

Under Article 4: Administration, the following conditional use standards are being proposed to be added to provide standards for the Board of Zoning Appeals when reviewing a conditional use for an animal shelter, humane society or a kennel-commercial.

Section 4.22.F Animal Shelter/Humane Society/Kennel-Commercial/Kennel-Agriculture Conditions

The following conditions shall be applicable to any animal shelter, humane society, or kennel-commercial land use:

Section 4.22.F.1 Applicability

In accordance Section 519.21 of the Ohio Revised Code a township zoning resolution, or an amendment to such resolution, may 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 711.131 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 regulate:

1. Agriculture 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 acre but not greater than five acres by: set back building lines; height; and size;
3. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty-five per cent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Ohio Revised Code. After thirty-five per cent of the lots are so developed, 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.

Division (B) of this section confers no power on any township zoning commission, board of township trustees, or board of zoning appeals to regulate agriculture, buildings or structures, and dairying and animal and poultry husbandry on lots greater than five acres.

Based on Ohio Case Law and Ohio Attorney General Opinion (OAG) Animal Shelters, Humane Society, Kennels-Commercial and Kennels-Agriculture shall be classified as animal husbandry for the purposes of Section 519.21 of the Ohio Revised Code. Therefore, except as provided above shall be exempt from zoning. Any Animal Shelter, Humane Society, Kennel- Commercial or Kennel-Agriculture that is subject to zoning in accordance with Section 519.21 of the Ohio Revised Code noted above, may be conditionally permitted as noted in the Union Township Zoning Resolution district regulations upon complying with the following conditions (standards).

- Harris v. Rootstown Township Zoning Board of Appeals, 44 Ohio St. 2d 144, syl. pt.1, 73 O.O.2d 451, 338 N.E.2d 763 (1975).
- Mentor Lagoons v. Zoning Board of Appeals Mentor Township, 168 Ohio St. 113, syl. pt. 3, 5 O.O.2d 372, 151 N.E.2d 533 (1958)
- Singh v. Pierce Township Board of Zoning Appeals, 1987 Ohio App. LEXIS 7001, at p.3 (Ct. App., Twelfth District, Clermont).

Ohio Attorney General Opinions

- OAG 2010-009
- OAG 94-040
- OAG 89-067

Section 4.22.F.1 Setbacks

- Structure including accessory structures.
 - Side = 50 feet as measured from the lot line.
 - Rear = 50 feet as measured from the lot line.
 - Front = 50 feet as measured from the road right-of-way.
 - Any animal shelter, humane society or kennel-commercial shall maintain a 200 feet setback from any lot that is zoned as a residential district or has a residential use. Said setback shall be measured from the lot line.
 - Note: If the zoning district within which an animal shelter, humane society or kennel-commercial is conditionally permitted has a greater setback standard than permitted above, the setback standard for the district shall supercede the standard above. Otherwise the above standard may supercede the district standard to provide additional protections of adjoining lot owners from the adverse impacts of this type of land use.
- Outdoor Runs = 300 feet as measured from any lot line and road right-of-way. Said runs shall be located at the rear of the principal structure.

Section 4.22.F.2 Buffer

The perimeter of a lot of record upon which a animal shelter, humane society or kennel-commercial is located upon shall provide a landscape buffer in accordance with Section 21.03.A.1: Property Perimeter Requirements. Said buffer shall exceed the standards in Section 21.03.A.1: Property Perimeter Requirements by providing 100% year round opacity. This shall require the use of mixed evergreens and deciduous plant materials to obtain this goal. In part the buffer is to provide a means to reduce noise levels from barking dogs, which is considered a nuisance within Union Township.

Section 4.22.F.3 Indoor Kennels

Indoor kennels with access to outdoor runs shall have solid doors between the indoor and outdoor areas that are closed between the hours of 8:00 p.m. and 8:00 a.m. and all other non-business hours. All kennels shall be contained within the principal structure and shall be separated from the exterior of the building by a solid wall and door. The purpose for this requirement is to reduce noise levels from barking dogs, which is considered a nuisance within Union Township.

Section 4.22.F.4 Outdoor Kennels

Outdoor Kennels are prohibited. The purpose for this requirement is to reduce noise levels from barking dogs, which is considered a nuisance within Union Township.

Section 4.22.F.5 Outdoor runs

- All outdoor runs shall be closed between the hours of 8:00 p.m. and 8:00 a.m. and all other non-business hours. All animals shall be housed inside the principal structure during these hours. The purpose for this requirement is to reduce noise levels from barking dogs, which is considered a nuisance within Union Township.
- All outdoor runs shall be separated by a solid eight (8) foot wall. So as an animal in one outdoor run does not see an animal in the other. The purpose of which is to reduce the tendency of animals to bark or fight with other animals in adjoining runs. The purpose for this requirement is to reduce noise levels from barking dogs, which is considered a nuisance within Union Township.

Section 4.22.F.6 Stables & Pasture

Stables and pasture areas for large domestic animals (horses, mules, cows, buffalo, llamas, goats, sheep, and the like) shall be considered agriculture use and shall comply with the setback and buffering standards within this Section 4.22.F unless otherwise exempt as an agriculture use as follows:

A township zoning resolution, or an amendment to such resolution, may 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 711.131 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 regulate:

4. Agriculture on lots of one acre or less;
5. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: set back building lines; height; and size;
6. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty-five per cent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Ohio Revised Code. After thirty-five per cent of the lots are so developed, 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.

Division (B) of this section confers no power on any township zoning commission, board of township trustees, or board of zoning appeals to regulate agriculture, buildings or structures, and dairying and animal and poultry husbandry on lots greater than five acres.

Section 4.22.F.6 Disposal of animal waste

The disposal of waste shall be in compliance with applicable State of Ohio Laws. No such waste shall be detectable by odor or visually seen from any adjoining lot of record. Proper measures shall be taken to ensure such waste does not affect any well water of

adjoining lots of record and any surface water (i.e. streams, ponds, lakes, drainage channels, etc.)

Section 4.22.F.7 Disposal of deceased animals from Animal Shelter, Humane Society, Kennel-Commercial and Kennel-Agriculture

The disposal of animal carcass from any Animal Shelter, Humane Society, Kennel-Commercial or Kennel-Agriculture within Union Township shall be strictly prohibited. This shall include burial, incineration, decomposition, etc. Any and all deceased animals shall be buried, incinerated, or otherwise destroyed in a facility specifically approved and licensed for such use in accordance with State of Ohio and local laws. Prior to issuing a conditional use permit, the zoning inspector may require documentation of compliance with any applicable State of Ohio Law and local laws. This may be in the form of a permit or letter from the regulating agency.

THIS SUBSECTION IS A CONDITION FOR ANIMAL SHELTER, HUMANE SOCIETY, KENNEL-COMMERCIAL AND KENNEL-AGRICULTURE WHEN SUCH LAND USE IS SUBJECT TO TOWNSHIP ZONING. THIS SUBSECTION IN NO WAY APPLIES TO A LOT OWNER OF A SINGLE-FAMILY HOME WHO WANTS TO BURY A DECEASED FAMILY PET IN THE YARD OR AN AGRICULTURE LAND USE THAT MAY NEED TO BURY A DECEASED LIVESTOCK ON OCCASION. THE PURPOSE IS TO PREVENT THE ADVERSE AFFECTS OF LARGE VOLUMES OF DECEASED ANIMALS THAT ARE NOT PROPERLY DISPOSED OF.

Section 4.22.F.8 Perimeter fencing

A six (6) foot tall perimeter fence shall be constructed to prevent any animal being picked up or dropped off that may get away from its handler from escaping the premises, running out onto the public roadway, or onto adjoining properties. Said fence shall be constructed of solid durable materials. Chain link fence with materials woven into the fencing are not permitted. The Board of Zoning Appeals may determine the area for the perimeter fencing based upon the area of use. Said perimeter fencing shall encompass all parking, loading, areas, areas between structures, outdoor runs, and other areas where animals may be outside be it restrained or unrestrained.

Section 4.22.F.9 Parking

All parking, pickup and drop off areas shall be at the rear of the structure.

All parking, pickup and drop off areas shall have a solid durable surface such as pavement, concrete, concrete pavers, paving bricks, and the like. Gravel and compacted sand shall not be construed as a solid durable surface. The use of porous pavement and other “green” parking lots may be considered provided their nature and construction will not contribute to dust.

The number of parking spaces for a animal shelter, humane society or kennel shall equal one space for each individual employed and one space for every 200 square feet of floor area, excluding areas designated for kennel use only.

Section 4.22.F.10 Lighting

All parking areas and entrances shall be adequately lit by fully shielded lighting fixtures (see also **Section 19.07: Lighting** for an example of a fully shielded lighting fixture). Said lighting shall be turned off within thirty (30) minutes of closing. Security lighting may be used after hours provided that said lighting makes use of fully shielded fixtures and does not create any glare onto any horizontal or vertical plane on any adjoining lot of record. Lighting shall be considered security lighting when said lighting is intended to reduce the risk of personal attack, discourage intruders, vandals, or burglars, and to facilitate active surveillance of an entrance to a structure.

Appendix A: Definitions

Animal Husbandry

The branch of agriculture concerned with the breeding and raising of domesticated animals for hunting or sale. This includes other commonly accepted agriculture practices that require the breeding and raising of domestic animals for meat, egg, and other production requiring the slaughter of the domestic animal.

Animal Shelter

Any premises designated by the county for the purpose of impounding, providing care, veterinary, retrieval and adoption services for the cats and dogs found running at large or otherwise subject to impoundment in accordance with the Ohio Revised Code.

Humane Society

A private or quasi-public non-profit organization established to provide care, boarding, veterinary and adoption services for abused, neglected, and/or unwanted animals. Said organizations are not in the business of breeding and raising animals for hunting and/or for sale. Said organizations generally have a core goal to provide for and promote awareness and education for the ethical, humane treatment of animals.

Kennel-Agriculture

Any building, structure, including the surrounding fenced land, used by a person, partnership, firm, company, or corporation professionally engaged primarily in the business of animal husbandry (breeding) dogs for hunting or sale. There shall be no boarding, training, housing, or grooming services provided to the general public. These services may only be provided for those animals involved in the animal husbandry (breeding) business.

Kennel-Commercial

Any building or structure, including the surrounding fenced land, used for the care and board of five or more domesticated dogs or cats more than four months of age which is open to the public for let, hire, board, training, housing, grooming, or other use on a commercial basis and for compensation. The function of the business is not the animal husbandry (breeding) of dogs or cats.

ARTICLE 6 ~ PROVISIONS FOR OFFICIAL ZONING MAP

Section 6.00 Official Zoning Map

The districts established in Article 7 of this resolution as shown on the Official Zoning Map which, together with all explanatory matter thereon, are hereby adopted as part of this resolution.

Section 6.01 Identification of the Official Zoning Map

The Official Zoning Map shall be identified by the signature of the chairman of the Board of Township Trustees, attested by the township clerk, and bearing the seal of the township.

Section 6.02 Interpretation of District Boundaries

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

1. Where district boundaries are indicated as approximately following the centerlines of thoroughfares or highways, street lines, or highway right-of-way lines, such centerlines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
3. Where district boundaries are so indicated that they are approximately parallel to the centerlines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.
4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.
5. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the township unless otherwise indicated on the Township Zoning Map.

Section 6.03 Certification of Zoning Amendments to the Licking County Recorder's Office and the Licking County Planning Commission

Within five (5) working days after an amendment's effective date, the board of township trustees shall file the text and maps of the amendment in the office and the county recorder and with the regional or county planning commission if one exists.

The failure to file any amendment, or any text and maps of any of these documents, with the office of the county recorder or the county or regional planning commission as required by this section does not invalidate the amendment and is not grounds for an appeal of any decision of the board of zoning appeals.

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ARTICLE 7 ~ ESTABLISHMENT AND PURPOSE OF THE OFFICIAL SCHEDULE OF DISTRICT REGULATIONS

Section 7.00 Compliance With Regulations

The regulations for each district set forth by this resolution shall be minimum regulations and shall apply uniformly to each class or kind of structure of land, except as hereinafter provided:

Section 7.00.A

No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all the regulations herein specified for the district in which it is located.

Section 7.00.B

No building or other structure shall be erected or altered:

Section 7.00.B.01 To provide for greater height or bulk;

Section 7.00.B.02 To accommodate or house a greater number of families;

Section 7.00.B.03 To occupy a greater percentage of lot area;

Section 7.00.B.04 To have narrower or smaller rear yards, front yards, side yards, or other open spaces.

Section 7.00.C

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

Section 7.01 Official schedule of District Regulations Adopted

District regulations shall be as set forth in:

- Article 7 - Establishment and Purpose of the Official Schedule of District Regulations**
- Article 8 - Agricultural & Conservation Districts**
- Article 9 - Residential Districts**
- Article 10 - Manufactured Home District**
- Article 11 - Business/Commercial Districts**
- Article 12 - Manufacturing Districts**
- Article 13 - Overlay Districts**
- Article 14 - Planned Unit Development District**
- Article 15 - Supplementary District Regulations**

Hereby adopted and declared to be part of this resolution.

Section 7.02 Intent of District Regulations

It is the intent of these regulations to set forth within the district regulations the permitted uses, the conditionally permitted uses, and general requirements of the district, and other regulations as they pertain, in general, to each zoning district. Conditionally permitted uses are in addition to the permitted uses in each district and as governed by Article 4, Article 5, and other articles of these regulations. Rules, regulations, requirements, standards, resolutions, articles, and/or sections not specifically included for each district but which are contained in these regulations and which are applicable to each district or use shall be applied as if stated in full in Article 8 of these regulations. Uses not specifically defined or stated as permitted or conditionally permitted in any district which cannot reasonably be interpreted by the Zoning Inspector or the Zoning Commission shall be referred to the Board of Zoning Appeals for an order in the determination of such use and the district to which and under what circumstances it will prevail as specified in Article 5, Administration.

**ARTICLE 8 ~ AGRICULTURE AND CONSERVATION
DISTRICTS**



Section 8.00 Conservation / Natural Recreation District (CN)

Section 8.01 Agricultural District (AG)

Section 8.00 Conservation / Natural Recreation District (CN)

Section 8.00.A Purpose

The purpose of the CN District is to preserve and protect public and private lands, significant forests and wildlife areas, steep slopes, open spaces, scenic vistas, and outdoor recreational areas for the welfare and enjoyment of the township residents. It is important that significant natural resources and open spaces be conserved for the benefit of current and future residents. Within the (CN) District the division of property is not permitted, unless within the scope of the (CN) District.

Section 8.00.B Permitted Uses - CN District

Section 8.00.B.1

Any customary agricultural uses including:

Section 8.00.B.1.a General Farming

Section 8.00.B.1.c Pasture

Section 8.00.B.1.d Grazing

Section 8.00.B.1.e Outdoor plant nurseries

Section 8.00.B.1.f Horticulture

Section 8.00.B.1.g Viticulture

Section 8.00.B.1.h Forestry

Section 8.00.B.1.i Sod farming

Section 8.00.B.1.j Wild crop harvesting

Section 8.00.B.2

Recreational Facilities as follows:

Section 8.00.B.2.a Parks

Section 8.00.B.2.b Hiking trails

Section 8.00.B.2.c Equestrian trails

Section 8.00.B.2.d Bike paths

Section 8.00.B.2.e Fishing

**January 26, 2011
Public Hearing Draft**

Section 8.00.B.3

Water conservation works as follows:

Section 8.00.B.3.a Water supply works

Section 8.00.B.3.b Flood control and watershed protection

Section 8.00.B.3.c Fish and game hatcheries and preserves

Section 8.00.B.3.d Nature and wildlife preserves

Section 8.00.B.3.e Botanical gardens

Section 8.00.B.4

Residential uses limited to:

Section 8.00.B.4.a Lawns

Section 8.00.B.4.b Gardens

Section 8.00.B.4.c Play areas

Section 8.00.B.4.d Necessary parking for any permitted or conditionally permitted use.

