA, the Franklin County Sanitary Engineer, or Franklin County Public Health, whichever has jurisdiction, and must be elevated or flood proofed to provide protection from a base flood event.

G) Flood or Erosion Control Measures or Watercourse Alteration or Relocation

Dams, dikes, levees, embankments, floodwalls, rip rap, rock protection, or other flood or erosion control measures and any alteration or relocation of the channel or watercourse shall be subject to all applicable regulations of ORC Chapter 1521 and all other applicable state, federal, county and local ordinances and regulations, as may be amended, as well as the following:

- 1) Such measures over three (3) feet in height or involving over one thousand (1,000) square feet of surface area shall be submitted by the Community NFIP Administrator to the U. S. Army Corps of Engineers and/or the Ohio Department of Natural Resources (ODNR) for review, recommendations, and approval as appropriate;
- 2) Flood control measures intended to remove lands from the Floodplain District must be approved by FEMA. The Floodplain District shall be changed to coincide only with effective revisions of published NFIP maps; and
- 3) Adjacent communities and ODNR shall be notified when channels or watercourses are to be altered or relocated.

H) Public or Private Utilities or Facilities

Activities or developments such as bridges, culverts, docks, wharves, piers, water supply, sanitary or storm sewers and works, or construction of other public or private utility works and appurtenances thereto shall be planned, designed, constructed, installed, and maintained consistent with the need to minimize the potential of flood damage to the community in accordance with this Zoning Resolution.

### Section 710.08 - Additional Plan Requirements

For a certificate of zoning compliance, conditional use permit, or variance application involving the Floodplain District, the applicant shall furnish sufficient information to the Zoning Inspector and /or the Board of Zoning Appeals that clearly delineates any floodplain, floodway boundaries and/or base flood elevations. The information is required to facilitate the administration and enforcement of this Zoning Resolution and the Floodplain District. Such information shall include:

- A) Site plan drawn to scale showing the nature, location, dimensions, and details of the property, development, activities, and land use, both existing and proposed
- B) Existing and proposed topographic information; and
- C) Other information as may be deemed reasonably necessary by the Zoning Inspector or the Board of Zoning Appeals.

### Section 710.09 - Compliance with Approved Plans

Certificates of zoning compliance, conditional use permits issued on the basis of applications, plans, specifications, and other information approved by the Zoning Inspector or the Board of Zoning Appeals shall authorize only the use, arrangement, and construction set forth therein.

The applicant shall submit certification of finished elevations, and /or other proofs or assurances of compliance with approved plans to the satisfaction of the Zoning Inspector and/or the Board of Zoning Appeals.

### Section 710.10 - Compliance with the National Flood Insurance Program

The regulations of Section 710 of this Zoning Resolution have been submitted to and reviewed by the National Flood Insurance Program (NFIP) State Coordinating Agency and the Federal Emergency Management Agency (FEMA) as required by federal law. These agencies have determined that these regulations meet or exceed the federal standards of 44 CFR §60, as may be amended.

A) Administration

The administration of this Zoning Resolution shall in no way lower any requirement or standard of the National Flood Insurance Program, 44 CFR §60.3 and §60.6, as may be amended.

B) Community NFIP Administrator

The Community NFIP Administrator shall review all applications involving conditional uses and variances in the floodplain and prepare a report and recommendation to be submitted to the Board of Zoning Appeals, prior to action by the Board of Zoning Appeals.

### Section 710.11 - Warning and Disclaimer of Liability

This Zoning Resolution does not imply that areas outside the Floodplain District or uses allowed or otherwise permitted or approved within the Floodplain District in accordance with the regulations of this Zoning Resolution will be free from flooding or flood damages. This Zoning Resolution or its administration and/or enforcement shall not create liability on the part of Jefferson Township, any officer or employee of Jefferson Township or other staff or personnel involved in its administration and/or enforcement. Additional flood protection beyond that required by this Zoning Resolution is recommended and encouraged.

# SECTION 720 - EXCAVATION AND QUARRY REGULATIONS

## Section 720.01 - Purpose

To regulate the extraction of sand, gravel and other mineral resources as provided to allow the removal of these important resources in a manner appropriate to adjacent lands and to rehabilitate the excavated area to promote the public health, safety, convenience, comfort, prosperity and general welfare in Jefferson Township.

## Section 720.02 - Permitted Uses

Land and structures governed by the Excavation and Quarry Regulations shall be used only for the following purposes, in addition to permitted uses of the zoning district in which the land is located.

### A) Extraction

- 1) Dimension Stone.
- 2) Crushed and Broken Stone, including riprap.
- 3) Sand and Gravel.
- 4) Clay, Ceramics, and Refractory Minerals.

### B) Processing

The temporary erection and operation of plants and equipment necessary for crushing, polishing, dressing or otherwise physically or chemically processing the material extracted on the site including:

- 1) Concrete brick and block.
- 2) Other concrete products.
- 3) Ready mixed concrete.

## Section 720.03 - Development Standards

In addition to the regulations of Article VIII – General Development Standards the following standards for arrangement and development of land and buildings are required under the Excavation and Quarry Regulations.

### A) Intensity of Use

There is no minimum lot area required; however, the lot shall be adequate to provide the yard space required by all applicable development standards outlined by this Zoning Resolution, as well as the following development standards:

- 1) For excavation, quarrying and permitted processing, all equipment used shall be constructed, maintained and operated in such a manner as to eliminate, as far as practicable, noise, vibrations, or dust which would injure or annoy persons living or working in the vicinity;
- 2) Access ways or roads within the premises shall be maintained in a dust-free condition through surfacing or such other treatment as may be necessary;
- 3) No excavation shall be made from the banks or beds of Rocky Fork Creek or Blacklick Creeks: or any other such stream or waterway designed as necessary to the Flood Control Program of Franklin County and no quarrying shall be permitted closer than two hundred (200) feet of either bank of the above named creeks except by a finding of the Franklin County Engineer which shall show that such excavation or quarrying shall not impair the lateral support needed for permanent stream levees;
- 4) All excavations shall be made either to a depth of five (5) feet below a water producing level, or graded, or back filled with non-noxious and inflammable solids to assure that the excavated area will not collect and retain stagnant water, or that the graded or back filled surface will create a gently rolling topography to minimize erosion by wind or rain and substantially conform with the contour of the surrounding area; and
- 5) Whenever the floor of a quarry is five (5) feet or more below the grade of adjacent land, the property containing the quarry shall be completely enclosed by a barrier either consisting of a mound of earth not less than six (6) feet high located at least twenty-five (25) feet from any street right-of-way and planted with a double row of approved landscaping or shall be enclosed with a secure fence with strength and protective character to a height of six (6) feet along the property line. Such barriers may be excluded where deemed unnecessary by the Franklin County Engineer because of the presence of a lake, stream or other existing natural barrier.

### B) Yard Requirements

- 1) An excavation shall be located one hundred (100) feet or more and back filled to one hundred fifty (150) feet from a street right-of-way line; quarrying operations shall be located fifty (50) feet or more from a street right-of-line. With approval by the Franklin County Engineer, such excavation or quarrying may be permitted within these limits to the point of reducing the ground elevation to the established street level;
- 2) Excavation or quarrying shall be no closer than fifty (50) feet to a property boundary line; and
- 3) Plants or equipment for the processing of extracted materials or other approved ancillary operations shall not be located nearer than six hundred (600) feet to the boundary of the land placed under the provisions of the Excavation and Quarry Regulations.

## Section 720.04 - Rehabilitation Plan

Extraction shall be permitted only from an area for which there is a rehabilitation plan approved by the Jefferson Township Trustees.

### A) Rehabilitation Plan

All such rehabilitation plans shall include the following:

- 1) A grading plan showing the existing contours in the area to be extracted and proposed future contours showing the topography of the area after completion. Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale with contour lines at intervals of five (5) feet or less;
- 2) Existing and proposed drainage of the area; and
- 3) Details of re-grading and re-vegetation of the site during and at conclusion of the operation.

### B) Required Rehabilitation

The following requirements shall be met in the rehabilitation plan:

- 1) The banks of all extraction, when not back filled, shall be sloped at a grade of not less than two (2) feet horizontal to one (1) foot vertical. This slope shall be maintained twenty (20) feet beyond the water line if such exists;
- 2) Spoil banks shall be graded to a level suiting the existing terrain;
- 3) All banks and extracted areas shall be surfaced with at least six (6) inches of suitable soil, except exposed rock surfaces, and shall be planted or seeded with trees, shrubs, legumes or grasses and maintained until the soil is stabilized and approved by the Franklin County Engineer.
- 4) When any extraction has been completed, such area shall either be left as a permanent spring-fed lake or the floor thereof shall be leveled in such manner as to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion, and shall otherwise comply with these requirements; and
- 5) All equipment and structures shall be removed within three (3) months of the completion of the extraction of materials.

## Section 720.05 - Compliance with other Regulation

The regulations provided for in this Section 720 shall not be applicable where they conflict with or are preempted by regulations adopted by the Federal or State government with regard to any operation permitted in the Excavation and Quarry District. For state regulation, refer to ORC Chapter 1513 and Chapter 1514.

## SECTION 730 – EXCEPTIONAL USE DISTRICT REGULATIONS

### Section 730.01 - Purpose

The regulation of uses of unique nature that warrant individual consideration are provided by the Exceptional Use District to allow appropriate location and development of such uses in relation to other land use and development in a manner appropriate to promote the public health, safety, convenience, comfort, prosperity and general welfare within Jefferson Township.

### Section 730.02 - Special Uses

The following listed uses shall be subject to these Exceptional Use District regulations, except as other regulations of this Zoning Resolution may permit.

- A) Transportation
  - 1) Airport or Flying Field.
  - 2) Transportation Terminals.
  - 3) Depots or other transportation facilities not exempt from regulation.

- B) Recreation and Amusement

<b>NAICS#</b>	
<b>713110</b>	Amusement and Theme Parks
<b>713910</b>	All Other Amusement and Recreation Industries (such as miniature golf)
<b>713940</b>	Fitness and Recreational Sports Centers
<b>512132</b>	Drive-In Motion Picture Theatres
<b>711212</b>	Racetracks
<b>713910</b>	Golf Courses and Country Clubs
<b>721110</b>	Resort Hotels without Casinos

- 1) Swimming Pools.
- 2) Athletic field or stadium.
- 3) Boating, camping, park.

- C) Other Uses not provided for:

- 1) Other legal uses of unique or exceptional requirements or circumstances that are otherwise not permitted by this Zoning Resolution.

### Section 730.03 – Development Standards

All regulations of Article VIII – General Development Standards shall pertain to the Exceptional Use District. Because of the unique nature and requirements of these uses, and because their locations cannot be readily predetermined, appropriate development standards cannot be set forth, but full usage of the development standards, requirements, and other provisions of this Zoning Resolution as they may be appropriate, shall be used.



## Section 730.04 - Procedure

The following procedure shall be followed in placing land in the Exceptional Use District.

### A) Development Plan

One (1) hard copy and one (1) electronic copy of a development plan shall be submitted with the application for rezoning to the Exceptional Use District, such plan shall include the following in text and/or map form:

- 1) The proposed location and size of areas of use, indicating size, location and type of structure;
- 2) The proposed location, size and use of all open areas landscaped and other open space with suggested ownership of such areas;
- 3) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility studies;
- 4) The proposed circulation pattern including streets, both public and private, parking areas, walks and other access ways;
- 5) The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility lines and land use;
- 6) The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities land services and other public improvements; and
- 7) Evidence that the applicant has sufficient control over the land to effectuate the proposed development plan within three (3) years. Such control may include verification of property rights, economic resources and engineering feasibility as may be necessary.

### B) Basis of Approval

The basis of approval for the Exceptional Use District shall be:

- 1) That the proposed development plan is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Resolution;
- 2) That the proposed development plan is in conformity with the Jefferson Township Comprehensive Plan and Core Community Values as they may apply; and
- 3) That the proposed development plan promotes the public health, safety, convenience, comfort, prosperity and general welfare of Jefferson Township and that the benefits to be derived from the proposed use justify the change in the land use character of the area.

### C) Effect of Approval

The Development Plan as approved by the Jefferson Township Trustees shall constitute an amendment rezoning the land included in the approved development plan to the Exceptional Use District Regulations as they apply to the land included in the approved amendment.

The approved development plan shall be valid for a period not to exceed three (3) years. An application for time extension may be submitted and approved in accordance with the following section.

D) Extension of Time or Modification

The Board of Trustees Jefferson Township may approve an extension of the time limit or the modification of an approved development plan. Such approval shall be given upon finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original development plan, and that such extension or modification promote the public health, safety, convenience, comfort, prosperity and general welfare in Jefferson Township or the development standards of the Exceptional Use District.

# Article VIII

## General Development Standards

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### SECTION 800 – GENERAL DEVELOPMENT STANDARDS ADOPTED

#### Section 800.01 - General Regulation of the Arrangement and Development of Land and Structures

Standards pertaining generally and uniformly to the arrangement and development of land and structures within the zoning districts adopted in Article III are hereby established and adopted as supplementary to the district regulations of Article V, Article VI and Article VII.

### SECTION 805 – LOT AND YARD SPACE REQUIREMENTS

#### Section 805.01 - Platting Required

No use shall be established or altered and no structure shall be constructed or altered except upon a lot that has been platted in accordance with, or which otherwise meets, the requirements of the Subdivision Regulations for Franklin County, Ohio. These standards are minimum requirements for the arrangement of lots and space to be achieved in all developments.

#### Section 805.02 - Lot Area and Yard Space Preserved

The lot area and yard space required for a use or structure shall be maintained during its life and shall not be reduced below the minimum requirement, occupied by another use or structure, or counted as yard space for any other use or structure.

A) Yards Required Open

The yard space required for a use or structure shall remain free of all obstructions except as follows:

- 1) Fences, gates, walls, columns, pillars, other similar type structures and landscaping shall be permitted in any required yard, or along the side of any yard. Except as otherwise provided herein, no fence, gate, wall, column, pillar or other similar type structure and landscaping shall exceed a maximum height of six (6) feet from the lowest part of the existing grade to the highest part of the structure. No fence, gate, wall, column, pillar, or other similar type structure and landscaping between a street and a front building line shall exceed a maximum of fifty-four (54) inches in height from the lowest part existing grade to the highest part of the structure, except as required in Article VIII, Section 835, or in accordance with an approved development plan of a planned district. Any ornamental or lighting fixtures attached to fences, gates, walls, columns, pillars, other similar type structures shall not exceed twelve (12) inches in height.
- 2) Fences, gates, walls, columns, pillars, and other similar type structures shall be located outside the public right of way.
- 3) The owner of the property upon which any fence, gate, wall, column, pillar, and other similar type structure is situated shall be responsible for its maintenance and repair.
- 4) No fence, gate, wall, column, pillar, and other similar type structure shall be permitted in a state of disrepair.
- 5) With the exception of eaves, cornices, windowsills, and belt courses, no part of a primary or accessory structure shall encroach into any required yard.

- 6) Porches may project beyond the front building line a distance not to exceed eight (8) feet.
- 7) Driveways (in a residential district) shall be permitted in required yards, but shall be three (3) feet or more from any property line unless driveways are developed jointly as a common drive to adjoining lots.

B) Yard Maintenance

All yard space shall be maintained and include the following, where permitted:

- 1) Fencing as permitted or required.
- 2) Landscaping accomplished by lawns, shrubbery, trees, and other plantings, or used for permitted accessory or ancillary use.
- 3) Paving for parking as permitted.

C) Additional Fencing Regulations

- 1) Fences, gates, walls, columns, pillars, other similar type structures or other landscaping plantings shall not be erected without the issuance of a Certificate of Zoning Compliance. Applications for such permit shall include plans and drawings showing the actual and accurate shape and dimensions of the property upon which the fences, gates, walls, columns, pillars, other similar type of structure is to be erected; the exact height, location, length, type of material and type of construction of such proposed fence; the location of the buildings on the lot; or any such other information as deemed necessary for such permit.
- 2) The following fence types shall be permitted in required yards as follows:
  - a) Open fences, partially open fences, and hedges are permitted in any required yard or along the edge of any yard; and
  - b) Solid fences shall be permitted in all zoning districts, and in the rear yard only.
- 3) The following fences shall not be permitted in any zoning district or yard:
  - a) Fences, wall or other landscaping equipped with or having barbed wire, spikes, sharp points or any similar device or an electrical charge sufficient to cause shock shall be prohibited. In addition, chicken wire, poultry wire or hex netting fence consisting of a galvanized or PVC coated material shall be prohibited except where associated with a swimming pool in the rear yard. This section shall not be construed or applied to prohibit underground invisible fences installed for the purpose of confining pets to property.
  - b) Open chain link fences except those associated with approved tennis courts.
  - c) Vinyl clad, plastic or PVC (poly vinyl chloride) fences in colors other than black or white.

## SECTION 810 – BUILDING LINES ALONG PUBLIC RIGHTS-OF-WAY

### Section 810.01 - Building Lines Established

Except as otherwise provided as part of an approved development plan in Planned District. Along every street right-of-way a building line shall be established from the centerline of the existing pavement for a distance of one hundred ten (110) feet.

A) Required Setback

A structure or other use of land, except parking, shall locate no closer to a street right-of-way than the established building line.

B) Parking Setback

Open parking or loading spaces shall be permitted to extend toward the street right-of-way from the established building line a distance equal to forty percent (40%) of the required setback distance.

C) Garage Setback

1) Front Load Garage:

The width of the garage wall door or doors facing the front building line shall not exceed sixty percent (60%) of the width of the entire structure. A garage designed or intended for the parking of vehicles, which is attached and accessory to single, two-family, or multi-family dwellings of three (3) or four (4) units shall extend no more than eight (8) feet closer to the front building line than the foundation as measured from the first floor habitable portion of the dwelling. As an option, the measurement may be taken from a cantilever projection in front of the foundation line, provided that the width of the cantilever projection is equal to or greater than the width of the entire garage.

2) Non-Front Load Garage:

A garage designed or intended for the parking of vehicles, which is attached and accessory to single, two-family, or multi-family dwellings of three (3) or four (4) units that have a garage door or doors perpendicular to the front building setback line shall extend no more than twenty (20) feet closer to the front building line than the foundation as measured from the first floor habitable portion of the dwelling.

D) Rear Elevation

The rear elevation of a residential structure may not face any street, unless the rear elevation is behind a line at least 200 feet from the right-of-way and entire lot width of the rear yard is screened by vegetation that is at least six (6) feet in height with fifty percent (50%) opacity within one hundred twenty (120) days of final building inspection. (*Amended 6/22/04*)

### Section 810.02 - Sight Triangle Established

The area of a corner lot bounded by the right-of-way lines and a line connecting the two (2) points on the property lines thirty (30) feet from the intersection of the property lines shall remain clear of structures and other obstructions, including parked cars, between the heights of two and one-half (2-1/2) feet and ten (10) feet above the average grade line. Trunks of existing trees and light poles or signposts may be exempted from this requirement.

## SECTION 815 – HOME OCCUPATION

### Section 815.01 - Purpose

The purpose of the home occupation provisions is to allow limited, non-residential activities in residential structures that are compatible with the neighborhoods in which they are located. The standards in this section and the conditional use approval procedures of the Board of Zoning Appeals are intended to insure compatibility of home occupations or home occupation conditional uses with other permitted uses and the residential character of the neighborhood.

### Section 815.02 - Home Occupation Requirements

A home occupation shall be defined as an occupation carried on within a single family dwelling unit by individuals residing in the single family dwelling unit and provided that:

- A) The appearance of the single family dwelling shall not be altered or the occupation within the dwelling shall not be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, or unauthorized signs. A home occupation shall be clearly incidental and secondary to the use of the unit for dwelling purposes.
- B) There is not more than one (1) non-resident employee.
- C) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot when the occupation is conducted in a single-family dwelling. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises. Sales are only of commodities or services produced on the premises.
- D) No sign or other announcement of such home occupation shall be permitted.
- E) There shall be no outside storage of any kind related to a home occupation unless otherwise permitted by this Section.
- F) Specialized instruction or tutoring shall be limited to one (1) individual at a time.
- G) The volume of traffic generated by a permitted home occupation shall be typical of the traffic volume generated by a single-family dwelling as calculated using accepted transportation-engineering standards.

### Section 815.03 - Home Occupation Conditional Use

It is recognized that there may be some home occupations which do not meet the criteria outlined in subsections 815.02, but which may be appropriate for a residential district provided that the following additional standards are addressed through the conditional use permit procedure. A home occupation conditional use may be permitted, provided it meets the procedures and requirements of Article X and the following requirements set forth in Section 815.04.

For purposes of this Zoning Resolution, a home occupation conditional use permit ceases to be valid once the premises used for the home occupation is no longer occupied by the holder of the conditional use permit or upon the conduct of a home occupation in a manner not approved by the Board of Zoning Appeals.

## Section 815.04 - Conditional Use Criteria

Home occupation conditional uses shall be limited by the following criteria and/or any other conditions as determined to be necessary by the Board of Zoning Appeals in order to protect the residential character of the subject area:

- A) There shall be no more than a total of three (3) non-resident employees.
- B) The conduct of a home occupation may be approved within a structure accessory to a single family dwelling unit.
- C) Sales of commodities not produced on the premises may be permitted, provided such commodities are specified and approved as a part of the application. Examples of home occupation conditional uses in which retail sales of items not produced on the premises may be permitted include, but are not limited to, the following:
  - 1) Barber shop or beauty shop with limited sales of associated accessory items;
  - 2) Arts, crafts or other artistic instruction with sales of associated materials used in the instruction and preparation of artistic works;
  - 3) Small machinery and equipment repair such as computers, cameras, clocks or other similar small items including limited sales of repaired or associated parts and equipment; and
  - 4) Limited, seasonal sales of specialized items such as holiday ornaments, handicrafts, or sporting supplies, which do not otherwise meet the requirements of this section.

In approving the sale of commodities not produced on the premises, the Board of Zoning Appeals shall determine that such sales will not become a detriment to the existing residential character of the lot or the surrounding area resulting in an increase to traffic, noise, vibration, glare, fumes, odors or electrical interference or any other factor that may result in an adverse impact as determined by the Board of Zoning Appeals.

- D) No outside storage of any kind associated with a home occupation shall be permitted unless it is totally screened from the adjacent residential lots and the abutting street.
- E) Signs shall not exceed one (1) square foot of area per side with no more than two sides; shall not interfere or obstruct visibility when leaving or entering the property; shall not exceed eight feet in height; no more than one (1) per parcel; shall not be illuminated; and shall otherwise be in accordance with Section 845.

## SECTION 820 - ACCESSORY USES AND STRUCTURES

### Section 820.01 - Accessory Uses and Structures Permitted

Accessory uses and structures shall be permitted in association with a principal use or structure.

A) Accessory Use and Structure Defined

“Accessory Structure or Use” means either a use of an object, building or structure applied, constructed or installed on, above, or below the surface of a lot, which is located on the same lot as a principal use, building, object, or structure, and which is subordinate to or services the principal use, building, object, or structure; is subordinate in area to the principal use, building, object, or structure; and is customarily incidental to the principal use, building, object, or structure. Among other things, “Accessory Buildings or Use” includes anything of a subordinate nature detached from a principal structure or use. Except as otherwise regulated in this Zoning Resolution, an accessory use must be a permitted use within the District. Swimming pools, detached garages, sheds, hot tubs, sport courts, tennis courts, basketball courts, batting cages, gazebos or other detached opened aired structures as determined by the Zoning Inspector shall be classified as accessory structures and shall be governed by the regulations of this Section. This list is intended to provide examples of common structures and uses that are accessory uses and structures. This list is not intended to be an exclusive or all-inclusive list.

B) Location of Unattached Accessory Structures

- 1) On residential lots of one (1) acre or less, unattached accessory structures shall be located behind the rear of the principal structure. The accessory structure shall conform to the minimum side yard requirements as listed in Table VIII-1;
- 2) On residential lots larger than one (1) acre, unattached accessory structures may be located to the side or rear of the principal structure, provided all minimum building line and yard requirements listed in Table VIII-1 are met;
- 3) No more than two (2) unattached accessory buildings per parcel, or lot, which combined does not exceed the maximum footprint size for each structure as listed in Table VIII-1;
- 4) An accessory structure shall have an exterior that is complimentary in materials to the principal building on the parcel or lot. This includes, but is not limited to materials, colors, texture, roof types and windows;
- 5) No accessory structure, except fences, shall be located within any easement, floodplain, floodway, drainage easement, or apparent drainage course for any parcel or subdivision which would be detrimental to the public health safety and welfare;
- 6) A Certificate of Zoning Compliance shall be obtained for accessory uses and structures;
- 7) Accessory uses or structures shall be on the same parcel as a principal use or structure and located subject to the Development Standards of the Zoning District in which it may be located; and



- 8) Accessory building development standards shall be based upon the following table requirements:

**TABLE VIII-1**

<i>LOT SIZE</i>	<i>MAXIMUM FOOTPRINT SIZE</i>	<i>MAXIMUM HEIGHT</i>	<i>SET-BACK FROM SIDE AND REAR PROPERTY LINE</i>
Under one (1) acre	720 square feet	18 feet	5 feet
Equal to or greater than one (1) acre but less than two (2) acres	1,440 square feet	20 feet	10 feet
Equal to or greater than two (2) acres but less than three (3) acres	2,160 square feet	25 feet	20 feet
Equal to or greater than three (3) acres but less than four (4) acres	2,880 square feet	25 feet	20 feet
Equal to or greater than four (4) acres but less than five (5) acres	3,600 square feet	25 feet	20 feet
Five (5) or more acres (Nonagricultural)	4,320 square feet	35 feet	20 feet

**Section 820.02 - Towers, Antennae, and Windmills as Accessory Uses in Residential Districts**

Radio and T.V. towers, antennae, satellite earth stations (dish antennas), solar collectors, and similar structures shall be permitted in association with a residential structure, provided that the following standards are met:

- A) All towers, antennae, windmills and similar accessory structures shall be located to the rear of the building setback line. No such structure shall be permitted to encroach upon the minimum required side yard and rear yard.
- B) No such structure shall be permitted to exceed thirty-five (35) feet in total height, inclusive of the height of any building or base upon which said structure is erected, except upon issuance of a conditional use permit in accordance with this Resolution.
- C) Any guy anchorage or similar device shall be at least ten (10) feet from any property line.
- D) No structure shall be in excess of a height equal to the distance from the base of the structure to the nearest overhead electrical power line or phone line less ten (10) feet.
- E) No structure shall be in excess of a height equal to the distance from the base of the structure to the nearest lot line less ten (10) feet.
- F) Suitable fencing and/or landscaping or other treatment is provided to effectively prevent unauthorized climbing of the structure.
- G) The structure or activity for which the structure is used shall not interfere with radio and television reception on nearby properties.

**Section 820.03 - Plot Plan for Towers, Antennae, Windmills and Similar Structures**

Prior to issuance of any Certificate of Zoning Compliance for a tower or similar structure, the applicant shall submit a plot plan and supporting information to the Zoning Administrator/Inspector, which shows the following:

- A) Proposed location and height of proposed structure, support systems, and distances to the nearest phone, electric lines and property lines;
- B) Type of structure and construction materials and, if requested by the Zoning Administrator/Inspector, a structural engineering analysis;
- C) Documentation of any maintenance program 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 may be required has been or will be obtained;
- F) All fencing, landscaping or other treatment which may be required; and
- G) Other information as may be requested by the Zoning Administrator/Inspector.

## SECTION 835 – SCREENING BY STRUCTURE OR LANDSCAPING REQUIRED

### Section 835.01 - Screening Requirements

Where this Zoning Resolution requires that screening be provided by structures, walls, fences, or landscaping, the following standards shall be met:

A) Adjacent to Residential Districts and Planned Residential District

The following list of activities, if developed adjacent to land in a Residential Zoning District or a Planned Residential District as listed in Article III, or any non-conforming residential lot, shall be screened as prescribed, except when the zoning districts are separated by a street right-of-way of at least eighty (80) feet or more in width.

- 1) A parking area of one thousand (1,000) square feet or more provided or intended for five (5) or more vehicles for commercial and industrial establishments;
- 2) A drive-in or outdoor service facility;
- 3) A commercial or industrial loading area; and
- 4) An outdoor display area of goods in a complete, usable and normal condition, including samples and models, offered for retail sale.

B) Screening Standards

Required screening shall be provided in accordance with the following standards, except as provided in other sections of this Zoning Resolution unless otherwise stated, screening shall be provided as follows:

- 1) It shall have an opacity of seventy-five percent (75%) or more;
- 2) It shall be at least six (6) feet in height but no more than ten (10) feet in height;
- 3) If screening is to be accomplished by landscaping, the landscape materials shall achieve the standards stated above within a period of three (3) years or less;
- 4) Strips in chain link fencing shall not be permitted; and
- 5) Landscape materials must consist of a mix of evergreen and deciduous plant species.

C) Along a Public Street

The following activities, in addition to being screened as prescribed, shall be screened so that the activity is not visible from a public street or Residential or Planned Residential District within three hundred (300) feet of the lot on which the activity is located.

- 1) Articles or materials being stored, maintained, repaired, processed, erected, fabricated, dismantled, salvaged, or otherwise that are not being offered for retail sale.

## SECTION 840 - OFF-STREET PARKING AND LOADING

### Section 840.01 - Off-Street Parking Space Required

Off-street parking facilities shall be provided for the use of occupants, employees, and patrons of all uses, and off-street loading and vehicle storage space shall be provided for the handling of materials and products of commercial and industrial uses.

Such required facilities, additional space provided, and access drives thereto, including required curb-cuts, shall be sloped and constructed to provide adequate drainage of the area, surfaced with a sealed surface pavement and maintained in such a manner that no dust will be produced by continuous use. The design and construction of all facilities provided shall be subject to approval by the Franklin County Engineer.

A) Parking Space Size

A parking space for one (1) vehicle shall be a rectangular area having dimensions of not less than nine (9) feet by twenty (20) feet plus adequate area for ingress and egress.

B) Location of Space

Required off-street parking facilities shall be located on the same lot as the structure or use served, except that a parking facility providing the sum of parking space required of several uses may be provided contiguous and in common to the several structures and uses served.

Churches may establish with public or commercial establishments joint parking facilities of up to fifty percent (50%) or less of their required spaces provided that a written agreement thereto is obtained and that all parking areas so designated lie within one thousand (1,000) feet of the church.

C) Parking Area Setback

Parking areas shall be permitted in required yards developed in commercial and industrial zoning districts to within twenty-five (25) feet of a Residential District or a Planned Residential District.

## Section 840.02 - Minimum Number of Parking Spaces Required

A minimum number of off-street parking spaces shall be provided in accordance with the following schedule:

A) Schedule of Parking Spaces

The parking space requirements for a use not specifically named herein shall be the same as required for a listed use similar in nature.

<u>Use Residence</u>	<u>Spaces Required</u>
Fraternal or Group Housing	One (1) space per two (2) occupants
Institutional Housing (unless otherwise specified)	One (1) space per ten (10) occupants plus one (1) space per each two (2) employees and staff on the combined work shifts
Residential Dwellings	Two (2) spaces per dwelling unit
<u>Commerce</u>	<u>Spaces Required</u>
Commercial Lodging	One (1) space per sleeping room
Barber Shop, Beauty Shop or Similar Personal Service	Two (2) spaces per barber or beautician
Restaurant, Bar or Similar Place of the Sale and Consumption of Food and/or Drink on the Premises	One (1) space per one hundred (100) square feet of gross floor area
All Outdoor Display and Sales	One (1) space per five hundred (500) square feet of display area
Indoor Sales Exclusively of Motor Vehicles, Aircraft, Watercraft, Lumber, Plants and Furniture	One (1) space per five hundred (500) square feet of sales area
Retail Sales or Service Establishment not Elsewhere Specified	Three (3) parking spaces per first one thousand (1,000) square feet of gross floor area per structure plus one (1) space per two hundred and fifty (250) square feet of gross floor area.
Funeral Parlors, Mortuaries	One (1) parking space per one hundred and fifty (150) square feet of gross floor area on the first floor of the structure devoted to this use
Administrative or Business Office	One (1) space per two hundred (200) square feet of gross floor area
<u>Medical and Health</u>	<u>Spaces Required</u>
Medical/Dental Office/Clinic	One (1) parking space per one hundred (100) square feet of gross floor area
Convalescent and Nursing	One (1) parking space per each two (2) beds
Hospital or Similar	Two spaces per bed

<u>Education</u>	<u>Spaces Required</u>
Day Care Centers	Two (2) parking spaces for each classroom but not less than six (6) per school or institution
Elementary Schools	One (1) space per teacher and staff member, plus one (1) parking space per student, up to five percent (5%) of the student body
High Schools	One (1) parking space per four (4) students
Business, Technical and Trade Schools	One (1) parking space per two (2) students
Colleges and Universities	One (1) parking space per two (2) students
Libraries, Museums, Art Galleries and Similar Uses	One (1) parking space per four hundred (400) square feet of gross floor area
<u>Recreation and Religion</u>	<u>Spaces Required</u>
Auditorium, Church, Stadium, or Similar Place with Fixed Seating for Assembly	One (1) space per three (3) seats
Assembly Hall, Club Room, Place of Amusement or Similar Place of Assembly	One (1) space per one hundred (100) square feet of area devoted to assembly
Tennis Court, Bowling Alley or Similar Establishment Providing Facilities for Intensive Public Participation in Sports Activity	Four (4) parking spaces per lane, court or similar activity area, plus additional parking spaces as required for supplementary uses, such as restaurant, etc.
Golf Course	Seven (7) spaces per hole plus one (1) space per two (2) employees on the combined work shifts
Indoor Public Swimming Pool or Natatorium (Public or Semi-Public Type)	One (1) space per five (5) persons capacity computed on the basis of one (1) person per thousand (1,000) gallons of pool capacity, plus one (1) for each 4 seats or thirty (30) square feet of gross floor area used for seating purposes, whichever is greater
Outdoor Swimming Pool (Public or Semi-Public Type)	One (1) space per five (5) persons capacity computed on the basis of one (1) person per five hundred (500) gallons of pool capacity, plus additional spaces as required for any supplementary uses such as restaurant, etc.
All Other Recreational Facilities	One (1) space per each three (3) patrons the establishment is designed to serve
<u>Industry</u>	<u>Spaces Required</u>
Manufacturing, Warehousing, Wholesaling, or Similar Establishments	One (1) space per two (2) employees on the combined work shifts, on an annual average, plus one (1) space per ten thousand (10,000) square feet of gross building area

B) Computing Number of Spaces

Where two (2) or more uses are provided on the same lot, the total number of spaces required shall equal or exceed the sum of their individual requirements.

The parking spaces required shall be to the next highest whole number where a fractional space results in computation.

**Section 840.03 - Minimum Number of Loading Spaces Required**

A loading space shall consist of a rectangular area of one (1) of the following classes:

**Class A** - An area of at least fourteen (14) feet by fifty-five (55) feet having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.

**Class B** - an area of at least twelve (12) feet by thirty (30) feet having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.

A) Schedule of Loading Spaces

Loading space shall be provided for retailing, wholesaling, warehousing, processing, and similar activities or uses in accordance with the following schedule:

Activity or Use	Class Required
Building area less than seven hundred fifty (750) square feet	None required
Building area more than seven hundred fifty (750) square feet, but less than fifteen hundred (1,500) square feet	One (1) Class B space required
Building area fifteen hundred (1,500) square feet, but less than twenty-five hundred (2,500) square feet	One (1) Class A space or two (2) Class B spaces required
Building area twenty-five (2,500) square feet, but less than ten thousand (10,000) square feet	One (1) Class A space and one (1) Class B space, or three (3) Class B spaces required
Building area ten thousand (10,000) square feet, but less than fifty thousand (50,000) square feet	One (1) Class A space and one (1) Class B space, or three (3) Class B spaces, plus one (1) Class A space for each ten thousand (10,000) square feet over ten thousand (10,000) square feet of building area
Building area fifty thousand (50,000) square feet or more	One (1) Class A space for each ten thousand (10,000) square feet over ten thousand (10,000) square feet of building area, plus one (1) Class A space for each twenty-five thousand (25,000) square feet over fifty thousand (50,000) square feet of building area

**Section 840.04 - Access Drives**

Access drives (driveways) leading to and from a street shall be developed as follows:

A) Width of Drive

An access drive shall not exceed twenty-five (25) feet in width at the right-of-way, except at curb returns.

B) Location of Drive

An access drive, exclusive of curb returns, shall be ten (10) feet or more from the side lot line, except that an access drive for residential uses may be within three (3) feet of a side lot line. If the residential uses utilize a common access drive for two (2) or more lots, the access drive shall be permitted adjacent to the side lot line of the two (2) or more adjoining lots utilizing such drive.

C) Turn-Arounds

An access drive opening onto any road shown as an arterial (either major or minor) on the Franklin County Thoroughfare Plan must have provisions for a turn-around so vehicles need not back onto the road.



## Section 840.05 - Limitation of Parking in Residential Zoning Districts

The provision of parking space, either open or enclosed, for the parking or storage of vehicles in a residential zoning district or planned residential zoning district as listed in Article III, shall be subject to the following:

### A) Commercial Vehicles

A commercial vehicle shall be defined as any vehicle used or designed to be used for business or commercial purposes, and/or the transportation of merchandise, cargo or freight and shall include, but not be limited to, commercial tractors, semi-trailers, dump trucks, construction vehicles, limousines, buses or any vehicle licensed by the State of Ohio Bureau of Motor Vehicles as a commercial vehicle or truck. The parking or storage of commercial motor vehicles, including those vehicles having commercial signage, commercial equipment, or structures for commercial equipment attached to the motor vehicle permanently or temporarily, shall not be permitted within any Residential District except when completely parked or stored in an enclosed garage or screened from view in accordance with this Zoning Resolution and Article VIII, Section 815.

This Section shall not apply to passenger cars that qualify as non-commercial motor vehicles, as defined in ORC 4501.01, or to commercial vehicles making temporary house calls or deliveries.

### B) Recreational Vehicles Used for Household Related and Non-Commercial Activities

Recreational vehicles, boats, camping trailers or other trailers shall meet the following requirements:

- 1) Recreational vehicles parked or otherwise stored on residential properties shall comply with the following size requirements:
  - a) Less than one (1) acre: Shall be parked to the side or rear of the principal structure and only to the front of a principal structure if parked in a permitted enclosed structure.
  - b) One (1) acre or more: Should be parked to the side or rear of the principal structure or in an enclosed structure, but will be allowed to be parked in front of a principal structure provided the recreational vehicle, boat/boat trailer, camping trailer or other trailer does not obstruct adjacent properties from safe ingress and egress.
- 2) Parking shall be limited to one (1) recreational vehicle, or boat, or camping trailer or other trailer per residential parcel, unless enclosed within a permitted structure or accessory structure or:
- 3) Any recreational vehicle, boat/boat trailer, camping trailer or other trailer not parked in an enclosed permitted structure must be completely located outside of the public right-of-way.

### C) Use of Recreational Vehicles, Camping Trailers or Other Trailers

Recreational vehicles, camping trailers and similar recreational vehicles and equipment, shall not be used as a dwelling unit or for living, sleeping or housekeeping purposes outside an approved recreational park/campground area.

### D) Inoperable Vehicles, Including Motor Vehicles

Not more than one (1) wrecked or otherwise inoperable motor vehicle shall be allowed per one (1) residential parcel. Any permitted inoperable motor vehicle shall be parked or stored within a permitted structure, or by screening with a one hundred percent (100%) opaque fence no less than six (6) feet and no more than eight (8) feet in height, or by screening with natural vegetation in such a manner so as not to be visible at ground level from any adjacent lot or street.

For purposes of these regulations, storage of inoperable vehicles shall not be permitted between the principal structure and a street unless stored within a permitted structure.