Section 8.00.B.5

Conservation/museum structures for education about and preservation of the land;

Section 8.00.B.6

Accessory use and structures(s);

Section 8.00.B.7

Essential services.

Section 8.00.C Conditionally Permitted Uses - CN District

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in **Section 4.21: General Standards Applicable to All Conditional Uses** and **Section 4.22: Specific Criteria for Conditional Uses** of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 8.00.C.1

Special Event(s)

Section 8.00.C.2

Gun clubs, target ranges, archery ranges;

Section 8.00.C.3

Golf courses and/or driving ranges;

January 26, 2011
Public Hearing Draft

Section 8.00.C.4

Active Recreation

Section 8.00.C.5

Swimming areas;

Section 8.00.C.6

Boat launching ramps;

Section 8.00.C.7

Dwelling for habitation of the person employed to care for the land.

Section 8.00.D Agriculture Exemption

Agricultural Exemptions: Sections 519.02 and 519.25, inclusive, of the Ohio Revised Code confer no power on any board or township trustees or zoning appeals to prohibit the use of land for agricultural purposes or the construction or use of buildings or structures incident to the use of agricultural purposes of the land on which such buildings or structures are located, and no zoning certificate shall be required for any such building or structure.

Section 8.00.E General Requirements of the CN District

Section 8.00.E.1 Required Lot Area and Lot Width

If a principal structure is located on the lot, there must be a minimum useable acreage that is acceptable to the Licking County Health Department, O.E.P.A or the appropriate approving authority at the time of the improvement, to support onsite septic and well. The Licking County Health Department may require more acreage based on the use of the principal structure. Licking County Subdivision Regulations for minimum lot size and frontage must be met. No accessory structure shall be located closer than thirty-five (35) feet to any existing or proposed public right-of-way, and not closer than fifty (50) feet to any side or rear lot line.

Section 8.00.E.2 Height Limit

No habitable structure shall exceed thirty-five (35) feet in height.

Section 8.01 Agricultural District (AG)

Section 8.01.A Purpose

The purpose of the AG District is to preserve and protect the decreasing amount of prime agricultural land, preserve and protect open space, wildlife habitat, forestry, water resources, and rural lifestyle. This district also is established to control the indiscriminate infiltration of urban development in agricultural areas, which adversely affects agricultural operations. Land within this district shall not be viewed as land waiting to be developed, but instead, land that is currently being used for a viable purpose intended by this resolution. The single-family dwelling unit must meet the Licking County Board of Health's requirements and/or that of other authorities before being issued zoning permits. Permitted uses, dimensional requirements, and other regulations of the AG, Agricultural District, the following regulations shall apply:

Section 8.01.B Permitted Uses – AG District

Section 8.01.B.1 Agriculture / Agriculture Production;

Section 8.01.B.2 Single-Family Dwelling;

Section 8.01.B.3 Public Park and Playground;

Section 8.01.B.4 Farm market;

Section 8.01.B.5 Agriculture Entertainment (Agritourism);

Section 8.01.B.6 Stable Private;

Section 8.01.B.7 Accessory use and structure including private swimming pool.

Section 8.01.B.8 Home Occupation – Principal Structure. *Refer to section 522.02.02.*

Section 8.00.B.9 Government Building

Section 8.00.B.10 Kennel, Agriculture

Section 8.00.C Conditionally Permitted Uses – AG District

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in **Section 4.21: General Standards Applicable to All Conditional Uses** and **Section 4.22: Specific Criteria for Conditional Uses** of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

**January 26, 2011
Public Hearing Draft**

Section 8.00.C.1 Stable Commercial;

Section 8.00.C.2 Church - Neighborhood and Cemetery;

Section 8.00.C.3 Education -Public School and Education - Private School;
Refer to Sections 4.22.A: Protection of Surrounding Properties and Section 4.22.B: Specific Performance Standards.

Section 8.00.C.4 Shooting Range – Outdoor, Shooting Range-Indoor; Club;

Section 8.00.C.5 Veterinary/Animal Hospital;

Section 8.00.C.6 Agriculture Sales and Service, Farm Implement Sales and Farm Implement Dealer;

Section 8.00.C.7 Agriculture Related Business; Feed Store

Section 8.00.C.8 Equestrian Center

Section 8.00.C.9 Nursery Plant Material. *Refer to Sections 4.22.A: Protection of Surrounding Properties and Section 4.22.B: Specific Performance Standards.*

Section 8.00.C.10 Home Occupation – Accessory Structure

Section 8.00.C.11 Transient uses of the land (flea markets, carnivals, or other uses involving the use of mobile, non-permanent structures), provided such land use activity ceases to exist and the non-permanent structures are removed within thirty (30) days. *Refer to Sections 4.22.A: Protection of Surrounding Properties and Section 4.22.B: Specific Performance Standards.*

Section 8.00.C.12 Animal Shelter/Humane Society/Kennel-Commercial (Provided it complies with the standards in Section 4.21: General Standards Applicable to all Conditional Uses and Section 4.22.F: Animal Shelter/Humane Society/Kennel, Commercial Conditions.)

Section 8.00.C.13 Quarrying and mining of natural resources. *Refer to Section 4.22.C: Excavation Standards and 4.22.D: Mining Standards.*

Section 8.01.D General Requirements of the AG District

Section 8.01.D.1 Height Limit

No habitable building shall be erected or enlarged to exceed two and one-half (2 ½) stories or thirty-five (35) feet.

Section 8.01.D.2 Lot Area, Width and Depth

Every lot shall have a minimum lot area of not less than ten (10) acres, exclusive of road right-of-way. Lot width and road frontage of three hundred (300) feet throughout the lot.

Section 8.01.D.3 Setbacks

Section 8.01.D.3.a Front Yard

There shall be a front yard of not less than one hundred (100) feet in depth, for dwelling structures. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever the greater distance from the centerline.

Section 8.01.D.3.b Side Yard

There shall be side yards of not less than thirty-five (35) feet for each side yard.

Section 8.01.D.3.c Rear Yard

There shall be a rear yard of not less than seventy-five (75) feet.

Section 8.01.D.4 Notes

Section 8.01.D.4.a

For yard requirements for all lots of record, see Section 411.

Section 8.01.D.4.b

All structures placed on corner lots must meet those requirements outlined in Section 1600.08.

Section 8.01.D.5 Dwelling Bulk

Dwellings or structures shall have a minimum area of habitable space by outside dimensions, exclusive of porches, garages and cellars or basements as follows:

Section 8.01.D.5.a Two Story Structure

Two (2)-story dwelling/structure – 1200 square feet on first floor on a permanent foundation and a total of 1600 square feet by all other levels.

Section 8.01.D.5.b Single Story Structure

Single (1) story dwelling/structure – 1600 square feet on a permanent foundation;

Section 8.01.D.6 Parking Requirements

Parking requirements shall be as regulated in Article 20 of these regulations.

Section 8.01.D.7 Signs

Signs shall be as regulated in Article 21 of these regulations.

ARTICLE 9 ~ RESIDENTIAL DISTRICTS



Section 9.00 Rural Residential – 4 (RR-4)

Section 9.01 Rural Residential – 3 (RR-3)

Section 9.02 Medium Density Residential District (R-3)

Section 9.00 Rural Residential – 4 (RR-4)

Section 9.00.A Purpose

The purpose of the RR-4 District is to encourage the establishment of low-density single-family dwellings not to exceed one dwelling unit per four (4) gross acres. The RR-4 Districts are associated with those areas to be served by collector, local, and cul-de-sac streets. In addition, it is to be associated with those areas identified in the comprehensive plan as having a minimum lot size of four (4) acres or greater as identified on the “Minimum Lot Size Based on Groundwater Pollution Potential Map”. The single-family dwelling unit must meet the Licking County Board of Health’s requirements and/or that of other authorities, before being issued sewage and zoning permits.

Section 9.00.B Permitted Uses

Section 9.00.B.1 Agriculture/Agriculture Production;

Section 9.00.B.1 Single-Family Dwelling Unit;

Section 9.00.B.1 Public Park and Playground;

Section 9.00.B.1 Government Building;

Section 9.00.B.1 Accessory Use and Structure;

Section 9.00.B.1 Home Occupation – Principle Structure;

Section 9.00.B.1 Daycare Home – Child;

Section 9.00.B.1 Daycare Home – Adult.

Section 9.00.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in **Section 4.21: General Standards Applicable to All Conditional Uses** and **Section 4.22: Specific Criteria for Conditional Uses** of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 9.00.C.1 Institution, Nursing Home;

Section 9.00.C.2 Child Care/Daycare Center (Note: This replaces nursery school term which was replaced with this definition see Article 2 Recommend moving to a commercial district)

**January 26, 2011
Public Hearing Draft**

Section 9.00.C.3 Home Occupation – Accessory Structure;

Section 9.00.C.4 Church – Community, Church – Neighborhood;

Section 9.00.C.5 Education –Public School and Education – Private School;

Section 9.00.C.6 Golf Course.

Section 9.00.D General Requirements to the RR-4 District

Section 9.00.D.1 Height Limit

No building shall be erected or enlarged to exceed two and one half (2 ½) stories or 35 feet.

Section 9.00.D.2 Lot Area, Width and Depth

Every lot shall have a minimum road frontage and width of 250 feet throughout the lot and a minimum lot area of not less than four (4) acres exclusive of road right-of-way, and shall be in addition to any easements of record. In addition, lots 4.000 - acres to 4.999- acres shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback).

Section 9.00.D.3 Setbacks

Section 9.00.D.3.a Front Yard

There shall be a front yard of not less than fifty (50) feet in depth, provided, however, that where normal lots comprising forty (40) percent or more of the frontage are developed with building having front yards with a variation of not more than ten feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these regulations. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance from the centerline.

Section 9.00.D.3.b Side Yard

There shall be side yards of not less than twenty (20) feet on each side.

Section 9.00.D.3.c Rear Yard

There shall be a rear yard of not less than fifty (50) feet.

Section 9.00.D.4 Dwelling Bulk

Dwellings or structures shall have a minimum area of habitable space by outside dimensions, exclusive of porches, garages and cellars or basements as follows:

Section 9.00.D.4.a Two Story Structure

Two (2)-story dwelling/structure – 1200 square feet on first floor on a permanent foundation and a total of 1600 square feet by all other levels.

**January 26, 2011
Public Hearing Draft**

Section 9.00.D.4.b Single Story Structure

Single (1) story dwelling/structure – 1600 square feet on a permanent foundation;

Section 9.00.D.5 Parking Requirements

Parking requirements shall be as regulated in **Article 20** of these regulations.

Section 9.00.D.6 Signs

Signs shall be as regulated in **Article 21** of these regulations

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Section 9.01 Rural Residential – 3 (RR-3)

Section 9.01.A Purpose:

The purpose of the RR-3 District is to encourage the establishment of low-density single-family dwellings not to exceed one dwelling unit per three (3) gross acres. The RR-3 Districts are associated with those areas to be served by collector, local, and cul-de-sac streets. In addition, it is to be associated with those areas identified in the comprehensive plan as having a minimum lot size of 3 acres as identified on the “Minimum Lot Size Based on Groundwater Pollution Potential Map”. The single-family dwelling unit must meet the Licking County Board of Health’s requirements and/or that of other authorities, before being issued sewage and zoning permits.

Section 9.01.B Permitted Uses

Section 9.01.B.1 Agriculture/Agriculture Production;

Section 9.01.B.2 Single-Family Dwelling Unit;

Section 9.01.B.3 Public Park and Playground;

Section 9.01.B.4 Government Building;

Section 9.01.B.5 Accessory Use and Structure;

Section 9.01.B.6 Home Occupation – Principle Structure;

Section 9.01.B.7 Daycare Home – Child;

Section 9.01.B.8 Daycare Home – Adult.

Section 9.01.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in **Section 4.21: General Standards Applicable to All Conditional Uses** and **Section 4.22: Specific Criteria for Conditional Uses** of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 9.01.C.1 Institution, Nursing Home;

Section 9.01.C.2 Child Care/Daycare Center (Note: This replaces nursery school term which was replaced with this definition see Article 2 Recommend moving to a commercial district)

Section 9.01.C.3 Home Occupation – Accessory Structure;

Section 9.01.C.4 Church – Community, Church – Neighborhood

**January 26, 2011
Public Hearing Draft**

Section 9.01.C.5 Education –Public School and Education – Private School;

Section 9.01.C.6 Golf Course.

Section 9.01.D General Requirements to the RR-3 District

Section 9.01.D.1 Height Limit

No building shall be erected or enlarged to exceed two and one half (2 ½) stories or 35 feet.

Section 9.01.D.2 Lot Area, Width and Depth

Every lot shall have a minimum road frontage and width of 225 feet throughout the lot and a minimum lot area of not less than three (3) acres exclusive of road right-of-way, and shall be in addition to any easements of record. In addition, lots 3.000 - acres to 4.999 acres shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback).

Section 9.01.D.3 Setbacks

Section 9.01.D.3.a Front Yard

There shall be a front yard of not less than fifty (50) feet in depth, provided, however, that where normal lots comprising forty (40) percent or more of the frontage are developed with building having front yards with a variation of not more than ten feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these regulations. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance from the centerline.

Section 9.01.D.3.b Side Yard

There shall be side yards of not less than twenty (20) feet on each side.

Section 9.01.D.3.c Rear Yard

There shall be a rear yard of not less than fifty (50) feet.

Section 9.01.D.4 Dwelling Bulk

Dwellings or structures shall have a minimum area of habitable space by outside dimensions, exclusive of porches, garages and cellars or basements as follows:

Section 9.01.D.4.a Two Story Structure

Two (2)-story dwelling/structure – 1200 square feet on first floor on a permanent foundation and a total of 1600 square feet by all other levels.

Section 9.01.D.4.b Single Story Structure

Single (1) story dwelling/structure – 1600 square feet on a permanent foundation;

Section 9.01.D.5 Parking Requirements

Parking requirements shall be as regulated in **Article 20** of these regulations.

Section 9.01.D.6 Signs

Signs shall be as regulated in **Article 21** of these regulations

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Section 9.02 Medium Density Residential District (R-3)

Section 9.02.A Purpose:

The purpose of the R-3 District is to permit the establishment of medium density single, two and multiple family dwellings not to exceed four dwelling units per gross acre. **Public water and wastewater facilities are required**, for the utilization of all the permitted and conditional uses listed below, excluding Agriculture.

Section 9.02.B Permitted Uses

Section 9.02.B.1 Agriculture/Agriculture Production;

Section 9.02.B.2 Single-Family Dwelling Unit;

Section 9.02.B.3 Two-Family Dwelling Unit;

Section 9.02.B.4 Multifamily Dwelling Unit;

Section 9.02.B.5 Church – Community, Church – Neighborhood

Section 9.02.B.6 Education –Public School and Education – Private School;

Section 9.02.B.7 Public Park and Playground;

Section 9.02.B.8 Governmental Building;

Section 9.02.B.9 Accessory Use and Structure.

Section 9.02.B.10 Home Occupation – Principal Structure

Section 9.02.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in **Section 4.21: General Standards Applicable to All Conditional Uses** and **Section 4.22: Specific Criteria for Conditional Uses** of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

(Reserved For Future Use)

Section 9.02.D General Requirements of the R-3 District

Section 9.02.D.1 Height Limit

No building shall be erected or enlarged to exceed two and one half (2 ½) stories or 35 feet.

Section 9.02.C.2 Lot Area, Width and Depth

Every lot for a single family dwelling shall have a minimum width of at least 90 feet and a minimum lot area of not less than ½ acre (21,780 square feet); every lot or tract of land upon which there is erected a two-family dwelling or multiple family dwelling shall have a minimum width of at least ninety (90) feet and a minimum lot area of not less than ½ acre (21,780 square feet). Every lot shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback). All lot area measurements shall be exclusive of road right-of-way, and shall be in addition to any easement or record.

Section 9.02.D.3 Setbacks

Section 9.02.D.3.a Front Yard

There shall be a front yard of not less than thirty-five (35) feet. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road whichever is a greater distance from the centerline.

Section 9.02.D.3.b Side Yard

There shall be a rear yard of not less than twenty-five (25) feet.

Section 9.02.D.3.c Rear Yard

There shall be a rear yard of not less than twenty-five (25) feet.

Section 9.02.D.4 Dwelling Bulk

Section 9.02.D.4.a Single Family Dwellings and Structures

Dwellings or structures shall have a minimum area of habitable space by outside dimensions, exclusive of porches, garages and cellars or basements as follows:

Section 9.02.D.4.a.1 Two Story Structure

Two (2)-story dwelling/structure – 1200 square feet on first floor on a permanent foundation and a total of 1600 square feet by all other levels.

Section 9.02.D.4.a.2 Single Story Structure

Single (1) story dwelling/structure – 1600 square feet on a permanent foundation;

Section 9.02.D.4.b Two-Family and Multifamily Dwellings and Structures

Two-family and multifamily dwelling units shall have a minimum area of 1000 square feet of living space per family unit.

Section 9.02.D.4.c Measurements

All dwelling bulk requirements for the R-3 District are to be determined from outside dimensions, exclusive of porches, garages and cellars or basements.

January 26, 2011
Public Hearing Draft

Section 9.02.D.5 Parking Requirements

Parking requirements shall be as regulated in Article 20 of these regulations.

Section 9.02.D.6 Signs

Signs shall be as regulated in Article 21 of these regulations.

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**ARTICLE 10 ~ MANUFACTURED HOME PARK
DISTRICT**



Section 10.00.A Purpose

Section 10.00.B Permitted Uses

Section 10.00.C Prohibited Uses

Section 10.00.D General Requirements of the MHP District

Section 10.00.E Severe Weather/Tornado Shelters and Warning Systems

Section 10.00.A Purpose

The purpose of the MHP District is to encourage the development of mobile home parks in a well – planned environment. Such districts shall abut upon an arterial or collector thoroughfare as identified on the Major Thoroughfare Plan. Mobile home parks shall comply with regulations of Chapter HE-27 of the Ohio Sanitary Code, and Licking County Subdivision Regulations.

Section 10.00.B Permitted Uses

Section 10.00.B.1 Mobile homes permitted in mobile home parks only;

Section 10.00.B.2 Buildings or permanent type structures used exclusively to provide services for occupants of the park, such as recreation buildings, swimming pools, laundry facility, manufactured home park office, storage rooms, and the like.

Section 10.00.B.3 Accessory buildings or structures that are clearly incidental and attached to a mobile home; such as a carport, cabana, sun-room, and the like;

Section 10.00.B.4 Advertising signs subject to all the following provisions:

Section 10.00.B.4.a

One identification type sign advertising the mobile home park upon which it is located may be erected provided that no portion of the sign or its supports shall be within the required front yard area. Such sign may be double face, and may be lighted if lighting is arranged in such manner that it will not distract or temporarily blind a motorist on the adjacent public and private streets, or existing point of access. The thirty-two (32) square feet maximum shall be total of sq. ft. of sign face. The maximum area of the sign, including any boarder around it, shall be not more than one square foot for each lineal foot of frontage of the mobile home park with 32 square feet maximum, whichever is less. The maximum height of the sign shall not exceed fifteen (15) feet above the ground. *See Article 21 Signs.*

Section 10.00.B.4.b

Directional signs as approved necessary by the Commission to assist in guiding persons to various locations within the park. Such signs may be double faced and lighted. The maximum area of each sign shall not exceed two square feet.

Section 10.00.C Prohibited Uses

Within a mobile home park only these uses specifically listed as permitted uses shall be authorized, and all other uses including but not necessarily limited to the following shall be prohibited:

Section 10.00.C.1 Boats and recreational vehicles of any type, except those owned by the occupants of the park and stored in the area within the park designed and intended as a common storage area for such vehicles.

Section 10.00.C.2 Repair and/or sale of vehicles of any type, including mobile homes, except for the repair or sale of any individual vehicle by the owner or occupant thereof.

Section 10.00.C.3 Buildings or permanent type structures for uses other than those listed as permitted uses.

Section 10.00.C.4 Any advertising sign other than that listed as a permitted use.

Section 10.00.D General Requirements of the MHP District

Section 10.00.D.1 Park Size

A mobile home park shall contain a minimum of ten acres of land area.

Section 10.00.D.2 Density, Width and Depth

The minimum density shall be as established by the State of Ohio Department of Health Regulations. The minimum width of the mobile home development shall not be less than 300 feet. The ratio of width to depth shall not exceed 1:5.

Section 10.00.D.3 Perimeter Setbacks

No structure shall be located closer than the perimeter setback as follows:

Section 10.00.D.3.a Front Yard Setback - 50 Feet

Section 10.00.D.3.b Side Yard Setback - 50 Feet

Section 10.00.D.3.c Rear Yard Setback - 50 Feet

Section 10.00.D.3.d Perimeter Setback shall be the minimum setback from the perimeter property lines of the original parcel prior to development.

Section 10.00.D.4 Approval from Appropriate Authority

The Ohio Department of Health, Licking County Health Department, Ohio Environmental Protection Agency, and Licking County Planning or any other authority or department prior to construction shall approve the mobile home park.

Section 10.00.D.5 Safety and Welfare

The Mobile Home Park will provide a Tornado Shelter/Safe Room in a central location within the Mobile Home Park, according to Safe Room Standards of

**January 26, 2011
Public Hearing Draft**

Federal Emergency Management Agency (FEMA) and shall provide a centralized emergency warning system.

Section 10.00.D.6 Buffering

Landscaping and buffering shall meet the requirements of Article 22 Landscaping and Buffering of this resolution. Construction of buffering must be completed within one year of development of Mobile Home Park.

Section 10.00.E Severe Weather/Tornado Shelters and Warning Systems

Section 10.00.E.1 Purpose

The purpose of this section is to provide for the public health, safety and well being, by providing shelter and a warning system for those residents who live in manufactured home parks where individual structures are not provided with below grade basement living space capable of providing shelter for said structures occupancy level, that would offer protection during a severe storm or tornado event. By providing for such structures and warning systems it is the intent of this chapter of the Union Township Zoning Resolution to attempt to protect the lives of those individuals who so choose to live in a manufactured home park community. **In no way does the provision of a tornado shelter and warning system or the requirement thereof by Union Township guarantee the safety, health and well being during an actual tornado event for those whom choose to live within a manufactured home park.**

Section 10.00.E.2 Applicability

This chapter and subsequent sections shall apply to any mobile home park and manufactured home park of ten (10) acres or more where dwelling units do not contain a below grade living space that may be used as shelter in the advent of severe weather.

Section 10.00.E.3 Performance Criteria

All shelters shall be constructed to the National Performance Criteria for Tornado Shelters, Federal Emergency Management Agency, Mitigation Directorate, Washington, D.C. First Edition, May 28, 1999 and any subsequent revisions thereof. Shelters constructed to these performance criteria are expected to withstand the effects of the high winds and debris generated by tornadoes such that all occupants of the shelter during a tornado will be protected without injury. These performance criteria are provided by the Federal Emergency Management Agency (FEMA). These performance criteria are to be used by design professionals, shelter manufacturers, building officials, and emergency management officials to ensure that shelters constructed in accordance with these criteria provide a consistently high level of protection. Additionally, all structures shall be constructed to American With Disabilities Act (ADA) Standards For Accessible Design and shall be certified as such.

Section 10.00.E.4 Emergency Management Considerations for Shelters

Section 10.00.E.4.a Shelter Refuge Plan

Each shelter shall have a tornado emergency refuge plan; this is to be exercised at least twice per year.

Section 10.00.E.4.b Safety Equipment Required

Shelter space shall contain, at a minimum, the following safety equipment:

Section 10.00.E.4.b.1 Fire extinguisher surface mounted on the shelter wall near each entrance door. In no case shall a fire extinguisher cabinet or enclosure be recessed into interior face of the exterior wall of the shelter;

Section 10.00.E.4.b.2 Flashlights with continuously charging batteries. Minimum of one per five (5) dwelling units within the park;

Section 10.00.E.4.b.3 First aid kit rated for the shelter occupancy;

Section 10.00.E.4.b.4 Drinking water in sufficient quantity to meet the drinking needs of the shelter rated occupancy for 8 hours;

Section 10.00.E.4.b.5 A NOAA weather radio with continuously charging batteries;

Section 10.00.E.4.b.6 The shelter must contain a continuously charged battery-powered radio transmitter(s) or a signal emitting device to signal the location of the shelter to local emergency personnel should occupants in the shelter become trapped due to debris blocking the shelter access door.

Section 10.00.E.4.c Identification of Shelter

The following placards and identification shall be installed:

Section 10.00.E.4.c.1 Any door providing access to the shelter shall have a permanently mounted placard measuring 30" X 30" with yellow background and reflective lettering and/or graphic(s), identifying the shelter as a Tornado and Severe Weather Shelter mounted next to it on the wall opposite the hinged side of the door or if double door so as the placard is visible while the door(s) is open or closed.

Section 10.00.E.4.c.2 A placard shall be permanently mounted on the inside of the shelter adjacent to the any door allowing access to the shelter instructing occupants of the shelter on how to properly secure the shelter door(s).

Section 10.00.E.4.d Additional Requirements for Below Grade Shelters

The shelter must be watertight and resist flotation due to buoyancy from saturated soil.

**January 26, 2011
Public Hearing Draft**

Section 10.00.E.4.d.1 Multi-Hazard Mitigation Issues

No shelter shall be located in a Special Flood Hazard area as identified on the Federal Emergency Management Flood Hazard Maps.

Section 10.00.E.5 Warning System

Section 10.00.E.5a Establishment of warning device

Section 10.00.E.5a.1

A warning siren shall be installed within the mobile home park or manufactured home park to alert residents of potential life threatening weather. The approved radio transmitter shall connect this system to the Licking County Emergency Management Agency's 911 system so that the siren may be activated in the event of severe weather.

Section 10.00.E.5a.2

Only sirens that are approved by the Licking County Emergency Management Agency may be utilized.

Section 10.00.E.5a.3

Only sirens and transmitters with battery backups may be utilized.

Section 10.00.E.5b Coverage

The warning siren must produce enough sound to overcome attenuation with distance, to exceed the background noise, and to attract attention of those within and at the farthest reaches of the development.

Section 10.00.E.6 Obtaining Necessary Permits

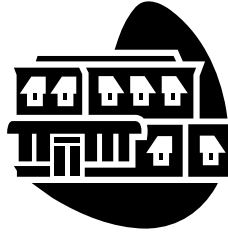
Section 10.00.E.6.a Prior to beginning construction of the storm shelter, all necessary state and local building and other permits shall be obtained and clearly posted on the job site.

Section 10.00.E.6.b No zoning permit shall be issued for any dwelling in the Mobile Home Park or Manufactured Home Park until said storm shelter and warning system are constructed, operational, and approved by the appropriate permitting authorities.

Section 10.00.E.7 Warning and Disclaimer of Responsibility

The minimum degree of protection and provision of a warning system as required by this resolution is considered reasonable for regulatory purposes. This resolution does not imply or guarantee the safety of those living within a manufactured home park. This resolution shall not create liability on the part of Union Township, Licking County, or any officer or employee thereof for any loss of life or damages that result from reliance of this article or any administrative decision lawfully made there under.

ARTICLE 11 ~ BUSINESS/COMMERICAL DISTRICTS



Section 11.00 Professional – Research – Office District (PRO)

Section 11.01 Local Business District (LB)

Section 11.02 General Business District (GB)

Section 11.03 Interstate Business District (IB)

Section 11.04 Sports And Entertainment District (SE)

Section 11.00 Professional – Research – Office District (PRO)

Section 11.00.A Purpose

The purpose of the PRO District is to encourage the establishment of groups of professional, research, executive, administrative, accounting, clerical, stenographic, and similar uses. Research uses shall not involve heavy testing operations of any kind. Because such uses are generally large generators of traffic, this district must abut upon an arterial or collector thoroughfare as specified in the County Major Thoroughfare Plan. The PRO District is also designed to act as a buffer between other more intense nonresidential uses and high density residential uses, and is thus a transitional use.

Section 11.00.B Permitted Uses

Section 11.00.B.1 Doctor's Park, Office, or Clinic;

Section 11.00.B.2 Child Care/Daycare Center, Daycare Facility - Adult, Daycare Facility –Child;

Section 11.00.B.3 Vision and Hearing clinic;

Section 11.00.B.4 Dental Offices and Clinic;

Section 11.00.B.5 Law Office;

Section 11.00.B.6 Insurance and Real Estate Office;

Section 11.00.B.7 Planning, Architect, or Engineering Office;

Section 11.00.B.8 Bank and Financial Institution;

Section 11.00.B.9 Utility Company (office only, not to include storage, maintenance yards, or parking of service fleets);

Section 11.00.B.10 Research Laboratory; Research Activities

Section 11.00.B.11 Government Building;

Section 11.00.B.12 Data Processing Center

Section 11.00.B.13 Veterinary Clinic and Office.

Section 11.00.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in **Section 4.21: General Standards Applicable to All Conditional Uses** and **Section 4.22: Specific**

**January 26, 2011
Public Hearing Draft**

Criteria for Conditional Uses of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 11.00.C.1 Nursing homes;

Section 11.00.C.2 Hospital.

Section 11.00.D General Requirements of the PRO District

Section 11.00.D.1 Height Limit

No building shall be erected or enlarged to exceed two and one half (2 1/2) stories or 35 feet.

Section 11.00.D.2 Lot Area, Width and Depth

Every lot shall have a minimum width of 200 feet throughout the lot and a minimum lot area of not less than one acre (43,560 square feet) unless public utility supplies of water and sewer utilities are available to provide service. Additionally, every lot 1.000-acre to 4.999-acre shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback). All lot area measurements shall be exclusive of road right-of-way, and shall be in addition to any easement or record.

Section 11.00.D.2.a Permitted Reduction If Public Water and Wastewater Services Are Available

If public water and wastewater services are available to the use permitted or conditionally permitted under Section 12.00, the minimum lot area may be reduced to not less than 21,780 square feet and the minimum lot width may be reduced to not less than 130 feet throughout the lot.

Section 11.00.D.2.b All lot area measurements shall be exclusive of road right-of-way, and shall be in addition to any easement of record.

Section 11.00.D.3 Setbacks

Section 11.00.D.3.a Front Yard

There shall be a front yard of not less than fifty (50) feet in depth. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance from the centerline.

Section 11.00.D.3.b Side Yard

There shall be side yards with a combined total not to be less than forty (40) feet. No one yard being less than fifteen (15) feet.

Section 11.00.D.3.c Rear Yard

There shall be a rear yard of not less than fifty (50) feet in depth.

**January 26, 2011
Public Hearing Draft**

Section 11.00.D.4 Structure Bulk

Structures shall have a minimum area of habitable space by outside dimensions, exclusive of porches, garages, basements, and mechanical areas of 1600 square feet.

Section 11.00.D.5 Parking Requirements

Parking requirements shall be as regulated in Article 20 of these regulations.

Section 11.00.D.6 Signs

Signs shall be as regulated in Article 21 of these regulations.

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Section 11.01 Local Business District (LB)

Section 11.01.A Purpose

The purpose of the LB District is to encourage the establishment of areas for convenience business uses, which tend to meet the daily needs of the residents of an immediate neighborhood. Such districts shall be strategically located with access to a collector thoroughfare as specified in the Major Thoroughfare Plan.