In addition, an inoperable motor vehicle shall not be parked or stored within a required side or rear yard. An automobile or other vehicle is inoperable if it meets any one of the following subsections:

- 1) It does not meet Ohio Revised Code, Ohio Administrative Code or other applicable Ohio law requirements for operating on a public street;
- 2) It is extensively damaged, such damage including, but not limited to, any of the following: missing wheels, tires, motor or transmission;
- 3) It is not operable on the public streets of Franklin County because it is not currently licensed to so operate; or
- 4) It is not capable of being operated on a public street due to missing or inoperable mechanical parts such as but not limited to, wheels, tires, engine or transmission.

## SECTION 845 - SIGN AND BILLBOARD REGULATIONS

### Section 845.01 - Purpose

The Sign and Billboard Regulations are intended to protect the public health, safety and welfare by regulating the placement, size and general appearance of signs and billboards in order to:

- A) Create a visually attractive economic and business climate by permitting signs and billboards which are compatible with their surroundings, orientation and physical appearance of the community;
- B) Encourage signs and billboards that are readable and integrate with the aesthetics of the landscape and buildings of Jefferson Township;
- C) Control the size, number and location of signs and billboards to reduce clutter;
- D) Improve pedestrian and traffic safety;
- E) Minimize the possible adverse effect of signs and billboards on nearby public and private property; and
- F) Regulate signs and billboards so that they do not obstruct vision or interfere with the functions performed by drivers.

### Section 845.02 - General Regulations

The following restrictions shall apply to all signs located and erected within Jefferson Township:

A) Location

- 1) No sign shall be placed within or above the public right of way except governmentally owned signs, including, but not limited to, traffic control and informational signs.
- 2) No sign shall be mounted upon a roof of any building.
- 3) No sign shall be painted on a building surface.
- 4) No sign shall interfere with fire evacuation routes from a building.
- 5) No sign shall be permitted off premise unless otherwise specifically permitted.
- 6) No sign shall interfere with the visibility and safe operation of a vehicle entering or exiting a property.

B) Lighting

If illuminated, signs shall be illuminated only by the following means:

- 1) By a white, steady, stationary light of reasonable intensity, directed solely at the sign and shielded or otherwise prevented from beaming onto adjacent properties or rights of way. In no case shall the light create a hazard to vehicular traffic;
- 2) By white, steady, stationary, interior light of reasonable intensity, with logos and/or letters lighted or silhouetted on a translucent background; or
- 3) An application for commercial building permit shall be submitted and approved for each proposed illuminated sign.

C) Colors and Shapes

- 1) No signs shall closely resemble the shape, size, or color of official traffic signs, signals, or devices.

D) Calculation of Sign Area

- 1) Sign area shall include the face of all the display areas of a sign and shall not include the bracing, framing, or structural supports, unless such support members are made part of the message or face of the sign.
- 2) The area of the letters, numbers, or emblems mounted on a wall shall be computed by enclosing the total signage within the smallest, single, continuous rectangular perimeter around the letters, numbers, or emblems.
- 3) Where a sign has two (2) sides, the sides shall be back to back.

E) Maintenance

All signs shall be maintained as follows:

- 1) The owner of the property upon which any sign is situated shall be responsible for its maintenance and repair.
- 2) No sign shall be permitted in a deteriorated or unsafe condition upon any premises.

F) Additional Restrictions and Prohibitions

- 1) Unless otherwise permitted, no sign or part thereof shall contain or consist of banners, posters, pennants, balloons, festoons, ribbons, streamers, spinners, air activated, attraction devices, or other moving devices;
- 2) No sign or advertising being displayed by a person and used to promote a nearby business is permitted within twenty-five (25) feet of the edge of the roadway;
- 3) No sign or advertisement is permitted on any utility pole or rock;
- 4) No sign or advertisement is permitted on any tree or fence except property control signs as defined in this Zoning Resolution;
- 5) Portable signs are prohibited;
- 6) No temporary signs shall be attached to a freestanding sign;
- 7) No contractor signage allowed unless otherwise specifically permitted;
- 8) All commercial signs must be reviewed and approved by the designated commercial building department to ensure the State of Ohio building standards are followed during the installation; and
- 9) Any other type of sign not specifically permitted by this Section.

**Section 845.03 - Permitted Signs (No Certificate of Zoning Compliance Required)**

A) Real Estate & Sales Signs

Signs for the sale, lease, or rental of the property on which the sign is located and signs for garage sales, yard sales, and estate sales, auctions of personal property by or on behalf of the owner of the property or other similar sales on which the sign is located shall be permitted, when the following requirements are met:

- 1) One sign per parcel;
- 2) The maximum size in any Residential District is six (6) square feet of area per side with no more than two (2) sides;
- 3) The maximum total height in any Residential District is four (4) feet above the existing grade below the sign;
- 4) The maximum size in any commercial or industrial district is thirty-two (32) square feet per side with no more than two (2) sides;

- 5) The maximum total height in any commercial or industrial district is ten (10) feet above the existing grade; and
- 6) All signs shall be removed within three (3) days after occupancy but in no case more than seven (7) days after closing.

B) Vehicular Control Signs

Signs pertaining to vehicular or pedestrian control on private property shall be permitted, provided the said signs:

- 1) Shall not exceed two (2) square feet of area per side with no more than two (2) sides;
- 2) Shall not interfere or obstruct visibility when leaving or entering any property; and
- 3) If the sign is used in connection with a specific event, it shall be removed immediately following the event.

C) Political Signs

Shall be permitted in any district provided the property owner has given permission and that said signs:

- 1) Do not interfere with the visibility of vehicular traffic entering or leaving a public street;
- 2) Are located outside of the right-of-way limits of a road; and
- 3) Are be posted and removed without the destruction of public or private property.

D) Security Protection Signs

Shall be permitted only as follows:

- 1) Such signs shall not exceed one (1) square feet; and
- 2) Such signs shall not exceed two (2) per parcel.

E) Property Control Signs

(To include “no trespassing, hunting, keep off grass,” etc.)

- 1) Such sign shall not exceed two (2) square feet in size; and
- 2) No more than one (1) sign per one hundred (100) lineal feet of property line being posted.

F) Support our Troops, Cancer Survivor Signs, etc.

Shall be permitted; provided the sign is located outside of the right-of-way.

G) Farm Signs

Farm signs shall be permitted in any district provided the sign says:

- 1) Such signs shall designate the name and address of the occupant or the produce or livestock for sale;
- 2) Such sign shall not exceed six (6) square feet of area per side with no more than two (2) sides; and
- 3) Such signs shall not exceed one (1) sign per parcel.

## Section 845.04 - Permitted Signs (Certificate of Zoning Compliance Required)

The following signs shall be permitted in Jefferson Township subject to the regulations set forth herein:

### A) Commercial or Industrial District Signs

(To include schools, parks, churches, libraries, museums, cemeteries located in all zoning districts)

Each business or entity shall be permitted one (1) mounted wall sign or one (1) free standing sign or one (1) wall sign and one (1) free standing sign as follows:

- 1) Wall Signs
  - a) Projections of wall signs shall not exceed two (2) feet measured from the face of the main wall of the building.
  - b) The area of all permanent wall sign advertising shall be limited to one (1) square foot of sign area for each lineal foot of building face that sign will be mounted to, but shall not exceed fifty (50) square feet.
- 2) Free Standing, Ground Mounted Signs
  - a) No sign shall exceed thirty-two (32) square feet per side with no more than two (2) sides.
  - b) No part of such sign shall be closer than thirty-five (35) feet to any property line.
  - c) No sign shall be erected at a height greater than ten (10) feet above the existing grade below the sign.
- 3) Wall and Free Standing Sign
  - a) Projections of wall signs shall not exceed two (2) feet measured from the face of the main wall of the building.
  - b) The area of all permanent wall sign advertising shall be limited to one (1) square foot of sign area for each lineal foot of building face that sign will be mounted to, but shall not exceed twenty-five (25) square feet.
  - c) No sign shall exceed sixteen (16) square feet per side with no more than two (2) sides.
  - d) No part of such sign shall be closer than thirty-five (35) feet to any property line.
  - e) No sign shall be erected at a height greater than ten (10) feet above the existing grade below the sign.

Buildings with multiple business occupants who share a common entryway shall be permitted one (1) joint identification freestanding sign and one (1) mounted wall sign provided the mounted wall sign and joint identification freestanding sign meet Section 845.04 3A and 845.04 3B.
- 4) Window Signs
  - a) Each business may have window signs provided they do not cover more than 20 percent of each window surface.
  - b) The window signs shall be so located as to allow clear visibility into the building for the purposes of fire and police protection.

B) Temporary Signs (all districts)

Signs used for announcing special public or institutional events or the proposed construction of a building shall be permitted as follows:

- 1) Such signs shall not exceed thirty-two (32) square feet per side with no more than two (2) sides.
- 2) Such signs are not to exceed a thirty (30) day period.
- 3) In the case of construction of a commercial/industrial building, the sign shall not to exceed a one (1) year period.
- 4) No part of such sign shall be closer than thirty-five (35) feet to any property line.
- 5) There shall be no more than one (1) sign per parcel.

C) Subdivision Signs

Each platted subdivision shall be permitted the following signage:

- 1) Permanent Subdivision Entry (Feature) Sign:
  - a) The sign shall be erected only upon the platted subdivision.
  - b) The signage area shall be limited to sixteen (16) square feet and shall only include recorded subdivision name.
  - c) Not more than one (1) such sign shall be placed along single road frontage or at each corner of each public entrance.
- 2) Marketing Sign:
  - a) The sign shall only advertise the platted subdivision that it is erected upon.
  - b) There shall be no more than one (1) sign per platted subdivision.
  - c) The area of all advertising shall be limited to thirty-two (32) square feet per side with no more than two (2) sides.
  - d) The maximum height for the sign would be no more than ten (10) feet above existing grade.
  - e) The marketing sign shall be allowed for a period of three (3) years or until seventy-five percent (75%) of total lots have been permitted for zoning compliance (whichever occurs first).
  - f) Landscaping shall be installed along the base of the sign.
  - g) No lighting shall be allowed.
- 3) Model/Sales Center Sign
  - a) One (1) model/sales center sign shall be permitted per platted subdivision.
  - b) The area of all advertising shall be limited to sixteen (16) square feet per side with not more than two (2) sides.
  - c) The signs shall be located only on property that has been permitted as a subdivision model/sales center.
  - d) Model/sales center sign shall be allowed for a period of three (3) years or until seventy-five percent (75%) of total lots have been permitted for zoning compliance (whichever occurs first).

- 4) Construction Trailer/Office Sign
  - a) One (1) construction trailer/office sign per platted subdivision.
  - b) The area of all advertising shall be limited to sixteen (16) square feet with no more than two (2) sides permitted on the sign.
  - c) Construction trailer/office sign shall be mounted to construction trailer/office.
- 5) Temporary Brochure Box Sign
  - a) One (1) brochure box sign per platted subdivision.
  - b) The area of brochure box, including advertising, shall be limited to two (2) square feet.
  - c) Brochure box sign shall be mounted to the model/sales center.
  - d) Brochure box sign shall be allowed for a period of three (3) years or until seventy-five percent (75%) of total lots have been permitted for zoning compliance (whichever occurs first).

D) Off Premise Signs

- 1) Open House/Realtor Signs
  - a) Signs can be located in an approved location for up to one (1) hour before and shall be removed no more than one (1) hour after the open house.
  - b) No more than one (1) off premise sign in conjunction with open house.
  - c) Size of off premise sign cannot exceed six (6) square feet.
  - d) Open house sign(s) shall be located outside the public right-of-way.
  - e) Open house sign shall be affixed to the ground and made of a material to withstand the weather (wind, rain, etc).
  - f) Only one (1) sign per parcel (including other legal signage already located on parcel).
    - i) The application for an off premise sign in conjunction with an open house must be submitted no later than 5:00 PM the Wednesday before the open house. Application must include the following:
      - A) Written approval for the off-premise sign location from the property owner.
      - B) Contact information for property owner (name, address, phone number).
      - C) Site plan of proposed location.
      - D) Graphic of proposed off premise sign.
    - ii) Provided all requirements are met for an off premise sign(s), a certificate of zoning compliance will be issued which shall be affixed to the off premise sign.
- 2) Personal Sales Signs
  - a) No more than one (1) off premise sign in conjunction with sale.
  - b) Off premise sign shall not exceed three (3) days.
  - c) Size of off premise sign cannot exceed six (6) square feet.



- d) Personal sales sign shall be located outside the public right-of-way.
- e) Personal sales sign shall be affixed to the ground and made of a material to withstand the weather (wind, rain, etc.).
- f) Only one (1) sign per parcel (including other legal signage already located on parcel).
  - i) The application for an off premise sign in conjunction with a personal sale must be submitted no later than 5:00 PM the Wednesday before the personal sale. Application must include the following:
    - A) Written approval for the off-premise sign location property owner.
    - B) Contact information for same property owner (name, address, phone number).
    - C) Date of personal sale.
    - D) Site plan of proposed location.
    - E) Graphic of proposed off premise sign.
  - ii) Provided all requirements are met for an off premise sign(s) a permit will be issued which shall be affixed to the off premise sign.

E) Contractor Signage

- 1) One (1) sign per parcel.
- 2) Size of sign shall not exceed six (6) square feet.
- 3) Contractor sign shall be located outside the public right-of-way.
- 4) Sign allowed for duration of construction up to six months.

### Section 845.05 - Conditional Uses

Except as otherwise provided, a conditional use shall be subject to the same signage requirements as if such sign were a permitted use.

### Section 845.06 - Non Conforming Signs

Any sign in existence within Jefferson Township prior to the effective date of this Resolution (August 24, 2006) that does not conform with the provisions of this Zoning Resolution shall be allowed to continue in its non-conforming status provided the sign was erected in compliance with applicable laws in existence on the date of its erection. A non-conforming sign shall not be relocated or replaced unless it is brought into compliance with the provisions of this Zoning Resolution.

## SECTION 850 – PUBLIC NUISANCE REGULATIONS

### Section 850.01 - Prevention of Nuisance

Every structure or use subject to the provisions of this Zoning Resolution shall be located, arranged and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property.

### Section 850.02 - Required Limits

The following limits of development and operation are provided to control hazardous, obnoxious or other nuisance activity of uses subject to the provisions of this Zoning Resolution.

A) Noise

Noise or vibration shall be so controlled that at the property line on which such noise or vibration is produced will not be at a level above that normally perceptible from other development in the area or from the usual street traffic observed at the street right-of-way line of the lot, except occasional blast or shock required in normal operation and produced in such manner as not to create hazard. This shall not apply to normal construction activity, but shall apply to the repeated use of firearms, vehicles and similar noise generators.

B) Air Pollution

No visible smoke, dust or other particulate emissions, excluding steam, shall be permitted, excepting those produced from fossil fuel, wood-burning stoves, fireplaces, furnaces or similar systems so long as such systems are primarily used for heating or cooking purposes and are not used in connection with the manufacture of goods or other commercial activity.

C) Odor or Fumes

Odor or noxious fumes shall be so controlled so that they are not offensive or hazardous.

D) Radioactivity or Electrical Disturbance

No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point, other than that located at the source of such activity.

E) Lighting and Glare

No direct or reflected glare from processing, lighting or other activities shall extend in a manner, which adversely affects neighboring areas or interferes with safety on any public street, road or highway.

F) Toxic and Hazardous Substances

No toxic substance shall be emitted or otherwise discharged into the atmosphere, ground, surface waters or ground waters. No storage, use or transport of toxic or hazardous substances shall be permitted unless such activity is in full compliance with applicable state and federal environmental protection regulations and the express prior written approval of the Jefferson Township Fire Chief.

G) Fire Hazards and Explosives

There shall be no storage, utilization or manufacture of detonable materials or intense burning materials unless the express prior written approval of the Jefferson Township Fire Chief is first obtained. The said Fire Chief shall have the authority to specify the location, quantity, methods of storage and methods of utilization, and otherwise exert other controls which are necessary to protect the health and safety of the residents of Jefferson Township.

H) Trash

The storage of trash or waste materials, including but not limited to, discarded household goods, discarded commercial products, industrial by-products, and other similar materials shall not be visible from the property line on which such materials are being stored or otherwise placed, unless such materials are stored in an appropriate container or enclosure and kept to the side or rear of the dwelling and stored in anticipation of a regularly scheduled trash pickup. In all cases, there shall be full compliance with applicable zoning district standards.

### **Section 850.03 - Agricultural Nuisances**

A) Persons who are engaged in agriculture-related activities, as agriculture is defined in the ORC 519.01, and who are conducting those activities in Jefferson Township in accordance with generally accepted agricultural practices, and in such a manner as not to have a substantial, adverse effect on the public health, safety and general welfare are exempt from the nuisance standards of this Zoning Resolution, per ORC 3767.13.

B) “Substantial adverse effect on the public health, safety or welfare” shall be defined as any activity which creates a nuisance for a continuous period of ten (10) days or more or for a total of more than twenty (20) days in any calendar year. It is the intent of this section to permit unavoidable temporary nuisances associated with generally accepted agricultural practices (i.e. dust from cultivating, temporary odor from manure spreading, spraying, etc.). It is also the intent of this section, however, to preclude the establishment of long-term or permanent agriculture-related nuisances or dangerous agricultural practices adjacent to or near existing residential land uses (i.e. feed lot, pigpen, lagoon, improper use of pesticides, herbicides, etc.). Specific agriculture-related activities or uses which existed prior to the establishment of adjacent non-agricultural uses shall be exempt from these nuisance standards and shall not be determined to have a “substantial, adverse effect on the public health, safety or welfare.”

## **SECTION 860 – TEMPORARY USES**

### **Section 860.01 - Temporary Uses, Sales, Purpose**

Because of the special characteristics and needs of temporary uses, special standards to properly locate and control the activities of temporary uses and/or sales are necessary in order to secure the health, safety and morals of the community. An application for a Temporary Permit shall be filed at least ten (10) days prior to the commencement of the proposed temporary use or sale. No temporary use or sale shall commence until a Temporary Permit shall have been issued by the Township Zoning Inspector.

Except as provide in 1) and 2) of Section 860.06, the provisions of Section 508 shall not apply to a sale of property publicized solely by classified newspaper advertising, which is limited to describing or identifying the specific property offered for sale and does not designate the date, hours or location of the sale other than by stating the name, address or telephone number of the seller.

### **Section 860.02 – Temporary Use/Sale Permit**

Each application for a Temporary Use/Sale Permit shall contain a graphic description of the property to be utilized, a description of the proposed use, and excepting temporary uses and/or sales listed in Section 860.06 (1), (2), (3) and (7), a site plan in triplicate, drawn to scale, which illustrates the following:

Submission Requirements for Temporary Use/Sale Permit:

- A) The actual dimensions of the lot, including easements.
- B) The exact size, location, and height of all existing and proposed buildings and structures, whether principal or accessory, on the lot.
- C) The existing and intended use of all parts of the land and buildings and structures, whether principal or accessory.
- D) Existing zoning on the lot in question and on all adjacent lots.
- E) Existing and/or proposed parking spaces, traffic flow, wheel stops, access drives, building and parking setbacks, yard requirements, and existing and proposed sanitary facilities.
- F) Existing and proposed signs and billboards, including lighting and size detail.
- G) Such other information with regard to the temporary use, lot, and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution.

### **Section 860.03 – Fees**

When making an application for a Temporary Use/Sale Permit, the investigation and compliance fees shall be paid in accordance with the Schedule of Fees Resolution as may from time to time, be adopted by the Board of Jefferson Township Trustees.

### **Section 860.04 – Issuance of Permits**

Temporary Use/Sale Permits shall be issued or refusal thereof given within five (5) days of the completed application and fee. Written notice of such refusal and reason thereof shall be given to the applicant.

### **Section 860.05 – Prohibited Temporary Uses**

Temporary retail sales conducted on parking lots, vacant lots, or along roadsides by transient vendors shall be prohibited unless conducted pursuant to a valid permit issued by the Township under Ohio Revised Code Section 505.94.