Section 11.01.B Permitted Uses

Section 11.01.B.01 Church - Neighborhood;

Section 11.01.B.02 Education -Public School and Education - Private School;

Section 11.01.B.03 Child Care/Daycare Center, Daycare Facility - Adult, Daycare Facility –Child;

Section 11.01.B.04 Public Park and Playground;

Section 11.01.B.05 Government Building;

Section 11.01.B.06 Funeral Home, Mortuary;

Section 11.01.B.07 Business Local;

Section 11.01.B.08 Personal Services;

Section 11.01.B.09 Restaurant - Sit Down, Tavern;

Section 11.01.B.10 Bookstore;

Section 11.01.B.11 Nursery – Plant Materials, and/or Greenhouse Commercial;

Section 11.01.B.12 Private Club;

Section 11.01.B.13 Accessory uses and structures.

Section 11.01.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in **Section 4.21: General Standards Applicable to All Conditional Uses** and **Section 4.22: Specific Criteria for Conditional Uses** of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 11.01.C.01 Hospital, clinic, daycare facility, nursing home;

Section 11.01.C.02 Public swimming pool.

Section 11.01.D General Requirements of the LB District

Section 11.01.D.01 Height Limit

No building shall be erected or enlarged to exceed two and one half (2 1/2) stories or 35 feet.

Section 11.01.D.02 Lot Area, Width and Depth

Every lot shall have a minimum width of 200 feet throughout the lot and a minimum lot area of not less than one acre (43,560 square feet), exclusive of road right-of-way and shall be in addition to any easement of record. Additionally, every lot 1.000 -acre to 4.999-acres shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback).

Section 11.01.D.03 Setbacks

Section 11.01.D.03.a Front Yard

There shall be a front yard of not less than fifty (50) feet in depth. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance from the centerline.

Section 11.01.D.03.b Side Yard

There shall be a side yard of not less than forty (40) feet.

Section 11.01.D.03.c Rear Yard

There shall be a rear yard of not less than fifty (50) feet.

Section 11.01.D.04 Structure Bulk

All structures shall be constructed on a permanent foundation and have a minimum area of habitable space by outside dimensions, exclusive of porches, garages, basements, and mechanical areas of 1600 square feet.

Section 11.01.D.05 Parking Requirements

Parking requirements shall be as regulated in **Article 20** of these regulations.

Section 11.01.D.06 Signs

Signs shall be as regulated in **Article 21** of these regulations.

Section 11.02 General Business District (GB)

Section 11.02.A Purpose

The purpose of the GB District is to encourage the establishment of areas for general business uses to meet the needs of a regional market area. Activities in this district are often large space users and the customers using such facilities generally do not make frequent purchases. GB Districts shall be located on an arterial thoroughfare as specified in the Major Thoroughfare Plan.

Section 11.02.B Permitted Uses

Section 11.02.B.01 All permitted uses as specified in the Local Business (LB) District and Professional Research Office (PRO) District;

Section 11.02.B.02 Automobile Parts / Supply Retail, Automobile Dealership / Sales, Automotive Service Station, Automobile Storage, Automobile Repair/Service (Indoor Only), Automobile Sales Lot;

Section 11.02.B.03 Motor vehicle service station; Motor Vehicle Body Shop (Indoor Only), Motor Vehicle Dealership, Motor Vehicle General Repair and Service (Indoor Only);

Section 11.02.B.04 Gas Station, Gas Station – Mini Market, Garage – Service Station;

Section 11.02.B.05 Farm Implement Dealer, Farm Implement Sales;

Section 11.02.B.06 Bakery Retail;

Section 11.02.B.07 Tavern, Bar, Restaurant – Sit Down, Restaurant – Carry Out, Restaurant - Entertainment;

Section 11.02.B.08 Retail Store/Business, Chain Store, Convenience Store;

Section 11.02.B.09 Home Improvement Center; Lumber Yard [Within a fenced enclosure of sufficient height as to shield from view any inventory or storage devices (shelves, racks, and the like), with 100% opacity];

Section 11.02.B.10 Print Shop Establishment;

Section 11.02.B.11 Hotel or Motel;

Section 11.02.B.12 Trade or commercial schools;

Section 11.02.B.13 Public garages;

Section 11.02.B.14 Boarding houses;

Section 11.02.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in Section 4.21: General Standards Applicable to All Conditional Uses and Section 4.22: Specific Criteria for Conditional Uses of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 11.02.C.01 Veterinary hospital clinic, kennel and/or cattery;

Section 11.02.C.02 Watercraft and/or recreational vehicle storage/sales;

Section 11.02.C.03 Radio or television broadcasting station and towers, (applies to commercial stations and equipment only);

Section 11.02.C.04 Airports/heliports (private and governmental);

Section 11.02.C.05 Private recreational camps;

Section 11.02.C.06 Entertainment – Commercial Indoor, Recreation Facilities (excluding motor cross, dirt bike tracks, amusement parks, and stadiums); This does not permit Sports Stadium Indoor or Sports Stadium Outdoor.

Section 11.02.C.07 Self Service Storage Facility within an enclosed structure. Outdoor storage is not permitted.

Section 11.02.C.08 Animal Shelter/Humane Society/Kennel-Commercial (Provided it complies with the standards in Section 4.21: General Standards Applicable to all Conditional Uses and Section 4.22.F: Animal Shelter/Humane Society/Kennel, Commercial Conditions.)

Section 11.02.D General Requirements of the GB District

Section 11.02.D.01 Height Limit

No building shall be erected or enlarged to exceed two and one half (2 1/2) stories or thirty-five (35) feet.

Section 11.02.D.02 Lot Area, Width and Depth

Every lot shall have a minimum width of 200 feet throughout the lot and a minimum lot area of not less than one acre (43,560 square feet), exclusive of road right-of-way and shall be in addition to any easement of record. Additionally, every lot 1.000-acre to 4.999-acres shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback).

Section 11.02.D.03 Setbacks

**January 26, 2011
Public Hearing Draft**

Section 11.02.D.03.a Front Yard

There shall be a front yard of not less than fifty (50) feet in depth. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance from the centerline.

Section 11.02.D.03.b Side Yard

There shall be a side yard of not less than forty (40) feet.

Section 12.02.D.03.c Rear Yard

There shall be a rear yard of not less than fifty (50) feet.

Section 11.02.D.04 Structure Bulk

All structures shall be constructed on a permanent foundation and have a minimum area of habitable space by outside dimensions, exclusive of porches, garages, basements, and mechanical areas of 1600 square feet.

Section 11.02.D.05 Parking Requirements

Parking requirements shall be as regulated in Article 20 of these regulations.

Section 11.02.D.06 Signs

Signs shall be as regulated in Article 21 of these regulations

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Section 11.03 Interstate Business District (IB)

Section 11.03.A Purpose

The purpose of the IB District is to encourage the establishment of areas for highway business uses only. This district is specifically designed to serve the motoring public. IB Districts are generally associated with interchange areas along the major limited access highways. In Union Township Interstate 70 is the major limited access highway traversing the Township.

Section 11.03.B Permitted Uses

Section 11.03.B.01 All permitted uses in the Professional Research Office (PRO) District, Local Business (LB) District and General Business (GB) District.

Section 11.03.B.02 Truck stop with or without restaurant and truck service and/or repair;

Section 11.03.B.03 Restaurant –Drive In, Restaurant Drive Through/Fast Food;

Section 11.03.B.04 Gift shops;

Section 11.03.B.05 Car Wash – Self Serve, Car Wash – Industrial;

Section 11.03.B.06 Farm Open Air Market

Section 11.03.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in Section 4.21: General Standards Applicable to All Conditional Uses and Section 4.22: Specific Criteria for Conditional Uses of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 11.03.C.01 Public garages;

Section 11.03.C.02 Watercraft and/or recreational vehicle sales and/or service;

Section 11.03.C.03 Manufactured home, recreational vehicle, sales and/or service lots.

Section 11.03.C.04 Business, Service.

Section 11.03.D General Requirements of the IB District

Section 11.03.D.01 Height Limit

No building shall be erected or enlarged to exceed two and one half (2 1/2) stories or 35 feet.

Section 11.03.D.02 Lot Area, Width and Depth

Every lot shall have a minimum width of 200 feet throughout the lot and a minimum lot area of not less than one acre (43,560 square feet), exclusive of road right-of-way, and shall be in addition to any easement of record. Additionally, every lot 1.000-acre to 4.999-acres shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback).

Section 11.03.D.02.a Permitted Reduction If Public Water and Wastewater Services Are Available

If public water and wastewater services are available to the use permitted or conditionally permitted under Section 12.03, the minimum lot area may be reduced to not less than 21,780 square feet and the minimum lot width may be reduced to not less than 130 feet throughout the lot.

Section 11.03.D.02.b Lot Measurements

All lot area measurements shall be exclusive of road right-of-way, and shall be in addition to any easement of record.

Section 11.03.D.03 Setbacks

Section 11.03.D.03.a Front Yard

There shall be a front yard of not less than fifty(50) feet in depth. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance from the centerline.

Section 11.03.D.03.b Side Yard

There shall be a side yard of not less than thirty (30) feet.

Section 11.03.D.03.c Rear Yard

There shall be a rear yard of not less than fifty (50) feet.

Section 11.03.D.04 Structure Bulk

All structures shall be constructed on a permanent foundation and have a minimum area of habitable space by outside dimensions, exclusive of porches, garages, basements, and mechanical areas of 1600 square feet.

Section 11.03.D.05 Parking Requirements

Parking requirements shall be as regulated in **Article 20** of these regulations.

Section 11.03.D.06 Signs

Signs shall be as regulated in **Article 21** of these regulations.

Section 11.04 Sports and Entertainment District (SE)

Section 11.04.A Purpose

The purpose of the Sports and Entertainment District is to provide an area for large venue sports and entertainment land uses. Said land uses generally attract large crowds and have large volumes of traffic from a regional area, and require large facilities. Therefore, said land uses shall be located along arterial roadways that are improved or may be improved by the developer, using preferred access management tools, to handle the increase demands caused by the land use. Additionally, said land uses shall be located in areas where the ground water can support the land use and not adversely impact the supply to surrounding land uses.

Section 11.04.B Permitted Uses

Section 11.04.B.1 Active Recreation

Section 11.04.B.2 Indoor Concert Venue

Section 11.04.B.3 Motor Vehicle Racing Track

Section 11.04.B.4 Sports Stadium Indoor

Section 11.04.B.5 Sports Stadium Outdoor

Section 11.04.C: Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in Section 4.21: General Standards Applicable to All Conditional Uses and Section 4.22: Specific Criteria for Conditional Uses of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 11.04.C.1 Dirt Track (Provided it complies with Section 4.21: General Standards Applicable to All Conditional Uses and Section 4.22: Specific Criteria For Conditional Uses.)

Section 11.04.D: Prohibited Uses

Section 11.04.D.1 Outdoor Concert Facilities

Section 11.04.E Minimum Lot Standards

Section 11.04.E.1 Outdoor Land Uses

Section 11.04.E.1.a Minimum Lot Area: 200 acres

Section 11.04.E.1.b Minimum Lot Width: 2000 feet

Section 11.04.E.1.c Yard Setbacks

Section 11.04.E.1.c.i Front: 100'

Section 11.04.E.1.c.ii Side: 200'

**January 26, 2011
Public Hearing Draft**

Section 11.04.E.1.c.iii Rear: 200'

Section 11.04.E.1.d Residential Zoning District and/or Use Setback

The yard setback from any lot zoned and/or used for residential use shall be 1000' from any lot line of said lot zoned and/or used for residential use. Any sport entertainment district that is proposed to be part of a mixed use, urban development is encouraged to utilize a planned unit development-zoning tool. This will allow for pedestrian oriented development with mixed land uses and varied setbacks.

Section 11.04.E.2 Indoor Land Uses

Section 11.04.E.2.a Minimum Lot Area: 50 acres

Section 11.04.E.2.b Minimum Lot Width: 500 feet

Section 11.04.E.2.c Yard Setbacks

Section 11.04.E.2.c.i Front: 75 feet

Section 11.04.E.2.c.ii Side: 75 feet

Section 11.04.E.2.c.iii Rear: 75 feet

Section 11.04.E.2.d The yard setback from any lot zoned and/or used for residential use shall be 500' from any lot line of said lot zoned and/or used for residential use. Any sport entertainment district that is proposed to be part of a mixed use, urban development is encouraged to utilize a planned unit development-zoning tool. This will allow for pedestrian oriented development with mixed land uses and varied setbacks.

Section 11.04.F Landscaping and Buffering

See Article 21: Landscaping and Buffering. In addition to the standards within Article 21, any stadium shall provide a 50-foot landscape buffer along the entire lot line of any stadium land use and any adjoining lot zoned for or used for residential land use. The entire fifty-foot buffer shall be planted with a combination of evergreen trees and deciduous trees to create a 100% year round opacity, to muffle noise, and to provide a barrier from dust and debris that may blow from the playing surfaces and parking areas of the stadium.

Section 11.04.G Parking

See Article 19: Off-Street Parking and Loading Facilities. All parking shall be on-site, upon property owned by the sport or entertainment business. The required number of parking spaces shall be one space for every four seats, one space for every 6 lineal feet of bench seating, or if no fixed seating is provided, then one space for every four persons of maximum capacity for the facility. All parking and parking lots shall be designed to allow motor vehicles to clear the public road right-of-way prior to waiting to pay to park, or to park. This may require the construction of long access driveways to allow vehicles to stack and wait till they may park. At no time shall vehicles be parked on a public road or road

**January 26, 2011
Public Hearing Draft**

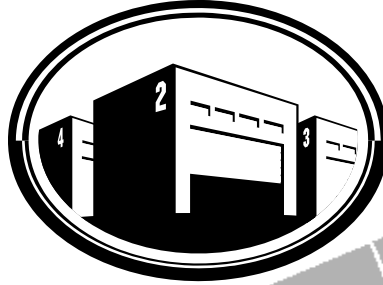
right-of-way or stopped on the public road waiting to turn into the sport or entertainment facility.

Section 11.04.H Lighting

See Section 16.24: Glare and Appendix A: Definitions, . All outdoor lighting fixtures shall be fully shielded light fixtures. The exception to this requirement is the playing field and/or when due to player safety, the lighting fixtures must have a location, intensity, quantity, height, shielding and aim to allow for safe use of the playing field. All stadium lighting shall be turned off no later than 11 p.m. including parking and pedestrian areas. This means said events shall close in a timely manner to allow all patrons to vacate the site prior to the lights being turned off.

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ARTICLE 12 ~ MANUFACTURING DISTRICTS



Section 12.00 Light Manufacturing District (M-1)

Section 12.01 Heavy Manufacturing District (M-2)

Section 12.00 Light Manufacturing District (M-1)

Section 12.00.A Purpose

The purpose of the M-1 District is to encourage the development of manufacturing and wholesale business establishments, which focus on production of a finished product rather than raw good manufacturing and are clean, quiet, and free of hazardous or objectionable elements which would create a nuisance or are hazardous such as noise, vibration, gas, fumes, odor, dust, smoke, or glare; fire hazard, dangerous radiation or other injurious or obnoxious conditions: shall operate entirely within enclosed structures and generate- minimum industrial traffic. This district is further designed to act as a transitional use between general manufacturing uses and other less intense business and residential uses.

Section 12.00.B Permitted Uses

Section 12.00.B.1 Agriculture / Agriculture Production;

Section 12.00.B.2 Public park and playground;

Section 12.00.B.3 Nursery – Plant Materials, Greenhouse – Commercial;

Section 12.00.B.4 Clothing goods, apparel, and accessories involving no on-site tanning or dyeing;

Section 12.00.B.5 Canning and preserving fruits and vegetables;

Section 12.00.B.6 Bakery Wholesale;

Section 12.00.B.7 Candy and other confectionery products processing;

Section 12.00.B.8 Fur goods manufacturing and/or personal leather goods manufacturing involving no on-site tanning or dyeing;

Section 12.00.B.9 Publishing and/or printing of periodicals, newspapers, greeting cards and books;

Section 12.00.B.10 Commercial printing;

Section 12.00.B.11 Book binding and related industries;

Section 12.00.B.12 Glass products manufacturing, made of purchased glass;

Section 12.00.B.13 Cleaning, dyeing, and similar services;

Section 12.00.B.14 Machinery, office equipment, and furniture manufacturing;

Section 12.00.B.15 Utility facilities;

**January 26, 2011
Public Hearing Draft**

Section 12.00.B.16 Electronic components, computers, accessories, and communication equipment manufacturing;

Section 12.00.B.17 Engineering, laboratory, scientific and research instruments and associated equipment manufacturing;

Section 12.00.B.18 Surgical, medical, optical, and dental instruments and supplies manufacturing;

Section 12.00.B.19 Watches, clocks, clockwork operated devices and parts manufacturing;

Section 12.00.B.20 Photographic equipment and supplies manufacturing;

Section 12.00.B.21 Sign manufacturing;

Section 12.00.B.22 Nonmetallic goods manufacturing;

Section 12.00.B.23 Household appliances manufacturing.

Section 12.00.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in Section 4.21: General Standards Applicable to All Conditional Uses and Section 4.22: Specific Criteria for Conditional Uses of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 12.00.C.1 Metal Can and Container Manufacturing;

Section 12.00.C.2 Lumber Yard;

Section 12.00.C.3 Outdoor Storage of Machinery and materials within a enclosed eight (8) foot fence;

Section 12.00.C.4 Building materials (general retail);

Section 12.00.C.5 Warehouse; Business Wholesale;

Section 12.00.C.6 General warehousing (excluding combustible, toxic, or explosive materials);

Section 12.00.C.7 Sheet Metal work;

Section 12.00.C.8 Machine shops, jobbing, and repair;

Section 12.00.C.9 Household appliance manufacturing;

Section 12.00.C.10 Electric lighting and wiring manufacturing;

**January 26, 2011
Public Hearing Draft**

Section 12.00.C.11 Miscellaneous electrical machinery, equipment, and supplies;

Section 12.00.C.12 Musical instruments and parts;

Section 12.00.C.13 Toys, amusements, sporting and athletic goods;

Section 12.00.C.14 Pens, pencils, and other office and artist material;

Section 12.00.C.15 Farm equipment manufacturing;

Section 12.00.C.16 Beverage industries.

Section 12.00.C.17 Animal Shelter/Humane Society/Kennel-Commercial (Provided it complies with the standards in Section 4.21: General Standards Applicable to all Conditional Uses and Section 4.22.F: Animal Shelter/Humane Society/Kennel, Commercial Conditions.)

Section 12.00.D General Requirements of the M-I District

Section 12.00.D.1 Height Limit

No building shall be erected or enlarged to exceed two and one half (2 1/2) stories or 35 feet; or 65 feet for unoccupied structure.

Section 12.00.D.2 Lot Area, Width and Depth

Every lot shall have a minimum width of 200 feet throughout and a minimum lot area of not less than two (2) acre (87,120 square feet) in area, exclusive of road right-of-way and shall be in addition to any easements of record. Additionally, every lot 2.000-acres to 4.999-acres shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback).

Section 12.00.D.3 Setbacks

Section 12.00.D.3.a Front Yard

There shall be a front yard of not less than fifty (50) feet. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance.

Section 12.00.D.3.b Side Yard

There shall be a side yard of not less than forty (40) feet.

Section 12.00.D.3.d Rear Yard

There shall be a rear yard of not less than fifty (50) feet.

Section 12.00.D.4 Structure Bulk

All structures shall be constructed on a permanent foundation and have a minimum area of habitable space by outside dimensions, exclusive of garages and mechanical areas of 1600 square feet.

Section 12.00.D.4 Parking Requirements

Parking requirements shall be as regulated in Article20 of these regulations.

Section 12.00.D.5 Signs

Signs shall be as regulated in Article 21 of these regulations.

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Section 12.01 Heavy Manufacturing District (M-2)

Section 12.01.A Purpose

The purpose of the M-2 District is to encourage the development of major manufacturing, processing, warehousing, and major research and testing operations. These activities require extensive community facilities, and reasonable access to arterial thoroughfares; they may have extensive open storage and service areas, generate heavy traffic but shall be prohibited if they create nuisances beyond the limitations set up by this resolution. Mining, processing, and storage are within this district.

Section 12.01.B Permitted Uses

Section 12.01.B.1 Agriculture / Agriculture Production;

Section 12.01.B.2 Chemical related manufacturing;

Section 12.01.B.3 Metal, ore, and coal mining;

Section 12.01.B.4 Petroleum and natural gas extraction, and refining;

Section 12.01.B.5 Mining services;

Section 12.01.B.6 Bulk storage.

Section 12.01.C Conditionally Permitted Uses

A conditional use permit may be issued in accordance with Article 5, and the other provisions of these regulations provided that the applicant can demonstrate that the proposed use is consistent with those general standards outlined in **Section 4.21: General Standards Applicable to All Conditional Uses** and **Section 4.22: Specific Criteria for Conditional Uses** of this resolution or other conditions as required by the Board of Zoning Appeals or as noted in the following descriptions:

Section 12.01.C.1 Physically undesirable or odorous manufacturing processes;

Section 12.01.C.2 Open undesirable uses;

Section 12.01.C.3 Concrete/Asphalt facilities;

Section 12.01.C.4 Gravel supply yards;

Section 12.01.C.5 Vehicle storage, impound lot and salvage lot, provided they are completely surrounded by an eight (8) high fence with 95% opacity, and landscape buffer as required in Article 21;

**January 26, 2011
Public Hearing Draft**

Section 12.01.C.6 Public park and playground.

Section 12.01.D General Requirements of the M-2 District

Section 12.01.D.1 Height Limit

No building shall be erected or enlarged to exceed three stories or forty (40) feet; or sixty-five 65 feet for unoccupied structure.

Section 12.01.D.2 Lot Area, Width and Depth

Every lot shall have a minimum width of 500 feet throughout the lot and a minimum width lot area of not less than two (2) acres (87,120 square feet) in area, exclusive of road right-of way and shall be in addition to any easements of record. Additionally, every lot 2.000-acres to 4.999-acres shall not exceed a maximum depth to width ratio of 3:1. The width to depth ratio is measured from the front yard setback (see definition of front yard setback).

Section 12.01.D.2 Setbacks

Section 12.01.D.2.a Front Yard

There shall be a front yard of not less than 100' feet in depth. Measurements shall be made from the road right-of-way or thirty (30) feet from the centerline of the road, whichever is a greater distance from the centerline.

Section 12.01.D.2.b Side Yard

There shall be a side yard of not less than 100 feet.

Section 12.01.D.2.c Rear Yard

There shall be a rear yard of not less than 100 feet.

Section 12.01.D.3 Screening

Heavy industrial districts shall employ proper screening methods when such zoned districts abut any different zoning classification. Such screening shall be a landscaped strip of land not less than twenty (20) feet in width, planted with evergreen shrubs not less than six feet in height at the time of planting, no greater than 9' between planting from tree trunk to tree trunk and earth mounds. Said screening shall not obscure traffic visibility within fifty (50) feet of an intersection and provide 100% year round visual buffer from the ground elevation to a height of 9 feet.

Section 12.01.D.4 Structure Bulk

All structures shall be constructed on a permanent foundation and have a minimum area of habitable space by outside dimensions, exclusive of garages and mechanical areas of 1600 square feet.

Section 12.01.D.6 Parking Requirements

Parking requirements shall be as regulated in **Article 20** of these regulations.

Section 12.01.D.7 Signs

Signs shall be as regulated in **Article 21** of these regulations.

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ARTICLE 13 ~ OVERLAY DISTRICTS



Section 13.00 Flood Plain Overlay District (FP)

Section 13.01 Transportation Corridor Overlay District (TC)

Section 13.02 Airport Hazard Zone Overlay District (AHZ)

Section 13.00 Flood Plain Overlay District (FP)

Section 13.00.A Purpose

It is the purpose of this overlay district to promote the public health, safety, and general welfare and to minimize losses resulting from periodic inundation of floodwaters in Union Township. This overlay district restricts or prohibits uses, which are dangerous to the health of the public and the safety of property in times of flooding, or uses which cause excessive increases in flood height or velocities. It requires that uses vulnerable to floods be protected from flood damage at time of initial construction and controls the filling, grading, dredging, and other development in this area which may increase flood damage. In addition, it restricts the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters.

Section 13.00.B Finding of Fact

The flood hazard areas of Union Township are subject to period inundation which may result in loss of life and property, hazards to health and safety, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. These flood losses are caused by:

Section 13.00.B.1 The cumulative effect of obstruction in flood plains, causing increased flood heights and velocities.

Section 13.00.B.2 The occupancy of flood hazard areas by uses vulnerable to floods and which are not adequately elevated or protected from flood damage.

Section 13.00.C Applicable Lands

This section shall apply to all lands within the township boundaries shown on the Official Zoning Map within the boundaries of the 100 year floodplains identified by the Federal Emergency Management Agency on the FIRM and Floodway Map Nos. 390328-0025B and 390328-0100B, dated December 1, 1983, and any revision thereto as adopted by reference and declared to be a part of this resolution. Overlay District Designation:

Section 13.00.C.1

The areas of 100-year floodplain identified on the Official Zoning Map shall be shown as an overlay district. This overlay district shall be designated as the Flood Plain Overlay (FP) District.

**January 26, 2011
Public Hearing Draft**

Section 13.00.C.2

Those areas within the Flood Plain Overlay District designated as floodplain on the Official Zoning Map shall be subject to all the requirements of the Flood Plain Overlay District, as well as those specific sections that address the floodplain.

Section 13.00.C.3

The Flood Plain Overlay (FP) District shall be superimposed over the Official Zoning Map. The underlying zoning district, as shown on the Official Zoning Map, shall hereafter be called the base district. The base district shall determine uses and minimum requirements. However, if the provisions and requirements governing the Flood Plain Overlay District are more restrictive than those of the base district, the provisions of this article shall supersede those of the base district.

Section 13.00.D Interpretation of Boundaries

When disagreement exists as to the boundaries of the Flood Plain Overlay District or the 100 -year floodplain, those boundaries shall be interpreted to be the boundaries of the 100-year floodplain as shown on the Flood Insurance Maps and Floodway Map Nos. 390328-0025B and 390328-0100B, dated December 1, 1983, and any revisions thereto. Disagreement as to boundaries of the flood hazard areas will be resolved by the procedures outlined in the Licking County Flood Damage Regulations, and not the Union Township Board of Zoning Appeals.

Section 13.00.E Warning and Disclaimer of Responsibility

The degree of flood protection required by this resolution is considered reasonable for regulatory purposes. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This resolution does not imply that areas outside the Flood Plain Overlay District boundaries or land uses permitted within such district will be free from flooding or flood damages. This resolution shall not create liability on the part of Union Township, Licking County, or any officer or employee thereof for any flood damages that result from reliance of this article or any administrative decision lawfully made there under.

Section 13.00.F Compliance

Unless specifically exempted as stated in Section 4.2 of the Licking County Flood Damage Prevention Regulations, no structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this article and other applicable ordinances resolutions of Union Township and Licking County.

Section 13.00.G Abrogation

This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Section 13.00.H Flood Plain Development Permit

Section 13.00.H.1

A flood plain development permit shall be obtained before the start of construction or development of land in the Flood Plain Overlay District. This permit shall be in addition to the zoning permit required in Section 300 of this resolution. Application for a flood plain development permit shall be made to the Licking County Planning Commission's Flood Plain Administrator, 20 South Second Street, Newark, Ohio 43055, (740) 670-5200. This permit will be applied for and approved by the Flood Plain Administrator of the Licking County Planning Commission prior to the zoning permit being applied for and approved. The Zoning Inspector must receive a copy of the flood plain development permit before the zoning permit is issued.

Section 13.00.H.2

All structures or uses to be located in the Flood Plain Overlay District shall comply with the requirements of the Union Township Zoning Resolution and the Licking County Flood Damage Prevention Regulations and any amendment or revisions.

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Section 13.01 Transportation Corridor Overlay District (TC)

Section 13.01.A Purpose

The purpose of the Transportation Corridor District is to provide overlay requirements to ensure that existing and anticipated corridor land uses and traffic improvements, within the district, will be developed in a manner that protects the health and safety of residents of Union Township. The importance of maintaining traffic flow and accessibility so as to reduce potential traffic hazards, encourage compatible land uses, better comply with the Clean Air Act Amendment of 1990, and to protect property values, requires that special emphasis on traffic planning and frontage treatment be achieved through the use of an overlay district. The TC Overlay District shall also require uniform signage, adequate screening, and landscaping in an effort to establish visual harmony and promote aesthetic design in development within the district.

Section 13.01.B Jurisdictional Boundaries

The Transportation Overlay District is defined as all land, which has frontage on, or access through an easement or driveway to:

- Interstate 70 (I-70)
- National Road (U.S 40)
- Hebron Road (S.R. 79)
- Lancaster Road (S.R. 37)
- Thornwood Drive

Section 13.01.C Permitted Uses

Any permitted use allowed in the underlying zoning district, except that, where the requirements of this section are in conflict with the permitted uses or regulations of the underlying zoning district, the regulations set forth in this section shall control.

Section 13.01.C.1 Design Standards

Section 13.01.C.1.a Traffic Safety Measures

One or more of the following traffic safety measures shall be required in an effort to aid access and traffic management:

Section 13.01.C.1.a-1 Access Road/Driveway Requirements

Access roads, provided that they meet state and federal regulations and are designed for one-way traffic or setback to create double frontage lots, shall be utilized, when possible, to service commercial development located along the corridor. Such roads will help prevent traffic interruptions on the thoroughfare.

**January 26, 2011
Public Hearing Draft**

Section 13.01.C.1.a-2 Left Turn Lanes

Left turn lanes, which provide stacking lanes for those cars preparing to turn left, shall be utilized when possible in an effort to prevent traffic slow down and traffic hazards.

Section 13.01.C.1.a-3 Acceleration/Deceleration Lanes (right-turn lane.)

The use of acceleration/deceleration lanes (right-turn lane) shall be utilized whenever possible to help prevent traffic slow- down and general interruptions, thereby avoiding potential traffic hazards.

Section 13.01.C.1.a-4 Driveway Spacing

Access points along arterial highways shall be separated by a minimum distance of 550 feet (from edge to edge of driveway cuts) along U.S.40, S.R. 37, and S.R. 79 and shall be adjusted accordingly for other roads included in the TC Overlay District based on their given speed limits American association of State Highway Transportation Officials (A.A.S.H.T.O.) They must also meet the requirements of Article 8: Congestion Prevention in the Licking County Subdivision Regulations.

Section 13.01.C.1.a-5 Access Roads/ Points of Access off Major Thoroughfare

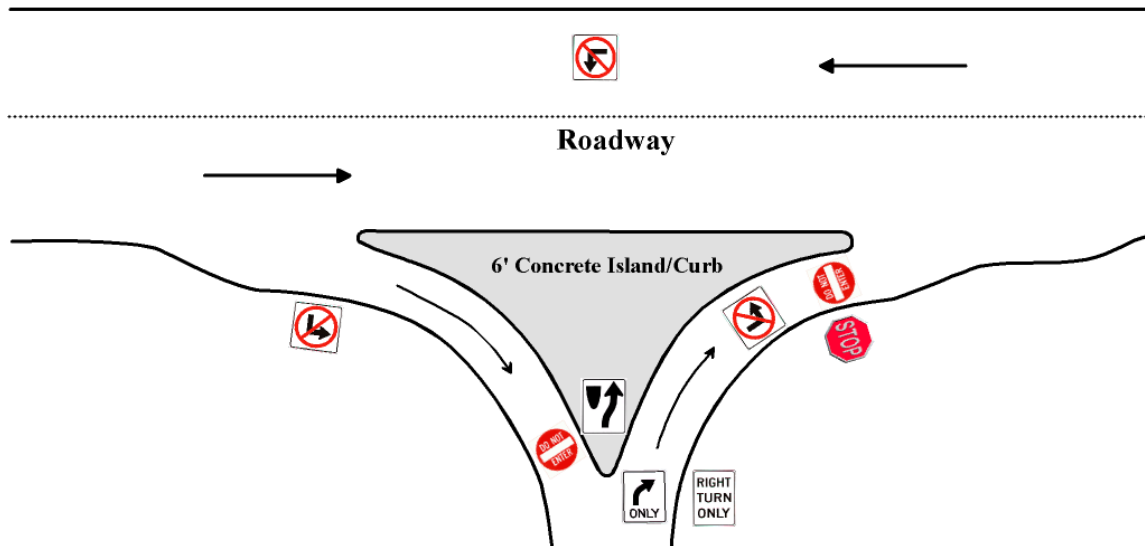
The utilization of access roads and alternative points of access from the major thoroughfare shall be utilized when possible to help prevent traffic slowdown and interruptions along the corridor, thus preventing traffic hazards.