## Section 860.06 – Permitted Temporary Uses

The following temporary use and/or sales are deemed to be permitted temporary uses or sales and are subject to the following requirements, in addition to applicable development standards of the district in which the use is located:

- A) Garage or Yard Sales: Shall be limited to not more than two (2) consecutive days and only two (2) such sales may be conducted during any one (1) calendar year. Garage or yard sales involving the complete liquidation of all personal property located within the entire dwelling unit shall be limited to not more than two (2) consecutive days and only one (1) such sale may be conducted by the owner or occupant of such dwelling unit. The term "Garage or Yard Sales" shall be defined as a sale of personal property to the general public conducted inside or outside a dwelling unit on any property within a residential zoning district, including, but not limited to, garage sales, patio sales, yard sales, porch sales, tag sales, liquidation sales and other similar types of sales. A garage or yard sales does not include the casual sale of motor vehicles, boats, trailers, motorcycles, motor homes, and other similar types of vehicles, which sales shall be regulated in accordance with the provisions of Section 860.06(2). In addition, the following regulations shall apply to garage or yard sales:
- 1) No garage or yard sales shall be conducted within a temporary accessory structure or vehicle, including but not limited to, tents, canopies, sheds, trailers and similar types of structures and vehicles.
  - 2) Garage or yard sales shall not be conducted on consecutive weekends.
  - 3) No garage or yard sale shall commence before the hour of 8:00 a.m. nor extend later than 7:00 p.m.
  - 4) Personal property offered for sale shall not be displayed closer than twenty five (25) feet of a street.
  - 5) Signs for garage and yard sales must adhere to Section 845 of this Zoning Resolution.
  - 6) The Zoning Inspector may require the review of any garage or yard sales Temporary Permit application by the Township Fire Department. In the event that the Chief of either department requires that temporary, no parking restrictions be implemented on any public street in order to protect the health and safety of the citizens of Jefferson Township, the applicant for a Temporary Use permit shall cooperate to the extent necessary for the posting of such restrictions.
  - 7) No garage or yard sales conducted within a dwelling unit shall occupy more than 200 square feet of such dwelling unit, unless such sale involves the complete liquidation of all personal property located within the entire dwelling unit.
  - 8) No person shall sell or offer for sale at such garage or yard sales any merchandise that has been purchased, consigned, or otherwise acquired for purposes of resale. The offering of new merchandise for sale shall be prima-facie evidence that such merchandise was acquired for purposes of resale. No person shall sell or offer for sale at such home sale any personal property except such property that has been owned, maintained and used for personal household use by such person or members of his family on or in connection with the premises on which such sale is held.
  - 9) Garage sales in accordance with the criteria outlined in 860.06 (1) shall not require a Temporary Permit.

- B) Casual Sales of Motorcycles and Motor Vehicles, Excluding Boats, Trailers, Motor Homes and Other Similar Vehicles: A casual sale of a motor vehicle or motorcycle may be conducted on any property in a residential or planned residential zoning district, provided the following criteria are met:
- 1) No person shall sell or offer for sale any such vehicle that has been purchased, consigned or otherwise acquired for purposes of resale. The offering of a new vehicle for sale shall be prima facie evidence that such vehicle was acquired for purposes of resale.
  - 2) No person shall sell or offer to sell any such vehicles except such vehicles as have been owned, maintained and used for personal household use by such person or members of his/her family on or in connection with the premises on which the vehicle is being sold.
  - 3) No more than three (3) such vehicles may be sold or offered for sale in any one (1) calendar year.
  - 4) No more than one (1) such vehicle shall be displayed for sale on or from the property at any time. Such displayed item shall be located upon an approved driveway within the front or side yards and such displayed item shall be placed no nearer to the edge of the roadway pavement than fifteen (15) feet. In no event shall such displayed items be located in any public road right-of-way.
  - 5) Not more than two (2) signs, each of which shall not exceed two (2) square feet in area, may be displayed for the sale of such vehicle upon or in the vehicle, provided that such sign(s) shall not be illuminated or animated.
  - 6) Any such vehicle displayed for sale must be in operating condition and capable of being immediately moved under its own power if self-propelled, or if not self-propelled, by towing by ordinary means available upon the premises, and must have a valid and current registration decal and/or license plate.
  - 7) Except as may otherwise be permitted in an applicable zoning district or as may be approved as part of a planned development zoning district, the sale of motor vehicles and motorcycles, which does meet the foregoing criteria shall be prohibited. The casual sale of such vehicles in accordance with the criteria outlined in 860.06(2) shall not require a Temporary Permit.
- C) Christmas Tree Sales: Christmas tree sales may be permitted for a period not exceeding thirty-five (35) consecutive days during any one calendar year in any nonresidential zoning district or upon a church, school or similar site within a residential zoning district, provided that no activities are conducted within the public right-of-way and adequate off-street parking is provided in accordance with the minimum parking set-back.
- D) Temporary Real Estate Sales Offices/Model Home Sales: Temporary real estate sales offices and model home offices may be permitted within any district for any new subdivision, provided such office is not used as a dwelling. Such office use shall cease upon completion of the sales of lots within the subdivision. Rentals or resales of lots and/or units in the subdivision shall not be conducted from the temporary office.
- E) Temporary Contractors' Offices: Temporary contractors' offices and equipment sheds, other than portable storage units, in association with construction activities may be permitted within any district, provided such uses are removed immediately upon completion of the construction project. Port-a-Johns or similar temporary restroom facilities and dumpster shall not be located in the right-of-way.
- F) Temporary Public Events: Temporary public events sponsored by a public or non-profit organization may be permitted within any non-residential zoning district or upon a church, school or other similar site within a Residential Zoning District provided adequate off-street parking, sanitary facilities, lighting, and security are provided. Temporary public events shall be limited to not more than three (3) consecutive days and only two (2) such events may be conducted in any one (1) calendar year.
- Temporary public events include, but are not limited to, temporary uses, such as tent meetings, bazaars, festivals, flea markets, art shows, and other similar public events. Temporary uses permitted in this section do not include major rock concerts or similar functions that will normally attract more than five hundred (500) persons.
- G) Portable Storage Units: in accordance with the provisions of Sections 860.07 and 860.071.

## **Section 860.07 – Portable Storage Units**

Portable Storage Units may be permitted as a temporary use in any zoning district only in conjunction with and not to exceed the times listed for the following activities:

- A) Temporary use for construction sites as accessory to and in association with an on-going construction project at such site for a period of up to one hundred twenty (120) total days in any three hundred sixty-five (365) consecutive day period or upon the completion of the project, whichever occurs sooner.
- B) Temporary use, including open top dumpsters, when the occupant of the property on which the portable storage unit is located is relocating for a period not to exceed seven (7) consecutive days or for a period of fourteen (14) total days in any one hundred eighty (180) consecutive day period.
- C) Temporary use to facilitate temporary activities for a period not to exceed seven (7) consecutive days or for a period of fourteen (14) total days in any one hundred eighty (180) consecutive day period.

## **Section 860.07 – Portable Storage Unit Criteria**

Portable Storage Units shall be subject to the following requirements:

- A) A Portable Storage Unit shall not exceed one hundred sixty-nine (169) square feet in size and eight (8) feet in height.
- B) Not more than one (1) Portable Storage Unit shall be permitted on any property at any time.
- C) No Portable Storage Unit shall be located in a public right-of-way.
- D) Portable Storage Units shall be located no closer to an adjacent property than the greater of ten (10) feet or the required minimum side or rear yard setback for accessory buildings in the district in which the unit is located.
- E) Portable Storage Units shall only be used for the storage of personal property and for no other purpose whatsoever.
- F) The placement of Portable Storage Units shall be in such manner as not to create a public nuisance.
- G) A Portable Storage Unit is not permitted as a permanent accessory storage structure regardless of the proposed location on a property.
- H) A Temporary Use Permit shall be obtained prior to the placement of a Portable Storage Unit on a property. For the activities listed in Section 860.07 (1) and (2), no more than two (2) Temporary Use Permits may be issued for the same property during any three hundred sixty-five (365) consecutive day period.

## **Section 860.08 - Zoning Inspector Authority in Regulating Temporary Uses**

The Zoning Inspector shall have the authority to require any information the inspector deems necessary or pertinent to the control of temporary uses in order to safeguard the public interest, and shall approve or disapprove the application based on the information submitted and the standards of this Resolution. The applicant may appeal any decision of the Zoning Inspector to the Board of Zoning Appeals.

## **Section 860.09 - Prohibited Temporary Uses**

Temporary retail sales conducted on parking lots, vacant lots, or along roadsides by non-resident or transient vendors shall be prohibited.

## SECTION 865 – RECOMMENDED DRIVEWAY STANDARDS

### Section 865.01 - Standards

- A) Turn-Around at House
- 1) Minimum outside turn-around radius of thirty-eight (38) feet, or minimum “T” of sixty (60) feet by twenty (20) feet at the house (or as otherwise accepted by the Fire Chief based on individual lot characteristics and local emergency equipment).
- B) Surface Width
- 1) Minimum driveway surface width of ten (10) feet with passing bays (50 ft. X 8 ft.) at five hundred (500) foot intervals or minimum overall width of sixteen (16) feet, or similar arrangement to permit passage of two (2) eight-foot (8') wide vehicles.
  - 2) No obstructions within twenty (20) feet of edge of public road pavement within the apron area.
  - 3) No front gates closer than eighteen (18) feet in width or having height of cross member less than twelve (12) feet.
- C) No driveway shall be constructed with a slope exceeding fourteen percent (14%).
- D) All trees and overhangs above driveways and apron areas shall be trimmed to a minimum twelve (12) foot height.

### Section 865.02 - Bridges and Culverts

Where bridges and culverts are required for access, such bridges and culverts shall be built to handle twenty (20) ton vehicles (for short duration and infrequent use) or suitable for the use of emergency vehicles, as attested to the Jefferson Township Fire Chief and Roadway Superintendent.

### Section 865.03 - House Identification

The house number shall appear at the left side of driveway entrance at a minimum of five (5) feet and maximum of ten (10) feet from road edge. House numbers should be a minimum of three (3) inches in height and prominently displayed.



## **SECTION 870 – POND REGULATIONS**

### **Section 870.01 - Purpose**

Man-made ponds may be excavated or otherwise constructed provided the following standards are met. This section shall also apply to any existing pond, which is drained and subsequently reconstructed as part of a maintenance or reconstruction plan of the property owner.

No pond shall be constructed within the boundaries of the floodway as indicated by NFIP maps and data published by FEMA. Ponds constructed in the floodway fringe (to include the one hundred (100) year floodplain) shall require review and approval of a professional engineer or registered landscape architect or another professional deemed appropriate by the State of Ohio, and the Franklin Soil and Water Conservation District.

All ponds must be set back a minimum distance of twenty-five (25) feet from all property lines. The distance shall be measured from property line to edge of water at the principal spillway elevation or from property line to the toe of the slope on any portion of the downstream side of the dam, embankment, or excavated pond edge, whichever is minimum distance.

All ponds shall be properly maintained and shall function as originally designed and be free from objectionable conditions, (i.e., odors, improper drainage, etc.) to avoid becoming a public nuisance as defined by Franklin County Public Health.

Pond standards and specifications from the Natural Resource Conservation Service will be used to design all ponds using the Natural Resource Conservation Service's Practice Standard, Pond Code 378. No pond shall be constructed in a way that conflicts with the requirements and regulations adopted by the Franklin Soil and Water Conservation District.

### **Section 870.02 - Ponds Less Than 750 Square Feet in Surface Area**

- A) A permit to construct and Certificate of Zoning Compliance shall not be required.
- B) Notification to the Zoning office is required for record keeping

**Section 870.03 - Ponds 750 Square Feet or Greater in Surface Area**

- A) An application for a pond permit shall be required. Once construction is completed and after successful final inspection by the Franklin Soil and Water Conservation District and the Township, a Certificate of Zoning Compliance shall be issued.
- B) The pond shall be designed in accordance with standards and specifications published in the Natural Resources Conservation Service Conservation Practice Standard Pond Code 378.
- C) A pond development plan shall be submitted to the Franklin Soil and Water Conservation District via the Jefferson Township Zoning Department for review and approval. The pond development plan must include the following:
  - 1) Location, elevation and profile of principle spillway;
  - 2) Location, elevation and cross-section of pool area;
  - 3) Location, elevation, cross-section and profile of emergency spillway;
  - 4) Location and elevation of dam;
  - 5) Elevations of inlet and outlet structures;
  - 6) Proposed final grade of pond and surrounding area, including elevations;
  - 7) Soil stabilization plan including seeding, mulching, fertilizing and spoil disposal area;
  - 8) Proposed design calculations;
  - 9) Soil log including location of test holes; and
  - 10) Other information deemed reasonably necessary by the Franklin Soil and Water Conservation District or the Jefferson Township Zoning Office.
- D) The Franklin Soil and Water Conservation District shall inspect the construction to assure the pond is completed in accordance with approved plans.
- E) Upon completion of construction, a report of final grading, inlet and outlet elevations as well as any other changes to the original plan shall be submitted to the Franklin Soil and Water Conservation District.
- F) The Franklin Soil and Water Conservation District and Jefferson Township Zoning Administrator Inspector will meet on site for a post construction inspection prior to seeding being completed and the contractor moving off site.
- G) The property owner or applicant will pay all costs associated with the review of the pond.

## **SECTION 875 – RESIDENTIAL CARE FACILITIES**

### **Section 875.01 – Purpose**

This section is intended, in part, to ensure compliance of related provisions of the Jefferson Township Zoning Resolution with the Fair Housing Act Amendments of 1988, effective March 12, 1989, which extend equal housing opportunities to the handicapped, as well as place some minimal regulations upon residential care facilities in accordance with ORC Chapter 5119. Jefferson Township's policy has been, and shall continue to be, to encourage persons whose disabilities or status limit their ability to live independently, to live in stable, affordable housing, in settings that maximize community integration and opportunities for acceptance and to ensure that these individuals are not forced into housing enclaves that would perpetuate isolation from the mainstream of society. For purposes of this Zoning Resolution, a Residential Care Facility of five or fewer unrelated residents (excluding care-givers) shall be regulated as a single (one) family dwelling. A Residential Care Facility of six or more residents (excluding care-givers) shall be regulated as a form of rooming or boarding house in the SO, NC, and CS District.

### **875.02 - Location of Residential Care Facilities**

A Residential Care Facility of five or fewer residents (excluding care-givers) shall be permitted in any single (one) family zoning district.

- A) A Residential Care Facility of six or more residents (excluding care-givers) shall be permitted in the SO, CS and NC District.
- B) The term "Residential Care Facility" as used in this Section means a Residential Care Facility licensed by the State of Ohio.
- C) Pursuant to Section 5119.341(B), residential facilities of six or more residents (excluding care-givers) are prohibited in the SPR.
- D) Residential Care Facilities shall obtain a Permit of Zoning Compliance prior to commencing the use of a property as a Residential Care Facility.

### **875.03 - Concentration of Residential Care Facilities**

- A) In order to promote the benefits of residential surroundings for the residents of Residential Care Facilities and to further the goal of deinstitutionalization of persons whose disabilities or status limit their ability to live independently and to foster their integration into the mainstream of society, no Residential Care Facility shall be located within 1,320 feet of any other Residential Care Facility.
- B) The Jefferson Township Board of Zoning Appeals may, in accordance with the procedures and provisions of Section 1020, Procedures for Authorizing a Conditional Use, issue a Conditional Use Permit for a Residential Care Facility to locate within 1,320 feet of another Residential Care Facility upon a finding that:
  - 1) The residents of said facility will benefit from normal residential surroundings;
  - 2) The placement within 1,320 feet of another Residential Care Facility does not hinder the goal of deinstitutionalization;
  - 3) The placement of the Residential Care Facility furthers the goal of integrating the residents into the mainstream of society;
  - 4) A hardship exists in that suitable housing is unavailable elsewhere in the community that meets the 1,320 foot spacing requirement;
  - 5) The architectural design and site layout of the proposed facility and the location, nature and height of any walls, screens and fences shall be compatible with adjoining land uses and the character of the neighborhood; and
  - 6) The proposed facility shall fully comply with all yard, parking and sign regulations and shall comply with all health, fire and safety regulations and building standards.

## SECTION 880 - SMALL WIND FARMS

Wind farms of 5MW or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. Small Wind Farms, classified as producing less than 5MW and used as incidental to an agricultural use will be exempt from these zoning regulations in accordance with ORC §519.21. Any proposed construction, erection, or siting of a Small Wind Farm less than 5MW including the wind turbine generator or anemometer or any parts thereof shall be a permitted use in any zoning district except those expressly zoned for residential use. A conditional use permit shall be required in all Residential Districts and Planned Residential Districts. The following conditions shall be met for both permitted and conditional use permits:

### A) General Requirements

- 1) **Height:** The maximum height of any turbine shall be 125 feet. For purposes of this Resolution, the maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbine's blades. Maximum height therefore shall be calculated by measuring the length of a prop at maximum vertical rotation to the base of the tower. Additional height restrictions may apply based upon location in relation to an airport.
- 2) **Setbacks:** Any turbine erected on a parcel of land shall be setback 1.1 times the height of the tower, or established "clear fall zone", from all road right-of-way lines and neighboring property lines, structures, as well as any inhabited structures on the parcel intended for the turbine. A turbine shall be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located and would not strike any structures including the primary dwelling, and any inhabited structures.
- 3) **Maintenance:** Wind turbines must be maintained in good working order. The owner shall, within 30 days of permanently ceasing operation of a wind turbine tower, provide written notice of abandonment to the Zoning Inspector. An unused wind turbine or small wind project farm may stand no longer than 12 months following abandonment. All costs associated with the demolition of the wind turbine tower and associated equipment shall be borne by the property owner. A wind turbine tower is considered abandoned when it ceases transmission of electricity for 30 consecutive days. Wind turbines that become inoperable for more than 12 months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing wind turbine.
- 4) **Decibel Levels:** Decibel levels shall not exceed those provided by the manufacturer as requested in Section II Permits. All units collectively shall operate at not more than 5 decibels above the established ambient decibel levels at property lines. This information shall be included in the engineering report described in Section II Permits. This information shall be obtained from the manufacturer of the turbine, and all decibel readings, if necessary, shall be taken from the nearest neighboring property lines. Those turbines that do not meet this requirement will be issued a zoning violation and be required to shut down immediately until the required decibel levels are met.
- 5) **Wiring and Electrical Apparatuses:** All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground or in an appropriate enclosed structure and meet all applicable local, state, and federal codes including the County Building Regulations and Residential Building Code of Ohio.
- 6) **Warning Signs:** Appropriate warning signs to address voltage shall be posted.
- 7) **Building Permits:** All Small Wind Projects Farms and parts thereof shall obtain all applicable Building Permits from the State of Ohio and County Building Regulations where required.

Certificate of Zoning Compliance

- 1) A certificate of zoning compliance shall be required before construction is commenced on an individual wind turbine project system.
- 2) As part of the certificate of zoning compliance process, the applicant shall inquire with the County Building Regulations as to whether or not additional height restrictions are applicable due to the unit's location in relation to any local airports.
- 3) Applicant shall then provide the Township Zoning Inspector with the following items and/or information when applying for a certificate of zoning compliance:
  - a) Location of all public and private airports in relation to the location of the wind turbine.
  - b) An engineering report that shows:
    - i) The total size and height of the unit.
    - ii) If applicable, the total size and depth of the unit's foundation structure concrete mounting pad, as well as soil and bedrock data.
    - iii) A list and/or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.
    - iv) Data specifying the kilowatt size and generating capacity in kilowatts of the particular unit.
    - v) The maximum decibel level of the particular unit. This information shall be obtained from the manufacturer of the turbine unit.
    - vi) Ambient noise levels at property lines.
    - vii) Hazardous materials containment and disposal plan.
  - c) A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, and neighboring property lines.
  - d) Evidence of an established setbacks of 1.1 times the height of the wind turbine and "Clear Fall Zone." with manufacturer's recommendation must be attached to the engineering report.
  - e) A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled.

## SECTION 885 - TELECOMMUNICATION TOWERS.

Public utilities or other functionally equivalent providers may site a telecommunications tower as a permitted use in any zoning district except the Residential Districts, Planned Residential Districts or any Exceptional Use District, including a residential component. Local zoning authority shall not extend to the regulation of maintenance or use of such a tower or to any change or alteration that would not substantially increase the tower's height. Local zoning authority over proposed telecommunications towers shall apply only to a particular tower, only upon provision of a notice of objection to that particular tower. No blanket zoning authority exists over telecommunication towers in Residential Districts unless and until a written objection has been timely filed.

Telecommunication towers may be regulated in areas zoned for residential use upon receipt of an objection pursuant to ORC 519.211(B)(2). The provisions of this Resolution concerning telecommunication towers are not intended to replace or modify ORC 519.211, but instead are intended to incorporate ORC 519.211 and its terms into this Resolution. Any notice of an objection shall comply with the provisions of ORC 519.211(B)(3). Upon timely receipt by the Jefferson Township Board of Trustees of an objection to a proposed telecommunication tower, the Board of Trustees shall proceed as provided in ORC 519.211(B)(4)(a). Telecommunication towers shall be permitted as a use exempt from any local zoning authority in residential zoned areas if no objections are timely filed as provided in ORC 519.211(B)(4)(b). If objections are timely filed consistent with ORC 519.211(B) for a proposed telecommunications tower in a district zoned for residential use then the telecommunications may only be permitted as a conditional use by the Board of Zoning Appeals, provided that all of the following conditions of this Section are met. An application for conditional use shall be filed with the Board of Zoning Appeals.

### A) Conditional Use Application Requirements

The application shall include:

- 1) A preliminary development plan must be submitted at the time the application for the conditional use permit is submitted. The preliminary development plan shall contain the following:
  - a) The location of all the applicant's existing facilities both within the Township and within one (1) mile of the proposed site.
  - b) The general location of planned future facilities, if known.
  - c) For each location shown on the plan, there shall be listed:
    - i) The type and size of tower at each location;
    - ii) The type of equipment located or proposed on each tower;
    - iii) The space available on the tower for additional equipment;
    - iv) The ground network, if any, served by the tower; and
    - v) A site plan showing the parcel on which any existing or proposed tower, antenna or equipment is located.
  - d) A site plan for the facility which is being applied for shall also be submitted containing:
    - i) The location, type and size of existing and proposed towers, antennas and equipment located at the site;
    - ii) The location of existing and proposed buildings and structures, access easements and parking areas;
    - iii) Detailed drawings of the screening plan and related design standards; and
  - e) A written certification from a professional engineer registered in accordance with the laws of the State of Ohio certifying the following:
    - i) That the tower's design is structurally sound and in compliance with all applicable federal, state and local building laws including, without limitation, the Ohio Basic Building Code and the National Electric Code;

- ii) That the tower complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER); and
- iii) That the tower will, to the extent possible, accommodate co-location of additional wireless communication antennas for future use, with a statement as to the number of antennas capable of being accommodated and the ultimate height needed for the stated co-location capacity; or, alternatively, an explanation as to the reasons why the tower will not be constructed to accommodate co-location.

B) General Requirements for all Telecommunications Towers

- 1) The applicant or tower provider shall demonstrate that the telecommunications tower must be located where it is proposed in order to service the applicant's service area and that there are no alternative sites reasonably available in any area. This shall include an explanation and accompanying documentation as to why a tower on this proposed site is technically necessary; a description of the suitability of the use of existing towers, other structures or technology not requiring the use of the proposed new tower; and a demonstration that a technically suitable location is not reasonably available on an existing tower, building or structure. If another tower is technically suitable, the applicant must show that a request to co-locate was made and that such request was rejected.
- 2) All towers shall meet or exceed current standards and regulations of the FAA, FCC and any other agency of the state or federal government with the authority to regulate such towers. If the applicable standards and regulations are changed, then the owners/operators of the towers shall, if required by the applicable governmental authority, bring such towers into compliance with the revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the applicable governmental authority.
- 3) The owner/operator shall remove a tower within one hundred eighty (180) days after the tower's use is discontinued.
- 4) The owner/operator shall annually file a declaration with the Zoning Inspector which certifies that the radio frequency transmission and/or reception equipment attached to the tower is in use and is operational.
- 5) The owner/operator shall provide documentation that notice has been provided in accordance with Section 519.211 of the Ohio Revised Code.

C) Development Standards for all Telecommunications Towers

- 1) No telecommunications tower shall be permitted to be located in any platted subdivision approved under Sections 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, when at least thirty-five percent (35%) of the lots within such subdivision or area are developed with at least one (1) dwelling unit.
- 2) The maximum height of a tower shall not exceed 150 feet.
- 3) The tower shall not be placed closer than 150 feet from any existing residential dwelling unit.
- 4) The minimum lot size for which a tower is to be placed shall be two (2) acres.
- 5) The tower shall be located no closer to a street right-of-way than 15 feet behind the established building setback line.
- 6) A tower shall be set back from any adjoining property line a distance which is equal to the height of the tower as measured from its base.
- 7) Security fencing shall be provided to prevent uncontrolled access to the tower site. The tower shall be screened by an eight (8) foot high fence or barrier. A continuous evergreen hedge, trees or similar landscape materials of a size, type, area and design deemed appropriate by the Board of Zoning

- Appeals shall be placed outside of and along the fence or barrier. Any solid fence or barrier shall contain no advertising, but may contain one small identification sign not to exceed three square feet in size. The storage of any equipment must be contained inside the screened area.
- 8) The lot on which the tower is to be located shall meet the minimum frontage requirements of the district in which it is located.
  - 9) Any screening shall be maintained in good condition. The applicant is responsible for ensuring that the area on which the tower is to be located is kept free of weeds and trash. The outside storage of vehicles or equipment must be contained within the screened area.
  - 10) The tower and related screening shall be designed to be aesthetically and architecturally compatible with the surrounding environment. The tower may be painted in non-contrasting gray or similar color minimizing its visibility and shall not contain, or be illuminated by, artificial lights, beacons or strobes, unless otherwise required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC). All surfaces shall be maintained in good condition, absent of flaking or peeling paint, and rust. Unless otherwise approved by the Board of Zoning Appeals, the tower shall be of a non-corrosive monopole design.
  - 11) No advertising is permitted anywhere on the telecommunications tower facility with the exception of one identification sign not to exceed one square foot in size.
  - 12) The tower shall be fully automated and unattended on a daily basis and shall be visited only for periodic and necessary maintenance. Also, all utility service to the tower shall be underground in accordance with applicable federal, state and local codes.
  - 13) Where the tower is located on a property which is not owned by the tower operator, the applicant shall present documentation that the owner of the property has approved the application and that vehicular access is provided to the property. Reasonable access and circulation shall be provided to the tower.
  - 14) The applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential co-location of other antenna facilities to the extent possible, until said tower has reached full antenna capacity. Antenna towers are not permitted to be built to a height which exceeds the applicant's service need as substantiated by the testimony and certification of the applicant's engineer. If the tower must be extended in the future to accommodate co-location, the initial tower foundation must be designed to accommodate this extension capability. This ultimate height shall be specified on the drawings submitted with the application. Unless otherwise approved, the tower height shall not be extended until co-locators are installed.



- 15) A tower may be attached to a residential or nonresidential building or structure that is a permitted use and structure in the district, provided that the tower's height does not exceed twenty (20) feet above the existing building or structure to which the tower is attached; and further provided that all requirements except those found in Items C 2, 7 and 9 are met. All roof-mounted towers shall be screened from view to the extent possible. The outside storage of vehicles or equipment, if not located inside the building or structure on which the tower is located, shall be screened by a minimum eight (8) foot high solid masonry or concrete wall and, outside of and along the wall, a continuous evergreen hedge, trees or similar landscape materials of a size and type deemed appropriate by the Board of Zoning Appeals. The screening shall be maintained in good condition. Any solid wall shall contain no advertising, but may contain one small identification sign not to exceed one square foot in size. The applicant is responsible for ensuring that the tower area is kept free of weeds and trash.

D) Exception to Conditional Use Permit

Telecommunications towers meeting the following conditions shall not be required to obtain a Conditional Use Permit, but shall be deemed to be permitted uses requiring a Certificate of Zoning Compliance.

- 1) Should the owner/operator of a telecommunications tower desire to site a tower on property that falls under the direct ownership and with the consent of the Jefferson Township Board of Trustees, then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that the requirements founding the following provisions are met: (A)(1)(e)(i) and (ii); (B) (2), (3) and (4); (C) (5), (7), (10), (11), (13) and (14).
- 2) Should the owner/operator of a telecommunications tower desire to co-locate a tower on another existing telecommunications tower or on another utility structure (i.e., water tower) and such co-location will result in a substantial change in the height of the tower, then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that the requirements found in the following provisions are met: (A)(1)(e)(i) and (ii); (B)(2)(3) and (4); (C) (5), (7), (10), (11), (12) and (13). A substantial change in height shall mean the addition of more than 40 feet to the existing tower or structure.
- 3) Should the owner/operator of a telecommunications tower desire to site a tower using a no-impact design (specifically meaning that the tower will be completely invisible to the casual observer by incorporating the tower within an existing structure such as inside a steeple), then a Certificate of Zoning Compliance may be obtained in lieu of a Conditional Use Permit, provided that the requirements found in the following provisions are met: (A)(1)(e)(i) and (ii); (B)(2), (3) and (4); (C) (10), (11), (12) and (13).



# Article IX

## Zoning Resolution Administration and Amendments

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### SECTION 900 - ENFORCEMENT OF REGULATIONS

In accordance with the ORC 519.16 and for the purpose of enforcing the zoning regulations, the Board of Jefferson Township Trustees may provide for a system of zoning certificates, may establish and fill the position of Township Zoning Inspector, together with assistants as the board deems necessary, may fix the compensation for those positions, and may make disbursements for them. The Township Fiscal Officer may be appointed Secretary of the Township Zoning Commission and/or Secretary of the Township Board of Zoning Appeals.

#### Section 900.01 - Zoning Administrator/Inspector

The Zoning Administrator/Inspector or a designated representative shall be appointed by the Jefferson Township Trustees as is prescribed by ORC 519.16, Ohio Revised Code. The Zoning Administrator/Inspector shall administer and enforce the Zoning Resolution with the assistance of such other persons as the Board of Township Trustees may provide.

#### Section 900.02 - Zoning Administrator/Inspector Duties and Responsibilities

The Zoning Administrator/Inspector shall have the following duties and responsibilities:

A) *Enforce the Zoning Resolution*

The Zoning Administrator/Inspector shall take all necessary steps to administer, interpret and enforce this Zoning Resolution and take all necessary steps to remedy conditions found in violation by ordering, in writing, the discontinuance of illegal uses of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or take any other action authorized by this Zoning Resolution to ensure compliance with or prevent violation of its provisions.

B) *Issues Permits of Zoning Compliance and Certificate of Zoning Compliance*

The Zoning Administrator/Inspector shall review all application for Zoning Compliance and issue Permits of Zoning Compliance and Certificates of Zoning Compliance in accordance with Section 900.04 when the provisions of this Zoning Resolution have been met, or refuse to issue the same in the event of non-compliance.

C) *Collection of Fees*

To collect the designated fees as set forth in the current fee schedule for certificates of zoning compliance, application for amendment or changes to the Zoning Resolution, appeals, variances, and conditional use permits.

D) *Making and Keeping Records*

To make and to keep all records necessary and appropriate to the office, including record of the issuance and denial of all certificates of zoning compliance and of receipt of complaints of violation of this Zoning Resolution and action taken on the same.

E) Inspection of Structures or Land

To inspect any structure or land to determine whether any violations of this Zoning Resolution have been committed or exist and whether or not structures are in compliance with previously issued permits, including but not limited to permits of Zoning Compliance.

F) Advise Zoning Commission

To keep the Zoning Commission advised on all matters pertaining to zoning amendments and records pertaining thereto and provide the Zoning Commission any requested reports which may provide background evaluations regarding any application sent before the Zoning Commission. To keep the Jefferson Township Zoning Commission advised of all matters pertaining to the code enforcement of this Zoning Resolution and to transmit all applications and records pertaining thereto.

G) Advise Board of Appeals

To keep the Board of Zoning Appeals advised of all matters pertaining to conditional use permits, appeals or variances and to transmit all applications and records pertaining thereto and provide the Board of Zoning Appeals any requested reports which may provide background evaluations regarding any application sent before the Board of Zoning Appeals.

H) Monthly Reports

The Zoning Administrator/Inspector shall make monthly reports to the Jefferson Township Board of Trustees pertaining to the enforcement of this Zoning Resolution. The report shall document all actions taken during that period of time. Copies of the report shall be given to the Jefferson Township Board of Trustees, Zoning Commission the Board of Zoning Appeals and the township administration.

### **Section 900.03 - Conflict of Interest**

The Zoning Administrator/Inspector is subject to the Ohio Code of Ethics. A conflict of interest shall include, but is not limited to, all applications or issues in which the Zoning Administrator/Inspector or his/her immediate family has a direct pecuniary interest. If a conflict of interest exists, the Jefferson Township Trustees shall appoint a designee to act on behalf of the Zoning Administrator/Inspector.

### **Section 900.04 - Permits of Zoning Compliance and Certificates of Zoning Compliance**

No occupied or vacant land shall hereafter be changed and/or disturbed in its use in whole or part, including any structure as defined by this Zoning Resolution, until the Zoning Administrator/Inspector shall have issued the Permit of Zoning Compliance and Certificate of Zoning Compliance. No existing or new structure shall hereafter be changed in its use in whole or in part until the Zoning Administrator/Inspector shall have issued a Permit of Zoning Compliance and Certificate of Zoning Compliance.

#### **Section 900.041 - Permit of Zoning Compliance**

No structure permit for the extension, erection or alteration of any building shall be issued before an application for Permit of Zoning Compliance has been submitted and such application is approved.

#### **Section 900.042 - Applications for Permit of Zoning Compliance**

Each application shall be accompanied by required number of copies of a site plan prepared by a professional engineer, surveyor or architect where required, drawn to scale and accompanied by the designated application fee.

The site plan shall show the following items, as applicable, to insure compliance with the regulations herein:

- A) The actual dimensions of the lot including easements;
- B) The exact size and location of all structures existing on the lot;
- C) The proposed new construction, drawn to scale and shall indicate the rear, side and front setbacks;
- D) The existing and intended use of all parts of the land or structures;
- E) The proposed provisions of water and sanitary sewer facilities;
- F) Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution;
- G) A grading plan and storm sewer layout, to include existing and proposed surface and subsurface drainage features, indicating how storm runoff will be handled; and
- H) Any and all other requirements applicable to each application as required by this Zoning Resolution.

The requirements of Section 900.042, or portions thereof, may be waived by the Zoning Administrator/Inspector when, in their opinion, the applicant has satisfactorily demonstrated that all aspects relative to the above have been suitably addressed.

Applications for Permit of Zoning Compliance must comply with all other applicable local and state requirements and regulations. These may include, but are not limited to, the Franklin County Storm Water Drainage, Franklin County Public Health Regulations, Jefferson Water and Sewer District requirements, Franklin County Drainage Engineer requirements, Franklin County Engineer requirements and requirements of the applicable Ohio Environmental Protection Agency Construction permit.

### **Section 900.043 - Procedure**

A) *Acceptance of a Complete Application*

The Zoning Administrator/Inspector shall not accept an application until the application is deemed complete and the appropriate fee, as prescribed by the Jefferson Township Fee Schedule for that application is received.

B) *Approval and Issuance*

A Permit of Zoning Compliance shall be issued or refusal thereof given within thirty (30) days after the submittal of a complete application. Written notice of a refusal and reason thereof shall be given to the applicant.

### **Section 900.044 - Fees**

A fee shall be paid to Jefferson Township for each application for Permit of Zoning Compliance in accordance with the Jefferson Township Fee Schedule.

**Section 900.045 - Expiration of Permit of Zoning Compliance**

A Permit of Zoning Compliance shall expire if the work described in the Permit has not commenced within one (1) year from the date of issuance thereof, or if the work has not been completed within two (2) years. Once expired, the Permit of Zoning Compliance shall be void. Once void, the Zoning Administrator/Inspector shall provide written notice thereof to the persons affected. Further, the written notice of expiration shall be accompanied by notice that further work as described in the expired permit shall not proceed unless and until a new Application of Zoning Compliance has been obtained or an extension granted by the Board of Zoning Appeals. Section 900.046 - Certificates of Zoning Compliance

Once an applicant is issued a Permit of Zoning Compliance, the applicant may begin construction of the proposed extension, erection or alteration of any structure or development approved by the process outlined in Section 900.042 – 900.044 of this Zoning Resolution. If the extension, erection or alteration has been completed without the Permit of Zoning Compliance expiring in accordance with Section 900.044, the applicant shall call for inspection for return to the Zoning Administrator/Inspector for a Certificate of Zoning Compliance. The Certificate of Zoning Compliance will only be issued if the extension, erection or alteration has been constructed in accordance with the approved Application and meets all the requirements of this Zoning Resolution.

**SECTION 910 - PENALTIES FOR VIOLATION**

Any person violating any provision of any part of this Zoning Resolution, or who shall violate or fail to comply with any order made thereunder; or who shall falsify plans or statements filed thereunder; or who shall continue to work upon any structure after having received written notice from the Zoning Administrator/Inspector to cease work, shall be guilty of a misdemeanor, and subject to the penalty provided in ORC 519.99.

## **SECTION 920 - ZONING AMENDMENTS**

Whenever the public health, safety, convenience, comfort, prosperity and general welfare or good zoning practices require or in conformance with the Jefferson Township Comprehensive Plan, the Board of Township Trustees may by resolution amend, supplement, change or repeal the regulations, restrictions and boundaries established by the Zoning Resolution. Amendments or supplements of this Zoning Resolution may be initiated by either the Jefferson Township Board of Trustees, the Jefferson Township Zoning Commission or one (1) or more owners of property within the area proposed to be changed or affected by the proposed amendment. The procedures as specified in Section 920.01 through 920.022, inclusive, of this Zoning Resolution outline the zoning amendment process.

### **Section 920.01 - Initiation by Resolution of the Trustees or by Motion of the Zoning Commission**

Proposed changes or amendments to the Zoning Resolution may be initiated by the Jefferson Township Trustees by resolution or by the Jefferson Township Zoning Commission by motion. Once initiated, the Zoning Amendment process outline in ORC 519.12 shall be followed.

### **Section 920.02 Initiation of Action by Owner**

Proposed changes or amendments may be initiated by one (1) or more property owners or lessees of land within the area that is proposed to be changed by amendment. One (1) copy of a provided application form shall be filed with the Zoning Administrator/Inspector together with the corresponding fee.

#### **Section 920.021 Application**

The application for any proposed change or amendment shall contain:

- A) A description or statement of the present and proposed provisions of this Zoning Resolution or the proposed change of the district boundaries of the Official Zoning District Map or special district map;
- B) A legal description by map and text of the property to be affected by the proposed change or amendment;
- C) A statement of the relation of the proposed change or amendment to the public health, safety, convenience, prosperity and general welfare of the public in terms of need or appropriateness within the area by reason of changed or changing conditions and the relation to appropriate plans for the area. Also approval by the controlling health agency, and where applicable, the county engineer; and
- D) A list of owners of property within, contiguous to, directly across the street from, and within two hundred fifty (250) feet of such area proposed to be rezoned. Such list to be in accordance with the Franklin County Auditor's current tax list, and shall include all owners' addresses.

#### **Section 920.022 - Fees**

A fee shall be paid to Jefferson Township for each application for any proposed change or amendment in accordance with the Jefferson Township Official Fee Schedule.

## **SECTION 930 - PROCEDURE FOR CONSIDERATION OF PROPOSED CHANGE OR AMENDMENT**

Changes or amendments of this Zoning Resolution may be amended by utilizing the procedures as specified in Section 930.01 through 930.034, inclusive, of this Zoning Resolution.

### **Section 930.01 - Public Hearing by Jefferson Township Zoning Commission**

Upon the certification of such resolution by the Jefferson Township Trustees, the adoption of such motion by the Jefferson Township Zoning Commission or the filing of such application for a proposed change or amendment of the text of this Zoning Resolution, the Jefferson Township Zoning Commission shall set a date for a public hearing.