Section 13.01.C.1.a-6 Right-in/ Right-out only turns

Points of access that allow only right-in/right-out access to major thoroughfares shall be utilized in an effort to prevent traffic slowdown and additional points of traffic conflicts.

Figure -1

RIGHT IN-RIGHT OUT DETAIL



Section 13.01.C.1.b Setback Requirements

All new structures and accessory structures must be set back 115 feet from the edge of current right-of-way line of the designated corridor highway or road.

Section 13.01.C.1.c Loading Areas

Commercial loading areas shall be located to the rear of buildings and screened from adjacent uses.

Section 13.01.C.1.d Storage Areas

Storage areas and trash storage receptacles shall be enclosed by structures or opaque fences and be located to the rear of the building.

Section 13.01.C.1.e Utility and Transmission Lines

New or upgraded utility and transmission lines located within the corridor overlay district (including those located along the rear property line) shall be located underground and be designed and located in such a manner that they will have minimum adverse visual and physical impact on to the natural/or rural character of the roadside.

Section 13.01.C.1.f Pedestrian Access

Sidewalks shall be provided where pedestrian traffic between sites is expected and they shall be designed to minimize conflict with automobiles. Where central sewer systems are required, sidewalks shall be required on

**January 26, 2011
Public Hearing Draft**

both sides of all streets within the development and along the adjacent side of all existing roadways that abut or pass through the site. Where sidewalks are required, these sidewalks shall be constructed to American With Disabilities Act (ADA) standards for accessibility. In areas of high pedestrian traffic, such as within one (1) mile of a school, major park, playground, shopping center, transportation hub, or community facility (measured from the nearest point of the proposed development to the nearest point of the place of pedestrian activity), sidewalks shall be required.

Section 13.01.C.1.g Corridor Landscaping/Buffers/Screening

Section 13.01.C.1.g.1 Parking

All parking areas constructed within the Transportation Corridor (TC) shall in addition to these requirements meet those requirements specified in Article 19 Off Street Parking and Loading Facilities and Article 20 Landscaping and Buffering of this Resolution. When there are conflicting requirements, the stricter requirement shall apply.

Section 13.01.C.1.g.2 Landscaping/ Design Requirements

Section 13.01.C.1.g.2.a Distance between parking area and building

A minimum distance of eight (8) feet shall be maintained between any building, including any walkway immediately adjacent thereto, and the parking area. This space is to be reserved for plant material, either existing or planned. (see article 21).

Section 13.01.C.1.g.2.b Interior plantings

In addition to all other requirements, all commercial, business, institutional, or industrial parking areas for more than twenty (20) vehicles (excluding parking structures), shall provide and maintain a minimum of a 300 square foot planting area with minimum dimensions of seven (7) feet for every eight (8) parking spaces (including handicapped spaces) located within the parking area. Planting areas shall:

Section 13.01.C.1.g.2.b.1 Contain at least 2 "shade trees" which are at least eight (8) feet in height and six (6) inches and 1/4 inches in circumference (2 inches in diameter) measured at 1/2 feet above grade for new planted trees and measured at 4 1/2 feet above grade for existing trees. ("Shade trees" as used herein mean any tree, evergreen, or deciduous, whose mature height of its species can be expected to exceed thirty-five (35) feet and which has an expected crown spread of thirty (30) feet or more or is considered a shade tree in accordance with the American Association of Nurserymen.

**January 26, 2011
Public Hearing Draft**

Section 13.01.C.1.g.2.b.2 Contain ground covering sufficient to cover otherwise exposed planting surface so that soil erosion will be minimized.

Section 13.01.C.1.g.2.b.3 Be located within the parking area as tree islands, at the end of parking bays, inside seven (7) foot wide or greater medians, between rows of cars, or as part of a continuous street or a transitional protective yards. No vehicular parking space shall be separated from a shade tree by an intervening building and be located farther than fifty (50) feet from the tree trunk of a planting area. Landscaped planting areas shall be distributed in a uniform manner as to provide shade yet should also be positioned within the parking area in accordance with sound landscape design and parking lot circulation principles.

Section 13.01.C.1.g.2.c Berms

Earthen berms or sloped ground may be provided, substituted, or combined with the above buffer requirements. Any berms used to comply with this requirement shall have a minimum height of one and one half (1½) feet and a minimum crown width of two (2) feet and a total minimum width of seven (7) feet and shall be planted with a locally adapted species of shrubs, which conform to the spirit of Section 1401.03.01G. However, shrubs may have a lesser height provided that the combined height of the berm and the plantings after three (3) years is at least thirty (30) inches (2.5 feet) high.

Section 13.01.C.1.g.3 Screening

Any area used for service yards, utility meters, above ground tanks, and other such equipment shall be screened through landscaping (which could include a berm or a fence constructed of natural material if necessary) so that such facilities are not visible from the highway/road or neighboring properties and shall be located not less than ten (10) feet from the side and/or rear property lines.

Section 13.01.C.1.g.4 Signs

All signs shall meet those requirements specified in **Article 21** of this resolution in addition to the following standards:

Section 13.01.C.1.g.4.a Signs shall not have light-reflecting backgrounds but may use light-reflecting lettering.

Section 13.01.C.1.g.4.b The various parts of a sign shall have the same name and message on all used faces.

January 26, 2011
Public Hearing Draft

Section 13.01.C.1.g.4.c Any multi-faced sign shall have the same name and same message on all used faces.

Section 13.01.C.1.g.4.d All signs shall be of standard geometric shapes.

Section 13.01.C.1.g.4.e All lighted signs shall be lit with capped, exterior white ground lights which have a steady, stationary light of reasonable intensity and all direct light must be shielded from all adjacent streets and residential buildings.

Section 13.01.C.1.g.4.f All signs must be constructed of natural materials or material made to look natural.

Section 13.01.C.1.g.4.g All commercial, institutional, and industrial structures shall be limited to the following advertising signs:

Section 13.01.C.1.g.4.g.1 A wall sign, a projected swinging sign, awning or canopy sign with a total area of all such signs not to exceed eighty (80) square feet, not more than fifteen (15) feet in height, setback at least ten (10) feet from the road right-of-way.

Section 13.01.C.1.g.4.g.2 A ground sign, with a total area not to exceed thirty-two (32) square feet per side and not more than fifteen (15) feet in height and which shall be set back at least ten (10) feet from the road right-of-way.

Section 13.01.C.1.g.4.g.3 All signs must not interfere with safe-sight distance of motorists.

Section 13.01.C.1.g.5 Site Design Submittal Requirements

Before a zoning permit is issued in the TC District by the Union Township Zoning Inspector, the developer shall submit seven copies of the plans, drawn to an appropriate scale, to the Union Township Technical Review Committee as appointed by the Township Trustees (to be comprised of two [2] members from the Union Township Zoning Commission, two [2] members from the Union Township Zoning Board of Appeals, and the Chairperson of the Union Township Zoning Commission, with the Union Township Zoning Inspector in an advisory capacity for recommendations and approval. The Union Township Technical Review Committee may, at its discretion, request additional studies or outside assistance from the Licking County Planning Commission Staff or others, at the expense of the developer, in its effort to review the development plan in an appropriate manner.

January 26, 2011
Public Hearing Draft

Section 13.01.C.1.g.5 Application Contents

Seven copies of the following plans shall be submitted by the developer to the Union Township TRC for review:

Section 13.01.C.1.g.5.a Site Plan

The Site plan shall show the following

Section 13.01.C.1.g.5.a.1 The boundaries and dimensions of the lot.

Section 13.01.C.1.g.5.a.2 The size and location of existing and proposed structures.

Section 13.01.C.1.g.5.a.3 The proposed use of all parts of the lot and structures.

Section 13.01.C.1.g.5.a.4 All reserve parcels and anticipated development phases.

Section 13.01.C.1.g.5.a.5 The use of land and location of structures on adjacent property.

Section 13.01.C.1.g.5.a.6 Existing tree stands that are six (6) inches in diameter located within the site.

Section 13.01.C.1.g.5.b Development Plan

The Development Plan shall show the following:

Section 13.01.C.1.g.5.b.1 Structures

All proposed structures shall be located, showing square footage for each structure, expected entrance(s), service, and pedestrian areas for the first phase of the development plan. Structures planned for subsequent phases shall be schematically indicated.

Section 13.01.C.1.g.5.b.2 Traffic Concept

All points of ingress and egress onto public roadways and the overall traffic distribution scheme shall be shown, indicating traffic flow patterns and traffic control points. The criteria must include one or more of the "Traffic Safety Measures" as described in Section 1401.03.01A of this Resolution.

Section 13.01.C.1.g.5.b.3 Parking Layout

A parking layout must be shown to include the following:

**January 26, 2011
Public Hearing Draft**

- Access points and expected movement for all transportation modes through and between separate parking lot areas;
- Expected pedestrian access routes from parking areas and bus stops to structures.

Section 13.01.C.1.g.5.c Landscaping

All proposed site landscaping, screening, and buffering shall be indicated as to type and size of material to be used, proposed locations, berming and other features in accordance with Section 1401.03.01G of this Resolution.

Section 13.01.C.1.g.5.d Proposed location and design of signs

DRAFT

Section 13.02 Airport Hazard Zone Overlay District (AHZ)

Section 13.02.A Purpose

It is the purpose of this article to promote the public health, safety, and general welfare by minimizing the hazards to life and property.

Section 13.02.B Applicable Lands

This section shall apply to all lands within the identified Airport Hazard Zones as prescribed by the Ohio Revised Code Chapter 4563 and the Newark-Heath Airport Airspace Zoning Resolution and depicted on the official Union Township Zoning Map.

Section 13.02.C Rationale/Objective

The Airport Hazard Zones are areas in which, due to the approach and take off of aircraft from the Newark-Heath Airport, the height of structures, objects, and objects of natural growth may pose a hazard to those utilizing the airport and to the property owner. Therefore, this resolution shall attempt to minimize these hazards by ensuring structures, objects, and objects of natural growth do not pose a hazard to those utilizing the Newark-Heath Airport, and surrounding property owners.

Section 13.02.D Permit Requirements

No building, object of natural growth, or object, which is located in an identified Airport Hazard Zone Overlay District, as identified on the Union Township Zoning Map, shall be erected until a permit or letter stating "No permit required" is received from the Licking County Airport Zoning Commission (Licking County Planning Commission).

Section 13.02.E Enforcement

It shall be the duty of the Union Township Zoning Inspector to ensure that all structures and objects of natural growth comply with the height requirements of the Newark Heath Airport Airspace Zoning Resolution. This shall be determined by the applicant obtaining a Newark Heath Airport Airspace Zoning Permit or a letter from the Licking County Airport Zoning Commission (Licking County Planning Commission) stating that no permit is required and submitting a copy to the Union Township Zoning Inspector prior to any permit being issued. Should a permit not be issued by the Licking County Airport Zoning Commission the Zoning Inspector shall not approve any zoning permit for any proposed structure or object of natural growth as said structure shall be considered in violation of this section.

ARTICLE 14 ~ PLANNED RURAL RESIDENTIAL DEVELOPMENT DISTRICT (PRRD)



Section 14.01	Authority
Section 14.01	Purpose
Section 14.03	General Requirements To Establish A PUD
Section 14.04	Planned Unit Development Process
Section 14.05	PUD Text Submittal / Text Amendment
Section 14.06	PUD Text Standards And Guidelines
Section 14.07	PUD Zoning Map Amendment
Section 14.08	PUD Plans And Submission General
Section 14.09	PUD Site Review
Section 14.10	PUD PRE-Development Plan
Section 14.11	PUD Final Development Plan
Section 14.12	PUD Plan Submittals, Review By Township
Section 14.13	Expiration of Approvals
Section 14.14	Extension Of Time Or Modification Of A Pre-Development Plan Or Final Development Plan
Section 14.15	Terms and Definitions

SECTION 14.01 AUTHORITY

The Ohio Revised Code (ORC) Section 519.21 (B) authorizes Townships to establish and regulate Planned Unit Development Districts (PUD), which require both a Zoning Text Amendment and Zoning Map Amendment, applicable solely to the adopted PUD District, the passage of which, and the amendment or modification thereto, are subject to referendum pursuant to Section 519.12 of the Ohio Revised Code.

SECTION 14.02 PURPOSE

The purpose of the Planned Unit Development (PUD) District is to achieve, to the greatest degree possible, land development which is responsive to the natural and environmental assets and liabilities of a given site and to keep land undeveloped in perpetuity without affecting overall densities. A PUD shall promote the general public welfare by encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. A PUD shall be a well-integrated development in terms of land uses and major design elements such as roads, internal circulation, connectivity to existing developments and adjoining properties, pedestrian corridors and walkways, drainage systems, utilities, recreation facilities, open space and undeveloped land. Within a PUD development, the township zoning regulations, where applicable, need not be uniform, but may vary in order to accommodate a unified development and promote the public health, safety, morals and other purposes of this resolution. In part to accomplish this, the PUD affords greater design flexibility so that concentrating development on more suitable or less environmentally sensitive areas may protect natural features. Ultimately the PUD shall promote the public health, safety, morals and the other purposes of this resolution.

The purpose of this article is not to provide a zoning tool to establish higher density development. Higher density development shall only be permitted when it can clearly be shown that it is subordinate to the effort to preserve natural and environmental assets and promote high quality design that will in turn promote the public health, safety, morals and other purposes of this resolution.

SECTION 14.02 EXAMPLES

Section 14.02.A Figure A - Preferred Design Alternative (DESIRED)



- Original Parcel Prior To Development
- Single Family Residential Building Footprint
- Individual Fee Simple Lot
- Nature Trail / Walking Path
- Public Road Right Of Way

Section 14.02.B Figure B - Traditional Development Alternative (NOT DESIRED)



- Original Parcel Prior To Development
- Single Family Residential Building Footprint
- Individual Fee Simple Lot
- Public Road Right Of Way

SECTION 14.03 GENERAL REQUIREMENTS TO ESTABLISH A PUD

Section 14.03.1 Project Location

A PUD may be located in any area of Union Township where the applicant can demonstrate that his proposal will meet the objectives of this Article and the Union Township Comprehensive Plan.

Section 14.03.2 Project Area

The minimum gross project area shall be twenty (20) contiguous acres in size. Smaller parcels may be considered if contiguous to an existing PUD and/or in conjunction with another proposed PUD. However, said development shall meet all requirements within this article within the gross project area of the proposed development. A development shall not rely on another development for open space, setbacks, buffers and the like.

SECTION 14.04 PLANNED UNIT DEVELOPMENT PROCESS OVERVIEW

To establish a PUD at the election of a property owner, the following process shall be followed:

Section 14.04.01 Pre-Submission Conference Overview

A pre-submission conference is strongly recommended prior to submitting the PUD text for consideration and review. The purpose of the pre-submission conference shall be to introduce the Township to the proposed project, give the township a preliminary review period, and allow the Township to present some preliminary concerns and suggestions that the developer may not have considered so that the developer may have an opportunity to make changes prior to the official submittal when the Township will be required to make an official decision of approval, approval with modifications, or denial of the proposal. This is an informal process; the Township shall take no official action during these meetings, nor shall any binding decisions be made. The developer may request more than one pre-submission conference to resolve as many issues as possible prior to the official submittal.