#### **Section 930.011- Public Hearing Date**

The date for a public hearing shall be set for not less than twenty (20) days and not more than forty (40) days from the date of the acceptance of such resolution or filing of application or from the date such motion is made.

#### **Section 930.012 - Notice of Public Hearing**

Notice of such hearing shall be given by the Township Zoning Commission by one (1) publication in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of such public hearing as set forth in Section 519.12 Ohio Revised Code.

If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land, as listed on the tax duplicate, written notice of the public hearing shall be mailed by the Township Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from and to all property owners within two hundred fifty (250) feet of such area affected by the proposed amendment. This notice is to be mailed to the address of such owners appearing on the County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.

#### **Section 930.013 - Action by County or Regional Planning Commission**

Pursuant to ORC 519.12, within five (5) days of the adoption of such motion initiating the amendment process, the certification of such resolution or the filing of such application, one (1) copy of the proposed change or amendment, together with text and map pertaining thereto, shall be forwarded to the county or regional planning commission, which shall return a recommendation on the proposed change or amendment. Said recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed change or amendment.

#### **Section 930.014 - Consideration**

The Jefferson Township Zoning Commission shall consider the approval, denial or some modification, if the modification is requested by the applicant, of the proposed amendment as such proposal in the Zoning Commission's judgment advances the public health, safety, convenience, prosperity and general welfare by encouraging appropriate use and development of land affected and the comprehensive development of the surrounding area.

### **Section 930.02 - Action by the Jefferson Township Zoning Commission**

After a public hearing has concluded, the Jefferson Township Zoning Commission shall act on a proposed change or amendment within thirty (30) days. The Zoning Commission shall submit to the Jefferson Township Trustees a recommendation of approval, denial, or some modification, if the modification is requested by the applicant, regarding the proposed amendment, including a statement of reasons for such recommendation, together with such resolution or application, the text and map pertaining thereto, and the recommendation of the county or regional planning commission.



### **Section 930.03 - Receipt by Jefferson Township Trustees**

Upon receipt of such recommendation concerning proposed change or amendment the Jefferson Township Trustees shall set a time for a public hearing.

### **Section 930.031 - Hearing Date**

The date for a public hearing shall be set for not more than thirty (30) days from the date of the receipt of recommendation from the Jefferson Township Zoning Commission.

### **Section 930.032 - Notice of Hearing**

Notice setting forth the time and place of the public hearing and a summary of the proposed change or amendment shall be given by the Jefferson Township Trustees by one (1) publication in one (1) or more newspapers of general circulation in Jefferson Township at least ten (10) days before the date of the public hearing.

### **Section 930.033 - Action by the Jefferson Township Board of Trustees**

Within twenty (20) days after the conclusion of the public hearing, the Jefferson Township Board of Trustees shall either adopt or deny the recommendation of the Jefferson Township Zoning Commission or adopt some modification thereof.

### **Section 930.034 - Date of Effect**

An amendment as adopted by the Jefferson Township Trustees shall become effective within thirty (30) days after the date of such adoption, unless within such thirty (30) day period there is presented to the Jefferson Township Board of Trustees a petition, as set forth in ORC 519.12, requesting that the Jefferson Township Board of Trustees submit the proposed change or amendment to referendum vote.

## **SECTION 940 – RESUBMISSION OF APPLICATION**

If a proposed amendment or supplement initiated by application is denied by the Jefferson Township Trustees, another application for the same or a similar amendment or supplement affecting the land included in the denied application shall not be submitted within one (1) year from the date of denial.



# Article X

## Zoning Commission and Board of Zoning Appeals

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### SECTION 1000 – CREATION OF THE ZONING COMMISSION

#### Section 1000.01 - Appointments by the Township Trustees

In accordance with ORC 519.04, the Township Board of Trustees hereby creates the Jefferson Township Zoning Commission (the “Zoning Commission”). The Zoning Commission shall be composed of five (5) members who live in the unincorporated area of the township. Each member shall be appointed by the Township Trustees and their terms shall be staggered such that one (1) member’s term will expire each year. The Township Trustees may also appoint two (2) alternate members for terms to be determined by the Township Trustees. An alternate member may take the place of an absent regular member at any meeting of the Zoning Commission, according to procedures prescribed by the Trustees.

The BZA may, within the limits of the moneys appropriate by the Trustees for the purpose, employ such executive, professional, technical, and other assistants as it deems necessary.

#### Section 1000.02 - Organization and Members

The Zoning Commission shall organize and adopt rules in accordance with the Ohio Revised Code and this Zoning Resolution. The rules shall establish regularly scheduled meetings of the Zoning Commission, which shall be held at the call of the chairman. The Zoning Commission may set any other hearings as necessary in accordance with the adopted rules. All meetings of the Zoning Commission shall be open to the public.

The Zoning Commission shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Administrator/Inspector and shall be made available, upon request, as a public record.

#### Section 1000.03 - Powers and Duties of the Zoning Commission

The Zoning Commission shall have the following duties:

- A) Initiate amendments to the Zoning Resolution by motion and/or in accordance with the procedures outlined in ORC 519.12 and Section 920 of the Zoning Resolution;
- B) Hold public hearings regarding any and all applications submitted to the Zoning Administrator/Inspector that are required by this code to be heard by the Zoning Commission for recommendation or approval before being heard by the Township Trustees; and
- C) Hold the public hearings required by the ORC 519.12 and Section 920 of this Zoning Resolution with regard to any amendments to the Zoning Resolution initiated by the Township Trustees or by one (1) or more of the owners of property located within the unincorporated area of the township.

## SECTION 1010 - CREATION OF THE BOARD OF ZONING APPEALS

### Section 1010.01 – Appointments by the Township Trustees

In accordance with the ORC 519.13, the Trustees shall appoint a Township Board of Zoning Appeals (the “BZA”) composed of five (5) members who shall be residents of the unincorporated territory of the township. The terms of all regular members shall be of such length and so arranged that the term of one (1) member will expire each year. The Trustees may also appoint two (2) alternate members to the BZA, for terms to be determined by the Trustees. An alternate member shall take the place of an absent regular member at any meeting of the BZA according to procedures prescribed by the Trustees. The members may be allowed their expenses, or such compensation, or both, as the Trustees may approve and provide.

The BZA may, within the limits of the moneys appropriate by the Trustees for the purpose, employ such executive, professional, technical, and other assistants as it deems necessary.

### Section 1010.02 - Organization and Members

The Board of Zoning Appeals shall organize and adopt rules in accordance with the Ohio Revised Code and this Zoning Resolution. The rules so adopted shall establish regularly scheduled meetings of the BZA. Those meetings shall be held at the call of the chairman. The BZA may also schedule meetings at such other times as the BZA determines necessary.

The chairman, or in his absence the acting chairman, shall administer oaths to all testifying at any hearing held by the BZA, and the BZA may compel the attendance of witnesses as required.

All meetings of the BZA shall be open to the public.

The BZA shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Administrator/Inspector, and available for inspection as a public record, upon request.

## SECTION 1020 - POWERS AND DUTIES OF THE BOARD OF ZONING APPEALS

### Section 1020.01 - Powers and Duties

The BZA shall have the following powers and duties:

A) Administrative Review

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator/Inspector in the enforcement of this Zoning Resolution.

B) Conditional Use

To authorize only such conditional uses as the BZA is authorized to permit in accordance with this Zoning Resolution.

C) Variances

To hear and decide in specific cases such variance from the terms of this Zoning Resolution as will not be contrary to the public interest where, owing to special conditions on the land, a literal enforcement of the provisions of this Zoning Resolution would create a practical difficulty to the applicant. In granting such variance, the BZA shall prescribe appropriate conditions and safeguards to maintain the intent and spirit of the zoning district in conformity with this Zoning Resolution.

## Section 1020.02 - Procedure for Administrative Appeal

### A) Administrative Appeals

Appeals to the BZA may be taken by any person aggrieved, or by any officer of Jefferson Township affected by any decision of the Zoning Administrator/Inspector.

### B) Notice of Appeal

Such appeal shall be taken within twenty (20) days after the decision by filing a notice of appeal with the officer from whom the appeal is taken and with the BZA, specifying the grounds. The officer from whom the appeal is taken shall transmit to the BZA all the papers constituting the record upon which the action was taken.

## Section 1020.03 - Procedure for Authorizing a Conditional Use

### A) Nature of Conditional Uses

Specifically listed conditional uses are provided within each of the zoning district. Such uses, although often desirable, will more intensely affect the surrounding area in which they are located than the permitted uses of such zoning districts.

The intent of the "Procedure for Authorizing a Conditional Use" is to set forth the criteria for approving a conditional use.

### B) Written Applications

One (1) copy of a conditional use permit application shall be filed with the Zoning Administrator/Inspector.

### C) Description of Property and Intended Use

The application shall include the following statements:

- 1) A legal description of the property;
- 2) The proposed use of the property;
- 3) A statement of the necessity or desirability of the proposed use to the neighborhood or community;
- 4) A statement of the relationship of the proposed use to adjacent property and land use;
- 5) Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the application or required for appropriate action by the BZA; and
- 6) A list of owners of property within, contiguous to, directly across the street from, and within one thousand (1,000) feet of such area proposed to be considered for a conditional use. Such list to be in accordance with the Franklin County Auditor's current tax list, and shall include all owners' addresses.

### D) Site Plan

One (1) copy of a site plan, drawn to scale, clearly showing the following, shall accompany the application:

- 1) The boundaries and dimensions of the lot;
- 2) The size and location of existing and proposed structures;
- 3) The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces, and landscaping;
- 4) The relationship of the proposed development to the development standards; and
- 5) The current use of the land and the location of structures on adjacent properties.

E) Additional Review

Review by the county or regional planning commission or any other technical agencies, or a person qualified in land use planning, or legal counsel as designated by Jefferson Township BZA, may be required.

**Section 1020.04 - Actions of the Board of Zoning Appeals – Conditional Uses**

The BZA shall fix a reasonable time for a public hearing of the application, give at least ten (10) days' notice in writing to the parties in interest, give notice of such public hearing by publication in one (1) or more newspapers of general circulation in Franklin County at least ten (10) days before date of such hearing, and shall hold a public hearing and act on a conditional use in one of the following ways:

A) Approval

The BZA may approve an application for a conditional use if the following conditions are met:

- 1) The proposed use is a conditional use of the zoning district, and the applicable development standards established in this Zoning Resolution are met;
- 2) The proposed development is in accord with appropriate plans for the area;
- 3) The proposed development will be in keeping with the existing land use character and physical development potential of the area; and
- 4) There is a necessity or desirability of the proposed use to the neighborhood or community in granting any conditional use application, the BZA may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the request for a conditional use is granted, shall be deemed a violation of this Resolution.

B) Approval with Modification

The BZA may approve with modification an application for a conditional use, if the proposed use is a conditional use of the zoning district and the applicable development standards are met, but site plan modification is required:

- 1) To be in accord with appropriate plans for the area; and
- 2) To prevent undesirable effects on adjacent property and the surrounding area.

Such modification may be a limitation on the extent or intensity of development, a requirement for additional screening by fence or landscaping, a change in the method or plan for lighting, control of access, or other conditions of development as may be required. Recommendations regarding the modification of plans or other appropriate actions shall be stated with the reasons for each recommendation.

C) Disapproval

The BZA shall only disapprove an application for a conditional use for any of the following reasons:

- 1) The proposed use is not a conditional use of the zoning district, or the applicable development standards are not and cannot be met.
- 2) The proposed development is not in accord with appropriate plans of the area.
- 3) The proposed development will have undesirable effects on the surrounding area and is not in keeping with the existing land use character and physical development potential of the area.

## Section 1020.05 - Effect of a Conditional Use Approval

### A) Conditional Use Approval

Upon a favorable finding, the BZA shall approve a conditional use application within thirty (30) days following the public hearing.

### B) Conditional Use Permit

A Permit of Zoning Compliance may be issued within one (1) year from the date of final approval by the BZA.

### C) Certificate of Zoning Compliance

A final Certificate of Zoning Compliance must be obtained when work under the Permit for Zoning Compliance is completed, and may only be issued for finished development that complies with the approved site plan and any applicable conditions issued as part of the approved conditional use.

## Section 1020.06 - Procedure for Variance

### A) Nature of Variance

Extraordinary circumstances may exist on any property which makes a strict enforcement of the applicable development standards of the Zoning Resolution unreasonable. Therefore, the procedure for variance from development standards is provided to allow the township the flexibility necessary to adapt to changed or unusual conditions which create a practical difficulty to the applicant with regard to their ability to meet the development standards of this Zoning Resolution.

### B) Written Application

One (1) copy of a variance application accompanied with a copy of the denied application for a certificate of zoning compliance shall be filed with the Zoning Administrator/Inspector not more than twenty (20) days from the date such denial of the certificate of zoning is issued.

### C) Description of Property and Nature of Variance

The application shall include the following statements:

- 1) The nature of the variance, i.e., include the specific provisions of the Zoning Resolution upon which the variance is requested;
- 2) A legal description of the property;
- 3) A statement of the special circumstances or conditions applying to the land or structure and not applying generally throughout the zoning district;
- 4) A statement showing that the granting of the application is necessary to the preservation and enjoyment of substantial property rights;
- 5) A list of owners of property within, contiguous to, directly across the street from, and within one thousand (1,000) feet of such area proposed to be considered for variance. Such list to be in accordance with the Franklin County Auditor's current tax list, and shall include all owners' addresses; and
- 6) Such other information regarding the application for variance as may be required by the BZA.

D) Site Plan

The application shall include one (1) copy of a site plan drawn to an appropriate scale showing the following:

- 1) The boundaries and dimensions of the lot;
- 2) The nature of the special conditions or circumstances giving rise to the application for approval;
- 3) The size and location of existing and proposed structures;
- 4) The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces, and landscaping;
- 5) The relationship of the requested variance to the development standards; and
- 6) The use of land and location of structures on adjacent properties.

E) Additional Review

Review by the county or regional planning commission or any other technical agencies, a person qualified in land use planning, or legal counsel as designated by BZA, may be required.

**Section 1020.07 - Actions of the Board of Zoning Appeals – Variance**

The BZA shall fix a reasonable time for a public hearing of the application, give at least ten (10) days' notice in writing to the parties in interest, give notice of such public hearing by publication in one (1) or more newspapers of general circulation in Franklin County at least ten (10) days before the date of such hearing, and shall within a reasonable time after the application is submitted hold a public hearing and act on the variance request.

A) Approval of Variance

The BZA shall make a determination on a request for variance based upon the consideration of the following factors:

- 1) That the property would yield a reasonable return or whether there could be any beneficial use of the property without the variance;
- 2) Whether the variance is substantial;
- 3) The essential character of the neighborhood would be substantially altered or whether the adjoining properties would suffer a substantial detriment as a result of the variance;
- 4) The variance would adversely affect the delivery of governmental services (i.e., water, sewage, garbage);
- 5) Whether the property owner purchased the property with knowledge of the zoning restrictions;
- 6) Whether the property owner predicament feasibly can be obviated through some method other than a variance; and
- 7) Whether the spirit and intent behind the zoning requirements would be observed and substantial justice done by granting the variance.

This list of factors is not inclusive, nor should any of the factors be deemed dispositive or automatically entitled to greater weight. The applicant has the burden of showing by a preponderance of the evidence that there exists a practical difficulty in meeting the requirements of the Zoning Resolution. Based upon an analysis of the factors and the evidence present by the applicant, the BZA must then determine whether to grant, grant with conditions, or deny the requested variance. In granting any variance application, the BZA may prescribe appropriate conditions and safeguards in conformity with this Zoning Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the request for a variance is granted, shall be deemed a violation of this Zoning Resolution.



## **Section 1020.08 - Effect of a Variance Approval**

### A) Permit of Zoning Compliance

A permit of zoning compliance may only be issued for an approved variance within the period of one (1) year from the date of final approval by the BZA. If a variance has not been used within one (1) year of its issuance, meaning that there has been no active and substantial improvement to a property in accordance with an approved variance, then the variance shall expire and no work may commence without either renewing the variance or receiving a new variance approval.

### B) Certificate of Zoning Compliance

A final Certificate of Zoning Compliance must be obtained when work under the Permit for Zoning Compliance is completed and may only be issued for finished development that complies with the approved site plan and any applicable conditions issued as part of the approved variance.

## **Section 1020.09 - Fees for Conditional Uses and Variances**

A fee shall be paid to Jefferson Township for each application for variance or conditional use as is prescribed by the Township Trustees and shown on the Township Official Fee Schedule.



# Article XI

## Definitions

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### SECTION 1100 DEFINITION OF WORDS

Except where specifically defined herein, all words in this Zoning Resolution shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural; the word "structure" includes the word "building", the word "lot" includes the words "plot" or "parcel"; the words "must," "will," and "shall" are mandatory requirements, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.; the words "used" or "occupied", as applied to any land or structure, shall be construed to include the words "intended, arranged or designed to be used or occupied."

- \* The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- \* Words pertaining to gender shall be interchangeable. The word "he" shall mean "she." The reverse is also true.
- \* Definitions in this chapter are not meant to imply a standard; for specific standards, refer to the applicable section of the Jefferson Township Resolution.
- \* Conjunctions. Unless the context clearly indicates otherwise, the following conjunctions have the following meanings:
  - \* "And" indicates that all connected items and provisions apply.
  - \* "Or" indicates that the connected items or provisions may apply singly or in combination.
  - \* "Either... or" indicates that the connected items or provisions apply singly, but not in combination.

#### Section 1100.01 - Specifically Defined Words

The following listed words are specifically defined for use in this Zoning Resolution.

**Abandonment:** To intentionally stop the use of a property and when the use of a property has ceased and the property has been vacant for 24 (twenty-four) months, abandonment of use will be presumed unless the owner can show that a diligent effort has been made to sell, rent, or use the property for a legally permissible use.

**Abate:** To end a nuisance, emergency, or nonconformance.

**Abatement:** Actions taken to reduce, relieve, or suppress another continuing action. A summary abatement; a legal action taken to suppress the continuation of an offensive land use.

**Abut/Abutting:** (*see also adjacent/adjoin; contiguous*) The condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only on a corner or corners.

**Access, direct:** The provision for immediate ingress and egress of vehicles from an abutting property to an adjacent street.

**Access drive:** A roadway leading from a public right-of-way to a parking area and shall be considered part of the parking area when it is adjacent to one or more parking spaces.

**Access, indirect:** The provision for ingress and egress of vehicles from an abutting property to an adjacent street, is shared by two or more properties or is channeled by some means indirectly to the adjacent street.

**Access management:** A set of policies and standards that manage the number and location of access points (driveways) on the public road system.

**Access point:** A driveway or other opening for vehicles to enter from or exit to a street.

**Access, private:** A private access is an access not in public ownership or control by means of deed, dedication, or easement.

**Access, public:** A means of physical approach and available to the general public; this may also include visual approach.

**Access strip:** Strip of land which is part of a lot and provides access to the part thereof used or to be used for buildings and structures.

**Accessory apartment:** A secondary dwelling unit established in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot.

**Accessory use or structure:** A use or structure on the same lot that is customarily incidental and subordinate to the principle use or structure on a property; it pertains to or depends on the principle use for its existence. Structures include, but are not limited to, sheds, storage sheds, pool houses, unattached garages, and barns.

**Acre:** A unit equal to 43,560 square feet (4,047 square meters).

**Acreage, gross:** The acreage within the perimeter of a development tract, plus one-half the right-of-way of all adjoining streets and alleys.

**Address:** The number or other designation assigned to a housing unit, business establishment, or other structure for purposes of mail delivery, emergency services, and so forth.

**Addition** (*See also expansion*): The extension of an existing building not including repairs and reconstruction of the existing building.

**Adjacent:** Joined contiguous to, in contact with each other, so that no third object intervenes; therefore lots separated by a street shall be considered adjoining, except those lots separated by an arterial street shall be adjacent.

**Adjoin:** To be next to some other thing.

**Adult material:** Includes but is not limited to accessories, books, magazines, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture film, phonographic record or tape, other tangible thing, or any service including computer software or any combination thereof, capable of arousing interest through sight, sound, or touch, and:

- A) Which material is distinguished or characterized by an emphasis on matter displaying, describing, or representing sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination; and/or
- B) Which service is distinguished or characterized by an emphasis on sexual activity, masturbation, sexual excitement, nudity, bestiality, or human bodily functions of elimination.

**Agriculture:** The use of land for farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

**Alley:** Secondary access way of not less than twenty (20) feet in width dedicated to public use for travel or transportation and affording vehicular access to abutting property.

**Alteration:** Any change, addition, or modification.

**Anemometer:** An instrument that measures the force and direction of the wind.

**Animal boarding place:** (*See also kennel*) Any structure, land, or combination thereof used, designed, or arranged for the boarding, breeding or care of dogs, cats, pets, fowl, horses, or other domestic animals for profit, but exclusive of animals used for agricultural purposes.

**Apartment:** (*See also dwelling*): A room or suite of rooms, with toilet and culinary accommodations, used or designed for use as a residence, located in a building containing two or more such rooms or suites or located in a building devoted primarily to nonresidential use.

**Applicant:** A property owner or any person or entity acting as an authorized agent for the property owner in an application for a development proposal, permit, or approval.

**Application:** The process by which an applicant submits a request and indicates a desire to be granted a permit under the provisions of this Zoning Resolution; an application includes all written documentation, verbal statements, and representations, in whatever form or forum, made by an applicant to the Township concerning such a request.

**Appraisal:** The systematic method of determining the market value of property.

**Architectural appearance, exterior:** The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

**Architectural composition:** The scale, height, mass, proportion, color, form, style, detail, treatment, texture, construction material, and roof design of a project or building.

**Architectural decoration:** An element, design, or motif, other than an architectural feature, installed, attached, painted, or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression.

**Architectural feature:** A part, portion, or projection that contributes to the beauty or elegance of a building or structure, exclusive of signs, that is not necessary for the structural integrity of the building or structure or to make said building or structure habitable including but not limited to windows, columns, awnings, marquee, façade, or fascia, cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.

**Architectural plan:** A design for the construction of any structure created by a registered architect.

**Arterial Road, Major:** A high-capacity urban road designed to deliver traffic from expressways and freeways to collector streets which provide limited private access.

**Arterial Road, Minor:** A high-capacity urban road bound by major arterials. A minor arterial may also serve "through traffic" but provides more direct access to abutting land uses than does a major arterial.

**At-Grade:** (*See also grade*) Level of a road, building, or other structure at the same grade or level as the adjoining property (as opposed to a depressed or elevated road, building, or other facility) – *see Measurements Section for how to measure.*

**Automobile collision repair facility:** An establishment primarily engaged in the repair of motor vehicles, trailers, and similar large mechanical equipment, including paint, body and fender, and major engine and engine part overhaul incidental to the automobile collision.

**Automobile maintenance facility:** An automobile repair shop primarily engaged in routine maintenance and service work of motor vehicles, trailers, and similar large mechanical equipment that is performed by automobile mechanics and electricians.

**Awning:** (*See also marquee*) A hood or cover that projects from the wall of a building.

**Awning, fixed:** An awning constructed with a rigid frame that cannot be retracted, folded, or collapsed.

**Awning, illuminated:** A fixed awning covered with a translucent membrane that is, in whole or part, illuminated by light passing through the membrane from within the structure; also known as an “electric awning.”

**Awning, retractable:** An awning that can be, retracted, folded, or collapsed against the face of the supporting building.

**Backfill:** (*See also borrow; fill*) Materials used to refill excavation, or the process of doing so.

**Balcony:** A projecting platform that is open and roofless and which is suspended or cantilevered from, or supported solely by, the principal structure.

**Banner:** (*See also signs*) Any sign, painted, printed or otherwise displayed on cloth, plastic film or similar material bearing a slogan, words, message or design, hung in a public place or carried in a demonstration or procession.

**Banquet hall:** An establishment which is rented by individuals or groups to accommodate private functions including, but not limited to, banquets, weddings, anniversaries and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during scheduled events and not open to the general public; and 3) outdoor gardens or reception facilities.

**Barn:** Accessory building used for the storage of grain, hay, and other farm products, or the sheltering of livestock or farm equipment.

**Base flood:** A flood which is representative of large floods known to have occurred in the Central Ohio region and characteristic of floods expected to have a one percent chance of being equaled or exceeded in any given year. Sometimes referred to as Regional Flood or 100 year Flood.

**Base flood elevation:** (*See various definitions associated with “Flood”*) That elevation, expressed in feet above mean sea level, to which flooding can be expected to occur on a frequency of once in every 100 years, or which is subject to a one (1) percent or greater chance of flooding in any given year.

**Base map:** A map showing the important natural and man-made features of an area; such maps are used to establish consistency when maps are used for various purposes (e.g., reproductions of the same base map could be used to show natural resource limitations, public facilities, and land use as the basis for the official zoning map).

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

**Basement, walk-out:** That portion of a building located partly underground and having an exterior door, where the finished ground at that exterior door is at or lowers from the finished floor.

**Bed-and-Breakfast (B&B):** A private residence that offers sleeping accommodations to lodgers in six (6) or fewer

rooms for rent, in the innkeeper's (owner or operator) principal residence while renting rooms to lodgers, and serves breakfasts at no extra cost to its lodgers. For the purpose of this definition, a lodger means a person who rents a room in a bed-and-breakfast establishment for fewer than 30 consecutive days.

**Bench:** *(See also street furniture)* A seat located upon public property along any public way for the accommodation of pedestrians.

**Berm:** *(See also buffer; screening)* An earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise, or fulfill other such purposes.

**Bicycle:** Every device, other than a tricycle designed solely for use as a play vehicle by a child, propelled solely by human power, upon which any person may ride, having either two tandem wheels or one wheel in the front and two wheels in the rear, any of which is more than 14 inches in diameter.

**Bicycle facilities:** Improvements and provisions which accommodate or encourage bicycling, including parking facilities, maps, signs, bike lanes, multi-use paths, and shared roadways designated for bicycle use.

**Big-box retail establishment:** *(See also bulk merchandise; formula business; retail sales establishment; shopping center definitions; warehouse, retail)* A retail structure or group of structures having a total in excess of 25,000 square feet of gross floor area.

**Bike connection:** A continuous, unobstructed, reasonably direct route between two points that is intended and suitable for bicycle use. Bicycle connections include but are not limited to access ways, bike paths, multi-use paths, and pedestrian bridges.

**Bike lane:** *(See also shared roadway)* A designated area within a street roadway reserved for bicycle travel and separated from the rest of the roadway by painted lines or other pavement markings.

**Bike path:** Any road, street, path or way which in some manner is specifically designated as being open to bicycle travel, regardless of whether the facility is designed for the exclusive use of bicycles or is to be shared with other transportation modes.

**Bike route:** A segment of a bikeway system designated for bicycles with appropriate directional and information markers.

**Billboard:** *(See sign)*

**Blight:** Unsightly condition including the accumulation of debris, litter, rubbish, or rubble; fences characterized by holes, breaks, rot, crumbling, cracking, peeling, or rusting; landscaping that is dead, characterized by uncontrolled growth or lack of maintenance, or damaged; and any other similar conditions of disrepair and deterioration regardless of the condition of other properties in the neighborhood.

**BZA:** Jefferson Township Board of Zoning Appeals.

**Boarding or lodging house:** A dwelling or part thereof where meals and/or lodging is provided for compensation.

**Boundary:** A line which may or may not follow a visible feature that defines the limits of a geographic entity.

**Borrow pit:** A lot or parcel of land or part thereof used for the purpose of extracting sand, gravel or topsoil for sale or use on another premises, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

**Breezeway:** A roofed structure for the principal purpose of connecting the main building or buildings on a property with other main buildings or accessory buildings.

**Buffer strip:** Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another.

**Build:** (*See also erect*) To construct, assemble, erect, convert, enlarge, reconstruct, or structurally alter a building or structure.

**Building:** Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

**Building area:** (*See building coverage*)

**Building coverage:** The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of steps and all dimensions shall be measured between the exterior faces of walls.

**Building, height of:** The vertical distance measured as viewed from the front lot line from the finished grade to the highest point of the highest roof.

**Building line:** A line parallel to a street right-of-way line, edge of a stream, or other property line established on a parcel of land or lot for the purpose of prohibiting construction of a building or structure in the area between such line and right-of-way, stream bank, or other property line.

**Building permit:** Written permission issued by the proper authority for the construction, repair, alteration, or addition to a structure.

**Building, principal:** A building in which the main or principal use of the lot on which it is situated is conducted.

**Building, residential:** (*See also dwelling definitions*) Any building arranged, designed, used, or intended to be used for residential occupancy by one or more families or lodgers and that includes but is not limited to the following types: (a) single-family detached dwellings; (b) two-family dwellings; (c) townhouse dwellings; and (d) multiple-family dwellings.

**Building setback:** A line establishing the minimum allowable distance between the nearest portion of any building and the centerline of any street when measured perpendicularly thereto.

**Building, single occupancy:** A building or structure with one major enterprise and generally under one ownership. A building is considered to be “single occupancy” if it: (a) has only one occupant; (b) has no wall in common with another building; and (c) has no part of its roof in common with another building.

**Building, temporary:** A building which is used by a contractor during the construction or reconstruction of a principal building, and which is located on the same lot as the principal building under construction or reconstruction.

**Bulb Outs:** (*See curb extensions*)

**Canopy:** A structure constructed of rigid materials including, but not limited to, metal, wood, concrete, plastic, canvas or glass which is attached to and supported by a building or by columns, poles or braces extended to the ground.

**Camping trailer:** (*See also trailer, travel*) A structure designed to be on a chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, or vacation uses.

**Campground:** Any parcel or tract of land wherein sites are offered for the use of the public or members of any organization for the establishment of temporary living sites for two or more recreational vehicles or camping units.

**Cantilever Projection:** A horizontal projection from a building, such as a step, balcony, beam or canopy, that is without external bracing and appears to be self-supporting.

**Caretakers residence:** Accessory dwelling on a nonresidential premises, occupied by the person who oversees the nonresidential operation 24 hours a day, and his or her family.

**Carport:** Roofed structure not more than 75 percent enclosed by walls and attached to the main building for the purpose of providing shelter for one or more motor vehicles.



**Certificate of compliance:** A certificate issued by the Zoning Inspector confirming that the requirements of this Zoning Resolution have been met and the building can be occupied.

**Certified survey:** A survey prepared and signed by a licensed, registered Surveyor.

**Change of occupancy:** *(See occupancy, change of)*

**Change of use:** *(See use, change of)*

**Charitable organization:** *(See also tax exempt organization)* An organization operating under the rules and regulations of Section 501(C) of the Internal Revenue Service Code.

**Channel:** Natural or artificial depression of perceptible extent with definite bed and banks to confine and conduct flowing water either continuously or periodically.

**Child care:** Any place, home or institution which cares for young children apart from their parents when received for regular period of time for compensation such as kindergarten, nursery school or class for young children that develops basic skills and social behavior by games, exercise, toys and simple handicraft.

**Church:** Building wherein persons regularly assemble for worship which is maintained and controlled by a religious body organized to sustain public worship.

**Cowling:** A streamlined removable cover that encloses the turbine's nacelle.

**Co-location:** Wireless telecommunication facilities which are used by more than one provider/carrier.

**Collector road:** A low-to-moderate-capacity road which serves to move traffic from local streets to arterial roads and provides land access to commercial, industrial, business and residential properties.

**Commission:** Jefferson Township Zoning Commission.

**Commercial vehicle:** Any vehicle bearing or required to bear commercial license plates and which falls into one or of the categories listed below:

- A) Truck tractor
- B) Semi-trailer, which shall include flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures
- C) Vehicles of a type that are commonly used for the delivery of ice cream, milk, bread, fruit, or similar vending supply commercial or delivery trucks. This category shall include vehicles of a similar nature which are also of a type commonly used by electrical, plumbing, heating and cooling, and other construction oriented contractors
- D) Tow trucks
- E) Commercial hauling trucks
- F) Vehicle repair service trucks
- G) Vehicles with blades attached for plowing, grading
- H) Construction vehicle, such as a bulldozer, backhoe and similar vehicles
- I) A vehicle which has permanently mounted outside brackets or holder for ladders, tools, pipes, or other similar equipment

**Community NFIP Administrator:** The person, persons, agency, or other local government entity responsible for the administration and enforcement of the National Flood Insurance Program in compliance with 44 CFR § 59 and § 60, as may be amended. For unincorporated Franklin County the Franklin County Development Department is the Community NFIP Administrator.

**Comprehensive plan:** Assembly of policy statements, goals and objectives, standards, maps and statistical data for the public and private economic development of Jefferson Township.

**Conditional use:** A use or occupancy which is permitted only upon issuance of a permit and subject to limitations and conditions specified therein.

**Conditional use permit:** The documented evidence of authority granted by the BZA to locate a specific use or occupancy at a particular location.

**Condominium:** A dwelling unit containing multiple individually owned units with jointly owned and shared areas and facilities.

**Conforming use:** Any use of a structure or land which is permitted.

**Conservation:** The management of natural resources to prevent waste, destruction, or degradation.

**Contiguous:** In contact, adjoining, or touching another object or item.

**Contractor:** Persons engaged in the construction of either residential or commercial structures as well as persons engaged in heavy construction such as paving, highway or utility construction.

**Cornice:** Any horizontal member of any building which projects outward from the exterior walls at the roof line which includes eaves and other roof overhang.

**Clear Fall Zone:** An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose of the zone being that if the turbine should fall or otherwise become damaged, the falling structure will be confined to the primary parcel.

**Credit union:** A financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.

**Curb:** A boundary usually marking the edge of the roadway or paved area.

**Curb cut:** An opening along the roadway curb to provide vehicular ingress and/or egress between property and public street.

**Curb Extensions:** A traffic calming measure primarily used to extend the sidewalk, reducing the crossing distance and allowing pedestrians about to cross and approaching vehicle drivers to see each other when vehicles parked in a parking lane would otherwise block visibility.

**Curb Returns:** A curved section of a curb located at a corner of an intersection, connecting a curb on one street to another curb on the intersecting street. A curb return starts at the point where the curb begins to turn toward the direction of the intersecting street and ends at the point where it meets the curb on the intersecting street.

**Day Care Center, Child:** Any place in which child day care is provided, with or without compensation, for thirteen (13) or more children at one time or any place that is not the permanent residence of the licensee or administrator in which child day care is provided, with or without compensation, for seven (7) or more children at one time or four (4) or more children under two years of age at one time. For the purposes of this definition, any children under six years of age who are related to the provider of child day care and who are on the premises shall be counted.

**Day Care, Child Type B Home:** A permanent residence of the provider in which child daycare is provided for one (1) to six (6) children at one time and in which no more than three (3) children may be under two years of age at one time. Any children under six years of age who are related to the provider and who are on the premises shall be counted.

**Day Care, Child Type A Home:** A permanent residence of the administrator in which child day-care is provided for seven (7) to twelve (12) children at one time or for four (4) to twelve (12) children at one time if for the latter four (4)

or more children are under two years of age. Any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises shall be counted.

**Decibel:** A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.

**Deck:** A platform, either freestanding or attached to a building, that is supported by pillars or posts.

**Dedication:** The intentional appropriation or conveyance of land or an interest in land by the owner to the Township for public use.

**Deed restriction:** A limitation on the use of a lot or parcel of land that is set forth in the deed and recorded with the county recorder of deeds which is binding on subsequent owners and is sometimes also known as a restrictive covenant.

**Density:** The number of dwelling units permitted per acre of land.

**Design review:** Regulations and procedures requiring the exterior design of any structures to be suitable, harmonious, and in keeping with the general appearance, historic character, and/or style of the surrounding areas which is a process used to exercise control over the design of buildings and their settings.

**Design standards:** A set of guidelines regarding the architectural appearance of a building, or improvement that governs the alternation, construction, demolition, or relocation of a building or improvement.

**Detention area:** The area that is designed to capture specific quantities of storm water and to gradually release the storm water at a sufficiently slow rate to avert flooding.

**Detonable materials:** Generally unstable materials having the propensity to explode violently from a moderately irritating force; examples of such materials include, but are not limited to fulminates, nitrocellulose, black powder, dynamite, nitroglycerin, ozonides, perchlorates, gasoline, fuel oil, and other flammable gases and vapors.

**Disturb/Disturbance:** Any clearing, grading, excavating, filing, or other alteration of land surface where natural or man-made cover is destroyed in a manner that exposes the underlying soils.

**Dock:** A structure built over or floating upon water which is used as a landing place for boats and other marine transport, fishing, swimming, and other recreational use.

**Downstream:** Land and water which receive storm water runoff and other surface water flows from a designated site; downstream land and water are down gradient from the designated site.

**Drainage:** Any outflow of water or other fluid from a site, whether be natural or artificial means.

**Drive-through window:** An opening in a wall of a building or structure designed and intended to be used to provide for sales to and/or service patrons who remain in their vehicle.

**Driveway:** A roadway which provides access for vehicles to parking space, garage, dwelling, or other structures.

**Driveway, common:** A roadway shared by adjacent property owners and privately owned and maintained.

**Dwelling, apartment:** A building arranged or intended for three (3) or more families living independently of each other in separate dwelling units, any two or more provided with a common entrance or hall and all dwelling units are intended to be maintained under single ownership or owned under condominium.

**Dwelling, farm:** A single-family dwelling on a lot of five (5) or more acres where the dwelling is incidental to provide living accommodations to the owner and operator of farming activities that occur on the lot.

**Dwelling, habitable portion:** the parts of a dwelling that provide living accommodations for persons, but do not include garages, entryways, porches (enclosed or open), or similar type portions of the dwelling.

**Dwelling, multi-family:** a classification of housing where multiple separate dwelling units for residential inhabitants are contained within one building or several buildings within one complex.

**Dwelling, single-family:** A structure designed for occupancy by one family.

**Dwelling, three-family:** A building designed exclusively for or occupied exclusively by no more than three families living independently of each other in three separate dwelling units.

**Dwelling, two-family:** A residential building designed for, or used as, separate homes or residence of two separate and distinct families.

**Dwelling unit:** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**Easement:** Recorded authorization by a property owner for the use by another, and for a specified purpose, of a designated part of his or her property.

**Eave:** The projecting lower edge of a roof overhanging the wall of a building.

**Egress:** A way out, an exit.

**Exterior:** The front façade of any structure and any external features visible from public ways.

**Façade:** The portion of an exterior elevation on any building which extends from the grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

**Family:** 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.

**Farm:** A parcel of land used for the purposes of agriculture.

**Fence:** An enclosure or barrier, such of wooden posts, wire, iron, etc, used as a boundary, means of protection, privacy, screening or confinement, but not including hedges, shrubs, trees, or other natural growth.

**Festival:** The sale of ethnic specialty, regional, and gourmet foods, art and crafts, live musical entertainment, in an outdoor setting.

**Final plat:** A map of all of a portion of a subdivision or site plan that is presented to the proper review authority for final approval.

**Flag:** Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.

**Flood:** A general and temporary inundation of normally dry land areas.

**Floodplain:** The land area susceptible to inundation by water as a result of the flood.

**Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Floodway fringe:** That portion of a floodplain that is inundated by floodwaters but is not within a defined floodway and serve as temporary storage for floodwaters.

**Floor area ratio:** The ratio of gross floor area of all structures on a lot to total lot area.

**Footprint:** The horizontal area which is measured from outside of all exterior walls and supporting columns.

**Frontage:** The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way.

**Garage:** A building or structure, or part thereof, used or designated to be used for the parking and storage of vehicles.

**Garage, courtyard:** A garage where the overhead doors face perpendicular to the front property line but face the front door.

**Garage, front load:** A garage where the overhead doors face front property line.

**Garage, side load:** A garage where the overhead doors are perpendicular to the front property line but face away from front door.

**Gazebo:** An accessory building consisting of a detached, covered, freestanding, open-air structure not exceeding three hundred (300) square feet.