Said meeting is a public meeting and subject to notification requirements as outlined in Section 5.09: Notice Of Public Hearing or may be held during a regularly scheduled meeting in which notice has been previously given and the agenda is prepared prior to the meeting stating it will be discussed or is amended at the beginning of the meeting to reflect the issue being discussed.

Section 14.04.02 Submission of Text Amendment Overview

Submit the PUD Text for consideration and review. This step shall follow the procedures outlined in Article 6 – Amendment of this resolution, and is subject to referendum.

Section 14.04.03 Submission of Map Amendment Overview

Submit application to amend the Union Township Zoning Map. This step shall follow the procedures outline in Article 6 – Amendment of this resolution, and is subject to referendum.

Section 14.04.04 Action By Board of Trustees/Zoning Commission Overview

Steps outlined in sections 14.04.02 Submission of Text Amendment and 14.04.03 Submission of Map Amendment shall be filed and proceed simultaneously, however, the Township must act upon the PUD Text prior to acting upon the application to amend the Union Township Zoning Map. The text amendment and map amendment shall each require a motion by the Zoning Commission Board. Additionally, if the PUD Text is not approved, the Township cannot approve the Map Amendment. In this instance the Township shall either deny the application for Map Amendment or the applicant may withdraw the application (application fees are non-refundable).

Section 14.04.05 Pre-Development Plan Submittal Overview

After the effective date of the PUD Text and Amendment to the Union Township Zoning Map (30 days after the adoption date), the property owner may submit the Pre-Development Plan Application to the Township. ***PLEASE NOTE: The Pre-Development Plan Application will not be accepted by the Township for consideration until the effective date of the PUD Text and Amendment to the Zoning Map has occurred and the potential for referendum has passed.***

Section 14.04.05.A L.C.P.C. Sketch Plan Application Submittal Requirement

Simultaneously with the submittal of the Pre-Development Plan Application to the Township, the property owner shall submit Sketch Plan Application to the Licking County Planning Commission, according to the Licking County Subdivision Regulations.

Section 14.04.06 Final Development Plan Submittal Overview

After approval of the Pre-Development Plan Application, the property owner shall submit the Final Development Plan Application to the Township.

Section 14.04.06.A L.C.P.C. Preliminary Plan Application Submittal Requirement

Simultaneously with the submittal of the Final Development Plan Application to the Township, the property owner shall submit a Preliminary Plan Application to

**January 26, 2011
Public Hearing Draft**

the Licking County Planning Commission, according to the Licking County Subdivision Regulations.

Section 14.04.07 L.C.P.C. Final Plat Application Submittal Requirement Overview

After approval of the Final Development Plan Application by the Township and the Preliminary Plan Application by the Licking County Planning Commission, the property owner shall submit the Final Plat Application to the Licking County Planning Commission in accordance with the Licking County Subdivision Regulations.

Section 14.04.08 Substantial Change To Require Re-Submission of Pre-Development or Final Development Plans Overview

At any point in the review process where the Licking County Planning Commission, Licking County Engineers Office, Licking County Health Department, Licking County Board of Commissioners, or other government body with jurisdiction shall require a substantial change (lot layout, configuration, etc.) in the plans, the property owner / developer shall be required to resubmit and obtain approvals from the Township for the step (i.e. Pre-Development Plan or Final Development Plan) for which the change occurred.

Section #14.04.09 Appeal Overview

Steps outlined in sections 14.04.04 - Action By Board of Trustees/Zoning Commission Overview and 14.04.05 - Pre-Development Plan Submittal Overview are not subject to referendum or a variance, but are subject to appeal as outlined in Article 5 – Administration, Section 509 – Appeals of This Resolution. Upon completion of the Township appeal process as outlined in Section 509-Appeals, said person aggrieved may make application for Administrative appeal to the Licking County Court of Common Pleas.

SECTION 14.05 PUD TEXT SUBMITTAL / TEXT AMENDMENT

Section 14.05.01 Development of Text

The PUD Text shall be developed by the property owner or legal representative of the property owner, either of which may be the developer of the property (hereinafter, referred to as property owner or developer), and shall follow the standards and guidelines as outlined in Section 14.06 -PUD Text Standards And Guidelines of this Article.

Section 14.05.02 Procedure for Application and Review

The PUD Text shall follow the application and review requirements of Article 6 – Amendment of this Resolution.

Section 14.05.03 Subject to Referendum

The PUD Text submittal is subject to referendum as specified in Sections 519.021 (B) and Section 519.12 of the Ohio Revised Code.

SECTION 14.06 PUD TEXT STANDARDS AND GUIDLINES

Section 14.06.A Preface

The standards and guidelines listed within this section shall be the minimum to guide the developer and township official(s) in developing and reviewing the PUD text. It should be noted these standards and guidelines are not all encompassing and unexpected or optional standards and techniques exist. These issues shall be considered and negotiated between the developer and the township officials. Such deviations and/or considerations shall only be considered if:

- They promote public health, safety, morals and general welfare;
- They will not detriment any adjoining property, including but not limited to drainage, noise, glare, dust, or other noxious effects.
- They will create a well-designed, environmentally sensitive development, which is conservative of riparian corridors, wetlands, large/mature wooded areas, wildlife habitats and other scenic and environmental sensitive areas.
- Will create a quantity and quality interconnected network of open space that abuts and is accessible to each proposed lot within said development.
- They will promote exemplary use of access management and road design to minimize the affects of the increased traffic from the proposed development.
- Will promote and maintain the rural character, aesthetics, and appeal of the Township.

Section 14.06.B General Outline of Required Elements of the PUD Text

Lot Area Requirements	Recreational Facilities – Active Recreation and Passive Recreation
Lot Width Requirements	Environmental Preservation – Specify in quantity, type and how it is to be preserved
Structure Bulk Requirements	Sanitary Sewer and Water disposal systems
Structure Height Requirements	Storm Water Management
Structure Setback Requirements	Deed Restrictions and Restrictive Covenants
Buffer Requirements	
Open Space Requirements	
Access Management	

Section 14.06.C Specific Requirements of the PUD Text

Section 14.06.C.1 Maximum Density

The maximum gross density shall be 1 dwelling unit per 2 gross acres. This may be decreased upon determination that the proposed site is unable to sustain said density based upon ground water availability and ability to support on-site wastewater systems. In this situation the Township shall rely on reports and documentation from but not limited to Ohio Department of Natural Resources, Ohio Environmental Protection Agency, Licking County Health Department and any Engineering firm for which the Township has sought professional services from.

Section 14.06.C.1.a Density Bonus For Design

Additionally, density may be increased by 10% if the developer has proposed and committed to a high quality design which substantially exceeded the standards and design criteria in Section 14.06.C: Specific Requirements of the PUD Text, and Section 14.06.D: Design Features Required of the PUD. Note this may be in addition to the 10% in Section 14.06.1.b: Density Bonus For Increased Open Space if the proposal qualifies for the increase in said section. (See Table #)

Section 14.06.C.1.b Density Bonus For Increased Open Space

An additional density bonus may be given for open space, which is dedicated in perpetuity and remains in a natural state with only the potential for passive recreation (i.e. no structures or active recreation facilities). Said open space shall be contiguous to required open space, shall be accessible to all residents and shall be of such size as to be useful and beneficial to the community. Increased open space acreage above the minimum required shall allow an equal increased percentage of density up to 10%. Note this may be in addition to the 10% in Section 14.06.1.a: Density Bonus For Design.1 if the proposal qualifies for the increase in said section. (See Table ###)

TABLE # ##			
Multiplication Factor to Determine Permitted Number of Dwelling Units In a Proposed PUD Development.			
	1 Dwelling Per 2 Gross Acres	With 10% Density Bonus	With 20% Density Bonus
Multiply Gross Acres By	.5	.55	.6

**January 26, 2011
Public Hearing Draft**

Section 14.06.C.2 Net Developable Area

The net developable area shall be determined by the following formula:

GROSS PROJECT AREA	
LESS:	15% of the subdivision's gross acreage for streets and utilities;
LESS:	Jurisdictional wetlands, as defined by U.S. Army Corps of Engineers;
LESS:	Areas within the 100-year floodplain as shown on FEMA Flood Insurance Rate Maps, and/or those areas not studied by FEMA but identified as 100-year floodplain through the Licking County Subdivision Regulations;
LESS:	Slopes 15% or greater;
LESS:	Existing utility easements and/or right-of-ways;
LESS:	Required Open Space (See Section 14.06.C.4: Required Open Space).
TO EQUAL:	NET DEVELOPABLE AREA

Section 14.06.C.3 Exclusions From Building Sites/Lots

No portion of a building site/lot shall be located within any area identified as a 100 year floodplain, jurisdictional wetland, having slopes of 15% or greater or easements for utilities or access which do not serve the lot itself.

Section 14.06.C.4 Required Open Space

A minimum of fifty percent (50%) of the gross site area shall be set aside as open space and shall remain undeveloped land in perpetuity for the enjoyment of the residents of the Township.

Section 14.06.C.4.a Areas Not Permitted to Count Towards Open Space

Section 14.06.C.4.a.1 Open space shall not be areas of individual fee simple lots conveyed to homeowners;

Section 14.06.C.4.a.2 Private roads and public road right-of-ways;

Section 14.06.C.4.a.3 Parking areas, access ways (small strips of land to allow access to open space), and driveways;

Section 14.06.C.4.a.4 Other small fragmented or isolated open space areas that have a dimension of less than 100 feet in any direction.

Section 14.06.C.4.b Permitted uses of required open space.

Section 14.06.C.4.b.1 Preserved in natural state;

January 26, 2011
Public Hearing Draft

Section 14.06.C.4.b.2 Utilized for agriculture when authorized in a conservation easement and/or in the association's covenants and restrictions;

Section 14.06.C.4.b.3 Sewage service and/or water supply facilities may be located partially or entirely within the required open space areas. Where such facilities are so located, easements satisfactory to the Licking County Health Department shall be established to require and enable maintenance of such facilities by the appropriate parties;

Section 14.06.C.4.b.4 A portion of the required open space may be used for active recreation, said portion shall not exceed twenty percent (20%) of the required open space. Said active recreation facilities shall not be located in or disturb any wooded areas, the areas of the subdivision dedicated as public right of way for streets and utilities, Jurisdictional Wetlands as defined by U.S. Army Corps of Engineers, areas within the 100-year floodplain as shown on FEMA Flood Insurance Rate Maps and/or those areas not studied by FEMA but identified as 100-year floodplain through the Licking County Subdivision Regulations; areas with Slopes 15% or greater and any existing utility easements and/or right-of-ways; and any area of natural habitat for an endangered, threatened, or special concern species as identified by the Ohio Department of Natural Resources.

Section 14.06.C.4.c **Ownership of Required Open Space**

Required open space land may be owned by one of the following entities provided the land is permanently and irrevocably dedicated as open space:

- Homeowners Association
- Public conservation organization
- Land trust
- Township Board of Trustees (upon willingness and passage of a resolution by the Township Board of Trustees to accept the land).
- Third party if protected by an open space easement, which permanently and irrevocably transfers the development rights to one of the above mentioned entities.

Section 14.06.C.5 **Lot Area**

The minimum lot area for individual lots within the PUD shall be determined as follows:

Section 14.06.C5.a Lots should be clustered along the edges of the conservation (open space) areas and arranged to maximize homeowners views of open space areas and access to public amenities. (See Figure A)

Section 14.06.C5.b Every lot shall be of appropriate size to meet the requirements of the Licking County Health Department or Ohio Environmental Protection Agency (O.E.P.A). for on site water and wastewater or other approving authority at the time of the improvements to support a water and

January 26, 2011
Public Hearing Draft

wastewater system. This requirement may be waived if the wastewater systems are located within the common areas with appropriate easements and approved by the Ohio Environmental Protection Agency and Licking County Health Department.

Section 14.06.C5.c Every lot shall be of appropriate size to accommodate the proposed dwelling bulks, yard setbacks, and lot coverage requirements.

Section 14.06.C5.d Every lot shall be of appropriate size to be supported by a natural aquifer for well water, unless said site is served by central water and sewer.

Section 14.06.C.6 Lot Width

The proposed lot width shall be of sufficient size to meet the proposed structure bulks, yard setbacks, septic and well setbacks and locations. Every lot shall not exceed a 3:1 depth to width ratio. The width shall be measured along the edge of the road right-of-way line for any existing or proposed roadway and the depth shall be measured from the building front yard setback line for any existing or proposed lots. (Example: A proposed lot has 100' of width at the road right-of-way line and a front yard setback of 50'. In this case, the 3:1 ratio would allow for the 100' width lot to have a depth of 350'.)

Section 14.06.C.7 Setbacks

Section 14.06.C.7.a Perimeter Setbacks

The setback from existing public road right-of-way, shall take into consideration the average setbacks of existing homes, whether the front of the main structure will be facing the roadway or the rear of the structure will be facing the roadway, whether there is substantial natural vegetation located along the street to provide a visual buffer (75% opacity) of the structure on a year round basis.

The setback from perimeter lot lines, which should serve the same function as the rear yard setback for the standard subdivision shall be set. Said setbacks shall take into consideration adjoining zoning classifications and land use. Greater setbacks shall be expected for differing uses (ex. Residential being developed next to a commercial zoned property).

Section 14.06.C.7.b Internal Setbacks

Every lot shall specify the following setbacks:

- Front Yard
- Side Yard
- Rear Yard

Said setbacks shall be for any structure developed on said site.

Section 14.06.C.7.c Setbacks Generally

Said setbacks shall take into consideration concepts of providing adequate buffers from unlike and dissimilar uses, providing adequate area for future

**January 26, 2011
Public Hearing Draft**

property owners to utilize said lot, providing adequate buffering from adjoining properties so that noise, glare, and other nuisances from adjoining properties are minimized if not eliminated, providing adequate setbacks to prevent the spread of, or damage from a structure fire (unless fire suppression systems are used) in the event one should occur.

Section 14.06.C.8 Water and Wastewater

Section 14.06.C.8.a Every lot shall meet the requirements of the Licking County Health Department or Ohio Environmental Protection Agency (O.E.P.A). or other approving authority at the time for on site septic and well.

Section 14.06.C.8.b Off site septic wastewater systems may be utilized within the required open space with appropriate easements, if they are approved by the Licking County Health Department and/or O.E.P.A. Proposals with such systems shall have a water and wastewater management plan, including maintenance, inspections and funding for repairs developed and stated in the Homeowners Association Agreement. Said management plan shall be reviewed and approved by the Licking County Health Department.

Section 14.06.C.9 Fire Protection

The PUD Text shall specify how fire protection will be provided to the residents and structures developed on the site. In the event public sewer and water service is available this shall be in the form of fire hydrants and the design and layout thereof. In the event public sewer and water is not available this shall be in the form of dry hydrants and the placement and design thereof. Any development which has or develops a pooled body of water (pond, lake, detention pond and the like) shall be required to establish a dry hydrant within said development to provide for the public safety of those within said development. Where pooled water (pond, lake, detention pond and the like) exist in multiples and are in various locations throughout the development (i.e. not clustered), multiple dry hydrants shall be required by the Township, especially if the development is of significant size. The design of a dry-hydrant shall be approved by the local fire district and the Licking County Soil and Water Conservation District. Testing prior to acceptance of the final plat by Licking County shall be required to ensure the dry-hydrants function properly. The Township shall provide notice of this requirement at the Licking County Technical Review Committee Meeting and request it be a condition of approval for the final plat.

Section 14.06.D Design Features Required of the PUD

The development plan shall incorporate the following standards:

Section 14.06.D.1 Open space shall be distributed throughout the development as part of a unified open space system. To the greatest extent possible every lot shall abut open space, and linkages to open space within the development and to open space outside the development shall be made. Said system shall serve

January 26, 2011
Public Hearing Draft

to unify the development visually and functionally, and buffer surrounding land uses while preserving environmentally significant resources, habitats and vistas.