**Grade:** The level of the finished surface of the ground adjacent to the exterior walls of the building.

**Green space:** an area of grass, trees, or other vegetation set apart for recreational or aesthetic purposes in an otherwise urban environment.

**Guest:** Any person other than the family occupying or hiring a room for living or sleeping purposes.

**Guest house:** An attached or detached accessory building used to house guests of the occupants of the principle building, and which is never rented or offered for rent.

**Habitable rooms:** Rooms designed and used for living, sleeping, eating, or cooking, or combinations thereof. Bathrooms, toilet compartments, closets, halls, storage rooms, laundry and utility spaces, basement recreation rooms, and similar areas are not considered habitable.

**Height:** The vertical distance to the highest point of the roof.

**Home occupation:** An occupation carried on in a dwelling unit by the resident thereof; provided that the use is limited in extent and incidental and secondary to the use of the dwelling unit for residential purposes and does not change the character thereof.

**Homeowners association:** An incorporated nonprofit organization operating under recorded land agreements through which each property owner is automatically subject to a share of the expenses for the organization's activities, such as maintaining common property.

**Hot tub:** An artificial container of water designed with a mechanical air injection system and/or recirculation device which may filter and/or disinfect the water for reuse and are not intended to be drained between uses.

**Improvement:** Alterations to any structure that do not change the intensity of its use or increase either the gross floor area or height.

**Impervious Surface:** Material covering the ground that is incapable of being penetrated by water. Impervious surface includes but is not limited to any Building, Dwelling, Structure, deck, patio, sidewalk, driveway or other concrete, asphalt and/or paved areas and any other similar areas that are constructed or otherwise created in a manner that causes water runoff rather than allowing water to run into the ground. Impervious surfaces may include an area where the ground has been made impervious due to compaction or other manmade condition, regardless of the material placed on the ground.

**Ingress:** A way in, an entrance.

**Inoperable motor vehicle:** Any motor-powered vehicle, including but not limited to, any automobile, boat, motorcycle, truck, farm equipment or similar vehicle, which cannot legally be driven on a public roadway or thoroughfare or is in need of mechanical or structural repairs to return it to a normal and safe operating condition.

**Intense burning materials:** Materials having the propensity to burn with great intensity by virtue of characteristics such as low ignition temperature, high rate of burning and large heat evolution. Such materials include, but are not limited to, manganese, pyrotechnics and pyroxylin.

**Junk:** Scrap or waste material of whatsoever kind or nature collected and accumulated for resale, disposal or storage.

**Jurisdiction:** Any governmental unit or political division or subdivision including, but not limited to: township, village, borough, parish, city, county, state, commonwealth, province, freehold, district or territory over which the governmental unit exercises power and authority.

**kennel:** Any place where four or more dogs, cats, or other animals over three months of age are kept, raised, sold, boarded, bred, shown, treated, or groomed.

**Land owner:** Any person, agent, firm, corporation, or partnership shown on the records of the recorder of the deeds for Franklin County, Ohio shall be presumed to be the person in control of the property.

**Land trust:** A private, nonprofit conservation organization formed to protect natural resources, such as productive farm and forest land, natural areas, historic structures, and recreational areas. Land trust purchase and accept donations of conservation easements.

**Land use:** A description of how land is occupied or utilized.

**Landscape:** The installation and permanent maintenance of an area with trees, shrubs, lawn, or planted ground cover to present an attractive, well-kept appearance and shall not be covered in whole or part with any manmade surface material.

**Landscaped buffer:** a landscape area located along the perimeter of a lot intended to screen or separate land uses either from one another or from a public street.

**Landscaped medians:** A combination of paved, planted, or landscaped strip in the center of a highway that separates lanes of traffic going in opposite directions.

**Letter of map amendment (LOMA):** An official determination by Federal Emergency Management Association (FEMA) that a specific structure is not in a flood hazard area; amends the effective flood hazard boundary map (FHBM) or flood insurance rate map (FIRM).

**Letter of map revision (LOMR):** A letter that revises base flood elevations, flood insurance rate zones, flood boundaries, or floodways as shown on an effective flood insurance rate map.

**Line of sight:** A visual path emanating from an average eye level adjudged to be five feet above the ground level.

**Live-work quarters:** Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

- Loading space:** An off-street space on the same lot with a building or group of buildings for temporary parking of a vehicle while loading and unloading.
- Lot:** A parcel described by metes and bounds, the description of which has been recorded.
- Lot area:** The horizontal areas within the exterior lines of the lot, exclusive of any area in a public or private way open to public use.
- Lot, depth:** The average distance between the front and rear lot lines.
- Lot, frontage:** The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way.
- Lot line:** A line bounding or demarcating a plot of land or ground as established by a plat of record.
- Lot line adjustment:** The modification of common property line(s) or boundaries between adjacent lots, tracts, or parcels and the results shall not create any additional lots, tracts, or parcels.
- Lot line, interior:** any lot line that is not adjacent to a street.
- Lot, minimum:** A parcel of land occupied or to be occupied by a principal structure or group of structures and accessory structures together with such yards, open spaces, lot width and lot area as are required by this Zoning Resolution, and having not less than the minimum required frontages upon a street, either shown and identified by lot number on a plat of record, or considered as a unit of property and described by metes and bounds.
- Lot, non-conforming:** A lot or parcel of land that has been established and maintained but which, because of the enactment of zoning may no longer conform to the land-use standards and regulations of the zoning district which it located.
- Lot width:** The horizontal distance between side lot lines measured at the required front setback.
- Megawatt (MW):** A unit of power, equal to one million watts.
- Massing:** Three-dimensional building form; Appearance and style are applied to massing, but do not appreciably affect the volume established, except for the roof form selected.
- Metes and bounds:** A legal description of land prepared by an Ohio registered land surveyor providing measured distances and courses from known or established points on the surface of the earth.
- Mezzanine:** An intermediate floor placed in any story or room but when the total area of any such mezzanine floor exceeds 33.3 percent of the total floor area it shall be considered an additional story.
- Mineral extraction:** The excavation or extraction of any earth products of natural mineral deposits.
- Minutes:** The chronological record of the proceedings of a public body.
- Mixed-use development:** A tract of land or building or structure developed for two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment.
- Mobile home:** A single family dwelling designed to be moved by being built on a frame or chassis and further specifically designed and constructed so that wheels are, or may be attached for transportation on public streets or highways and designed without the need for a permanent foundation arriving at the site complete and ready for residential occupancy except for minor and incidental unpacking and assembly operations; location wheels, jacks, blocks, or other foundation, connection to utilities and the like. If applicable, the following criteria may be used to define and identify a mobile home for purposes of this Resolution.

- A) A single-family dwelling constructed between 1975 and June 14, 1976 may be defined as a mobile home if constructed in accordance with the standards of Chapter BB-77, Industrialized Units, and Mobile Homes of the Ohio Building Code.
- B) A single-family dwelling constructed between 1975 and June 14, 1976 may be defined as a mobile home if constructed in accordance with the standards of the National Home Construction and Safety Standards Act- 12 USC 5042 (6) and as hereinafter amended.
- C) A single-family dwelling may be defined as a mobile home if constructed in accordance with the standards of the National Home Construction and Safety Standards Act- 12 USC 5042 (6) and as hereinafter amended; except those constructed between 1975 and June 14, 1976, which may be defined as mobile home if constructed in accordance with the standards of Chapter BB-77, Industrialized Units and Mobile Homes of the Ohio Building Code.
- D) A dwelling unit fabricated in an off-site facility that is more than thirty-five body feet in length or, when erected on-site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections and does not qualify as a manufactured home as defined in ORC 3781.06(C)(4) or as an industrialized unit as defined in ORC 3781.06(C)(3).
- E) A transportable structure suitable for year-round single-family occupancy and having water, electrical, sewage connections significantly similar to those of conventional dwellings.

**Modular housing (permanently sited manufactured home):** A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards, where final assembly on the building site places the structure on a permanent foundation.

**Moratorium:** The temporary halting or severe restriction on specified development activities.

**Motor vehicle, commercial:** Any motorized vehicle used or designed to be used for business or commercial purpose.

**Motor vehicle, limited repair and service:** The business of minor repairs to any motor vehicle, including repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing, and repair and replacement of shock absorbers.

**Mounted mechanicals:** All equipment mounted on the roof, ground or to the side of a building including, but not limited to, heating and air-conditioning equipment, antennas, satellite dishes and other equipment necessary to establish a controlled interior environment.

**Nacelle:** Sits atop the tower and contains the essential mechanical components of the turbine to which the rotor is attached.

**Native vegetation:** Plant communities that develop in the absence of human activities.

**Natural condition:** The state that arises from or is found in nature and not modified by human intervention.

**Natural drainage:** The channels which are formed in the existing surface topography of the earth prior to changes made by unnatural causes.

**Natural features:** The physical characteristics of the subject property that are not man made.

**Natural resource area (archaeological):** Any significant evidence of human activity from prehistoric periods.

**Neck downs:** *(See curb extensions)*

**Noise:** The intensity, duration, and character of sound from any and all sources.



**Noise pollution:** Continuous or episodic excessive noise in the human environment.

**Non-conforming lot:** A lot that does not meet minimum zoning regulations.

**Non-conforming use:** A legal use of a building and/or of land that antedates the adoption of these regulations and does not conform to the regulations for the Zoning District in which it is located.

**Non-conforming structure:** A legal structure that antedates the adoption of these regulations and does not conform to the regulation for the Zoning District in which it is located.

**Occupancy:** The use of land, buildings or structures.

**Odor:** A scent of spicy, flowery, fruity, resinous, foul, or burnt character of sufficient intensity and duration to be irritating to one or more individuals.

**Obstruction:** Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter which is in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction the flow of water either in itself or by catching or collecting debris carried by such water or which is placed where the flow of water might carry the same downstream to the damage of life or property.

**Off site:** Outside the limits of the area encompassed by the tract area or the parcel of record on which the activity is conducted.

**Ohio Revised Code (ORC):** Rules of Ohio Legislature that guide township law and other regulations pertinent to land use and this Zoning Resolution.

**On site:** Within the limits of the area encompassed by the tract area or the parcel of record on which the activity is conducted.

**Opacity:** The degree to which a wall, fence, structure or landscaping is solid or impenetrable to light or vision in a generally uniform pattern over its surface.

**Open space:** an area of land or water that either remains in its natural state or is used for agriculture, free from intensive development for residential, commercial, industrial or institutional use. Open space can be publicly or privately owned and many times is used for passive or active recreation. It includes agricultural and forest land, undeveloped estuarine lands, undeveloped scenic lands, public parks and preserves. It also includes water bodies such as lakes and ponds.

**Overlay district:** A zoning district designation that modifies the basic underlying zoning district in some specific manner.

**Parcel:** A tract or plot of land of any size that may or may not be subdivided or improved.

**Park:** An area reserved for recreational, educational, or scenic purposes.

**Parking lot:** An authorized area not within a building where motorized vehicles are stored for the purpose of temporary, daily, overnight off-street parking.

**Parking lot, public:** An open area, excluding a street or other public way, used for the parking of automobiles and available to the public, whether for free or for compensation.

**Parking, off street:** Space occupied by automobiles on premise other than streets.

**Parking, on street:** The storage space for an automobile that is located within the street right-of-way.

**Parking space:** An off-street space available for the parking of one motorized vehicle conforming to the typical parking lot standards.

**Parking structure (parking garage):** A structure of two or more stories, whether privately or publicly owned, used for parking automobiles.

**Parsonage:** The permanent place of residence of the pastor or minister of a church.

**Path:** A surfaced walkway, separate from the traveled portion of the roadway and usually constructed with crushed rock or asphalt which follows the existing ground surface.

**Patio:** A level surfaced area directly adjacent to a principal building and may be constructed of any materials.

**Particulates:** Fine particles, either solid or liquid; which are small enough to be dispensed or otherwise, carried into the atmosphere.

**Pedestrian crossing islands:** *(See landscaped medians)*

**Pedestrian zone:** An area that has been concerted for the use of pedestrians only, by excluding all motor vehicles.

**Permit, zoning compliance:** A document issued by Jefferson Township, Franklin County, Ohio allowing a person to begin an activity provided for in this resolution.

**Planned commercial development:** A drawing or map made to measurable scale upon that is presented a description and definition in which the requirements are to be met and intended for recording.

**Planned industrial development:** A drawing or map made to measurable scale upon that is presented a description and definition in which the requirements are to be met and intended for recording.

**Plat:** A map which represents a tract of land, showing the boundaries and location or individual properties and streets.

**Plot plan:** A plat of a lot, drawn to scale, showing the actual measurements, the size and location of any existing structures and structures to be erected, the location of the lot in relation to abutting streets and other such information.

**Pole barn:** A typically metal clad structure most often utilizing wooden poles and trusses for support with unfinished, insulated interiors.

**Pond:** An inland body of water either in a natural state or artificially formed which has a surface area of 1,000 square feet or more.

**Porch:** A covered but unenclosed projection from the main wall of a building that may or may not use columns or other ground supports for structural purposes.

**Recreational vehicle:** A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

**Regulatory floodplain:** A watercourse and the areas adjoining a watercourse that has been or hereafter may be covered by the base flood.

**Related:** Associated to one another by marriage, blood, or legal adoption: parent, grandparent, brother, sister, stepparent, stepsister, stepbrother, uncle, aunt; also includes legal guardian or ward.

**Resource protected areas:** areas containing fragile natural features such as forests, floodplains, steep slopes, wetlands and other open space that can be adversely impacted by development.

**Retention:** A permanent on-site maintenance of stormwater.

**Rezoning:** An amendment to the map and/or text of a zoning ordinance to effect a change in the nature, density, or intensity of uses allowed within a zoning district and/or on a designated parcel or land area.

**Right-of-way:** The roadway area that has been dedicated or deeded for public use and under the control of a public

agency.

**Road:** The property dedicated or intended for construction of public or private roads, streets, alleys, highways, freeways, or roadway purposes or to public easements therefore.

**Screening:** A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

**Sediment:** Solid particulate matter that has been removed from its site of origin.

**Service alley:** A street providing only secondary access to abutting property.

**Setback, front:** The minimum allowable distance from the street right-of-way line to the closest point of the foundation of a building or projection.

**Setback line:** The distance as measured perpendicularly from the front, side, or rear property line to the building.

**Setback, rear:** The shortest distance between the building line and the rear lot line.

**Setback, side:** The shortest distance between the building line and the side lot line.

**Sewage system, on-site:** The disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means, approved by the County Board of Health generally within the confines of the lot in which the use is located.

**Sign:** Any device including, but not limited to, letters, words, numerals, figures, emblems, pictures, or any part or combination which is used for visual communication.

**Sign area:** The entire face of a sign including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

**Site plan:** A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations and shall include lot lines, streets, building sites, reserved open space, buildings, major landscape features – both natural and man-made and the location of proposed utility lines.

**Sign, portable:** A sign whose principle supporting structure is intended to be used by resting upon the ground for support and may be easily moved and relocated for reuse and shall include, but are not limited to, signs mounted upon a trailer, bench, wheeled carrier, or other nonmotorized mobile structure with or without wheels.

**Small Wind Project:** Any wind project less than 5MW which includes the wind turbine generator and anemometer.

**Snout house:** a house with a protruding garage that takes up most of the street frontage and facade.

**Street, public:** an open public way used for the passage of vehicles, people and sometimes animals. A public street is often paved to allow travel by horse, cart or motor vehicles, is maintained and repaired by a public entity, such as a city, township, county or state, and is used for connection between two or more destinations.

**Street, private:** a road owned and maintained by a private individual, organization, or company rather than by a government. Use of such road may be restricted and use without permission may constitute trespass.

**Street right-of-way line:** The dividing line between a street right-of-way and the contiguous property.

**Structure:** Anything constructed or erected.

**Structure, accessory or ancillary:** A subordinate structure, the use of which is incidental to that of a principal structure on the same lot.

**Structure, detached:** Any structure with no common or party wall with another structure.

**Structure, principal:** The main building on a parcel of land.

**Structure, temporary:** Any piece of work that is readily movable and used or intended to be used for a period not to exceed 90 (ninety) consecutive days and such structure shall be subject to all applicable property development standards for the district in which it is located.

**Structure, twin single:** A structure containing two dwelling units, which are divided by a common wall, built to meet or exceed minimum fire and building code specifications.

**Subdivision:** The division of land into two or more lots and the development shall be consisting of subdivided lots.

**Surface water:** Water located on the earth's surface exposed to the atmosphere such as rivers, lakes, and creeks.

**Swale:** A natural depression or wide shallow ditch used to temporarily store, route, or filter runoff.

**Swimming pool:** A structure, whether above or below grade level, designed to hold water more than 30 inches deep to be used for recreational purposes.

**Temporary uses:** means a use of land that is designed, operated and occupies a site for a limited time, typically less than twelve months.

**Tent:** Any temporary structure or enclosure, the roof of which and/or one-half or more of the sides are constructed of silk, cotton, canvas, fabric, or a similar pliable material.

**Tower:** A portion of a building which is higher than the remainder of the building, or a tall structure of small dimension separate from the building it accompanies.

**Townhouse:** A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation.

**Toxic substance:** Those toxic substances as defined by regulations adopted pursuant to the Resource Conservation and Recovery Act of 1976 and any future law or regulation of like tenor or effect.

**Tract:** A parcel or plot of land of any size that may or may not be subdivided or improved.

**Traffic calming devices:** The combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users.

**Trustees:** Jefferson Township Board of Trustees.

**Unit:** A single dwelling providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**Utilities:** All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary, sewage, oil, gas, power, information, telecommunications and telephone cable and includes facilities for the generation of electricity.

**Vacant:** Lands or buildings that are not actively used for any purpose.

**Variance:** A request for departure from any provision of the zoning requirements for a specific parcel without changing the Zoning Resolution or the underlying zoning of the parcel.

**Watercourse:** A channel in which a flow of water occurs either continuously or intermittently, and in the latter, with some degree of regularity and such flow must be in a definite direction and cover a prescribed area. Watercourses may be either natural or artificially and both may occur either on the surface or underground.

**Waterway:** Any body of water, including any creek, canal, river, lake or bay, or any other body of water, natural or

artificial, except a swimming pool or ornamental pool located on a single lot.

**Well:** A hole or shaft sunk into the earth to tap an underground supply of water.

**Wetland:** Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

**Wind Power Turbine Owner:** The person or persons who own(s) the Wind Turbine structure.

**Wind Power Turbine Tower:** The support structure to which the turbine and rotor are attached.

**Wind Power Turbine Tower Height:** The distance from the rotor blade at its highest point to the top surface of the ground at the Wind Power Generating Facility (WPGF) foundation.

**Window Signs:** Signs painted on, attached or affixed to the interior or exterior surface of a window or door of a building, or designed to be seen through a window or door.

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

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

**Yard:** An open space at grade between a building and the adjoining lot lines.

**Yard, front:** An open space at grade extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

**Yard, rear:** An open space at grade extending across the full width of the lot between the rear line of the lot and the nearest line of the building, porch, or projection thereof.

**Yard sale:** The sale or offering for sale to the general public of over five items of personal property on any portion of a lot in a residential zoning district, whether within or outside any building.

**Yard, side:** A yard between any building and the side lot line.

**Zero lot line:** A common lot line on which a wall of a structure may be constructed.

**Zoning:** A police power measure in which the community is divided into districts or zones within which permitted and specific uses are established as are regulations governing lot size, building bulk, placement, and other development standards.

**Zoning inspector/administrator:** Generally, the local official responsible for enforcing and administering the Zoning Resolution, granting zoning permits and following a determination by the BZA, for special permits, conditional uses and variances.

**Zoning district:** Any section of Jefferson Township in which zoning regulations are uniform.

**Zoning enforcement officer:** *(See Zoning Inspector/Administrator)*

**Zoning map:** Documents that are a part of this zoning code and that delineate the boundaries of all mapped Zoning Districts within the physical boundary of Jefferson Township.



6545 HAVENS ROAD, BLACKLICK, OHIO 43004  
JEFFERSONTOWNSHIP.ORG  
614-855-4260