Section 14.06.D.2 No buildings shall be constructed within any area identified as a 100-year floodplain or wetlands.

Section 14.06.D.3 No cut/fill operations shall occur in any area identified as a 100-year floodplain or wetlands.

Section 14.06.D.4 No storm drainage structures such as retention or detention ponds shall be designed or located within any area identified as a 100-year floodplain or wetlands.

Section 14.06.D.5 Passive recreation facilities such as walking paths and bike trails shall be encouraged within the open space throughout the development. Said trails shall provide an interconnected network of paths throughout the development and to adjoining existing networks should they exist.

Section 14.06.D.6 Moderate to thick coverage by trees and natural undergrowth is desirable to most intended functions of the open space. Where such foliage exists naturally, it should be retained. Where adequate foliage does not exist, the Township shall require establishment of such tree cover or other foliage as necessary to achieve the purpose of the open space and the buffer of adjacent uses.

Section 14.06.D.7 Scenic areas and views shall be preserved to the maximum extent possible, including views from the adjacent road.

Section 14.06.D.8 Open spaces may be used for the natural disposal of storm drainage. No features should be designed which are likely to cause erosion or flooding of the proposed or existing houses.

Section 14.06.D.9 Improvements within the PUD shall conform to the Licking County Subdivision Regulations in addition to this Resolution. In instances of conflict, the more-strict standard shall apply.

Section 14.06.D.10 Wetlands, steep slopes (15% or greater), forests, 100-year floodplains, ravines and noted wildlife habitat shall be preserved.

Section 14.06.D.11 Landscaping shall be designed to compliment the surrounding natural environment and rural character of Union Township, in addition to providing both visual and acoustic buffering. It is strongly encouraged that the developer work with a Landscape Architect in the designs of landscaped areas.

January 26, 2011
Public Hearing Draft

Section 14.06.D.12 Streetscapes shall be encouraged that create visually appealing roadways, which are pedestrian friendly and promote traffic calming and overall safety. This may include but is not limited to street trees, varied pavement material at intersections or mid block crossings, roundabouts, bike lanes, sidewalks, speed islands, boulevard designs, etc.

Section 14.06.D.13 The use of cul-de-sacs and dead end roadways shall be discouraged, and the use of an interconnected network (loop roads, grid, square, etc.) of roadways shall be encouraged. This allows the local government to provide such services as snow removal, emergency and fire protection more efficiently without concern of being able to maneuver large emergency and snow removal equipment down and turn around in a no-outlet roadway. Additionally, it provides for safety of the residents along said roadway as they have multiple points of ingress and egress in the event a roadway becomes blocked or under repair.

Cul-de-sacs shall only be considered when due to reasons of topography, environmentally sensitive areas, and/or other environmental concerns. The establishment of through streets is not environmentally feasible.

Section 14.06.D.14 Dwellings should generally be located along the edges of fields as seen from existing public roads, rather than in the center of the field to reduce visual impact (Note: This may require varied setbacks for certain lots to encourage homes to be located in such locations.)

Section 14.06.D.15 Retain or replant any disturbed areas of vegetation adjacent to wetlands and/or surface waters;

Section 14.06.D.16 Avoid new construction on prominent hilltops and ridges;

Section 14.06.D.17 Preserve historic or archaeological sites (i.e. earthworks, burial grounds). Additionally, adequate buffering shall be provided to protect such sites.

Section 14.06.D.18 Access to individual lots shall be from internal roads and not existing State, County, or Township roads.

Section 14.06.D.19 Buffers shall be established along the perimeter of the development to shield adjoining properties from the affects of the development. Said buffers shall be of sufficient size to limit if not eliminate (preferable) the affects of noise, glare, dust, and other nuisances. Said buffers shall provide 100% opacity if abutting a multifamily, commercial or industrial zoned or use property, and 75% opacity if abutting a single family zoned or use property. Developments adjoining agricultural lands shall consider the type of agricultural use occurring. Many agricultural uses require significant setbacks from residential uses. For example, livestock uses require 300' to 1000' setbacks from wellheads due to potential animal waste infiltration hazards. Row crops may require 100' or greater setback from wellheads depending on the chemicals used (This is determined by warning labels on the products used). It is encouraged

**January 26, 2011
Public Hearing Draft**

that the developer contact the adjoining land owners to determine the agricultural practices and potential chemicals they may use and the recommended distances they may need to be from residential developments and wellheads.

Section 14.06.D.20 It shall be the property owner's responsibility to prove that the proposed PUD Text regulations are sufficient to uphold the requirements and intent of this resolution and promote public health, safety, convenience, comfort, prosperity and general welfare. In the event that any or all Township Officials are in disagreement that a proposal will uphold these regulations, the intent of these regulations, and/or promote public health, safety and general welfare, the property owner and/or Township shall have the right to obtain and bring forth factual information in support or opposition to the proposal.

SECTION 14.07 PUD ZONING MAP AMENDMENT

Section 1500.07.A Procedure for Application and Review

The PUD Map Amendment shall follow the application and review requirements of Article 6 - Amendment of this Resolution.

Section 1500.07.B Subject to Referendum

The PUD Map Amendment submittal is subject to referendum as specified in Section 519.12 and Sections 519.021 (B) of the Ohio Revised Code.

SECTION 14.08 PUD PLANS AND SUBMISSION GENERAL

For any plan submission the following shall be submitted as part of the application:

Section 14.08.A Application Form

Application form as provided by Union Township;

Section 14.08.A.1 Minimum Information to be included on form.

Section 14.08.A.1.a Name of the development;

Section 14.08.A.1.b Location of the development;

Section 14.08.A.1.c Name, mailing address, phone number, e-mail address, and fax number of applicant.

Section 14.08.A.1.d Name, mailing address, phone number, e-mail address and fax number of registered surveyor, registered civil engineer, and/or landscape architect assisting in the preparation of the predevelopment plan.

Section 14.08.A.1.e Name, mailing address, phone number, e-mail address, and fax number of current property owner.

Section 14.08.A.1.f Name, mailing address, phone number, e-mail address, and fax number of primary contact.

**January 26, 2011
Public Hearing Draft**

Section 14.08.A.1.g Any other information as deemed necessary and appropriate by the Township.

Section 14.08.B Application Contents

The PUD development plan and application shall include the following:

Section 14.08.B.1 Plans

Plans drawn to a scale of 1"= 100' as required in Section 1500.09 PUD Pre-Development Plan or Section 1500.10 PUD Final Development Plan.

Section 14.08.B.2 Number of Copies

The applicant shall submit eight (8) copies of a PUD Development plan and text to the Township Zoning Inspector along with the required application fee.

Section 14.08.B.3 Fees

The applicant shall submit a fee, by Certified Check, according to the Union Township Zoning Fee Schedule. If the township expends more funds than the established fee, the applicant will be billed by Union Township for any additional expenses. No Zoning Permits will be issued until the additional fee has been paid in full. All fees must be submitted at the time of application and in order for an application to be considered complete. Fees are not refundable.

Section 14.08.B.4 Additional Fees

Such expenses may include items such as the cost of professional services, including legal fees and the fees of other professionals, such as geologists, landscape architects, planners, engineers, environmental scientists, and architects, incurred in connection with reviewing the plans and prepared reports, the publication and mailing of public notices in connection therewith, and any other reasonable expenses attributable to the review of the plans.

Section 14.08.B.5 Requirement of any Plan Submission

All plans submitted shall be in compliance with the adopted PUD Text for said development and the Union Township Zoning Resolution.

SECTION 14.09 PUD SITE REVIEW

Prior to any formal application the developer shall schedule an informal on-site walkabout and review of the proposed project. The purpose of such review shall be to identify areas for conservation, identify areas where buffering of adjoining parcels may be needed, discuss general layout concepts, and familiarize the Township and those involved in the project with the site prior to any formal submittal. No binding decisions or votes are made during this review, it is merely to provide open dialogue between the applicant and the Township to establish general concepts prior to formal application. Upon completion of the on-site review, the developer may make a formal Pre-development Plan application based upon comments from the PUD site review.

This is an official public meeting pursuant to the Ohio Revised Code and Ohio Sunshine Law, therefore notice of such hearing shall be given by the Union Township Zoning

**January 26, 2011
Public Hearing Draft**

Commission by at least one publication in one or more newspapers of general circulation of the township at least 10 days before the date of said meeting.

SECTION 14.10 PUD PRE-DEVELOPMENT PLAN

Section 14.10.A Application Contents

The following application materials in addition to those specified in Section 1500.08 must be submitted at the time of submittal:

Section 14.10.A.1 Legal description of property to be developed

Section 14.10.A.2 Copy of recorded property deed(s)

Section 14.10.A.3 Present use(s).

Section 14.10.A.4 Written statement that offers a conceptual overview of the proposed development. This statement shall include a description of the nature of the proposed development, proposed land uses including specific types (e.g. two-family dwellings, local businesses, recreational facilities, etc.), and the clientele for which it is to serve (e.g. public, residents only, etc.)

Section 14.10.A.5 Description of proposed provisions for utilities, including water, sewage disposal, power, cable and telephone service. A list of all utility companies to serve the proposed development, including contact persons, mailing addresses and telephone numbers shall also accompany the application.

Section 14.10.A.6 A statement describing the proposed ownership and maintenance of open spaces, parking areas, and any amenities shown to be a part of the development.

Section 14.10.A.7 Evidence that the applicant has sufficient control over the land in question and the financial capability to begin the project within one year, and complete the project in accordance with the applicant's proposed timetable.

Section 14.10.A.8 An estimated timetable for project completion.

Section 14.10.A.9 Should the applicant propose any type of phasing of the development, a description and graphic representation of how this is to be accomplished shall be provided.

Section 14.10.A.10 The names and *mailing* addresses of all owners of property any portion of which lies within 500 feet of the boundary of the subject property. These names and addresses shall be submitted on mailing labels, and two sets of these labels shall be provided. This information shall be obtained from the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees.

January 26, 2011
Public Hearing Draft

Section 14.10.A.11 Certification that all information in the application is true and correct.

Section 14.10.A.12 The specific description of principally permitted, conditionally permitted and accessory uses to be allowed in each area of the development.

Section 14.10.A.13 A specific description of all other proposed requirements, which would differ from the typical zoning regulations of Union Township.

Section 14.10.A.14 Any proposed deed restrictions and conservation easements.

Section 14.10.A.15 Any other information determined necessary by the Union Township Officials.

Section 14.10.B Plan Drawing

The following information shall be submitted and shown on drawings of the site:

Section 14.10.B.1 A vicinity map showing the general relationship of the proposed development to the surrounding areas with access roads referenced to the intersection of the nearest State Routes. Reference distances shall be shown in feet if less than 1,000' and in miles or tenths of a mile greater than 1,000'.

Section 14.10.B.2 A table showing the amount of gross acreage to be dedicated to each type of proposed land use, density for each type of proposed use, and the amount of land as a percent of the whole devoted to each land use.

Section 14.10.B.3 Location, type, and density of residential development.

Section 14.10.B.4 Conceptual drainage plan.

Section 14.10.B.5 Natural features (wetlands, major wooded area, streams, 100-year floodplain, areas of habitat for endangered, threatened, or special consideration species, etc.)

Section 14.10.B.6 Location and type of undeveloped land.

Section 14.10.B.7 Buffers between land uses and activities.

Section 14.10.B.8 Proposed street system layout/circulation pattern.

Section 14.10.B.9 Proposed pedestrian circulation system.

Section 14.10.B.10 Any existing buildings or potential environmental hazards (underground storage tanks, former industrial dumpsite, etc.).

Section 14.10.B.11 Proposed driveways.

Section 14.10.B.12 Any proposed off-site improvements (e.g. deceleration lanes, stoplight, road widening, intersection improvements, etc.).

**January 26, 2011
Public Hearing Draft**

Section 14.10.B.13 Overlay maps showing topography (derived from a field survey or aerial photography), and soil types obtained from the Licking County Soil and Water Conservation District.

SECTION 14.11 PUD FINAL DEVELOPMENT PLAN

Section 14.11.A Application Contents

The following application materials in addition to those specified in **Section 14.08 PUD Plans and Submission General** and **14.10 PUD Pre-Development Plan** must be submitted at the time of submittal:

Section 14.11.A.1 A survey of the proposed development site, showing dimensions and bearings of the property lines, area in acres, topography, and existing features of the development site, including major wooded areas, streets, easements, utility lines, and land uses.

Section 14.11.A.2 The location and dimensions of all lots, setbacks, and building envelopes, as well as those of any primary and secondary leaching field area.

Section 14.11.A.3 Engineering drawings and plans of sewer and water facilities, as well as street and drainage systems.

Section 14.11.A.4 Landscaping plan for all buffers and other common areas.

Section 14.11.A.5 Architectural guidelines to apply throughout the development.

Section 14.11.A.6 The proposed names of all interior streets proposed for the development.

Section 14.11.A.7 Layout and dimensions of all parking and loading areas along with an indication of what they are to be built to serve.

Section 14.11.A.8 A layout designating all undeveloped land including green space, conservation areas and wetlands. A plan for maintenance and administration of such undeveloped space.

Section 14.11.A.9 Layout and dimensions of all fire protection devices (i.e. fire hydrants or dry hydrants) on the site plan. In addition a detail drawings of the design of such device shall be submitted.

Section 14.11.A.10 The Union Township Officials, at their option, may require additional information such as maps, data, or studies (e.g. environmental impact statements, traffic impact analyses, etc.).

SECTION 14.12 PUD PLAN SUBMITTALS, REVIEW BY TOWNSHIP

The following requirements shall apply to the Pre-Development Plan and Final Development Plan submittals review:

Section 14.12.A Scheduling of Public Hearing

Upon submittal of a complete application, the Union Township Zoning Commission /Board of Trustees shall schedule a public hearing in which to review and vote on the approval of said plan. Said public hearing shall be scheduled within 30 days from the date the application is submitted, and the hearing shall be a quasi-judicial hearing.

Section 14.12.A.1 Notice of Hearing

Notice of said hearing shall be given by published notice in a paper of general circulation within the Township at least 10 days prior to the hearing date.

Section 14.12.A.2 Published Notice

The published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

Section 14.12.A.2.a The name of the Zoning Commission/Board of Trustees that will be conducting the public hearing on the proposed amendment.

Section 14.12.A.2.b A statement indicating that application is for a PUD to be reviewed in accordance to the adopted PUD Text and the Union Township Zoning Resolution.

Section 14.12.A.2.c The time and place where the text and plans of the proposed development will be available for examination for a period of at least ten (10) days prior to the public hearing.

Section 14.12.A.2.d The name of the person responsible for giving notice of the public hearing by publication.

Section 14.12.A.2.e A statement that after the conclusion of such hearing the matter will be considered by the Zoning Commission / Board of Township Trustees for its action.

Section 14.12.A.2.f Any other information requested by the Zoning Commission Board.

Section 14.12.B Approval

An application shall only be approved by the Union Township Zoning Commission/Board of Trustees upon:

Section 14.12.B.1 The proposed use complies with the PUD text;

Section 14.12.B.2 The proposed design standards and elements are in compliance with the PUD text;

Section 14.12.B.3 The proposed development is in compliance with the Union Township Comprehensive Plan;

January 26, 2011
Public Hearing Draft

Section 14.12.B.4 The proposed development will be adequately served by public utilities, such as but not limited to roads, walkways/pathways, police protection, fire protection, schools, drainage structures, water and wastewater facilities, etc.;

Section 14.12.B.5 The proposed development is in keeping with the existing land use character and physical development potential of the area.

Section 14.12.B.6 The proposed development promotes efficient use of land and resources, promoting greater efficiency in providing public and utility services, and innovation in the planning of the development and the buildings within the development.

Section 14.12.B.7 The proposed development promotes public health, safety, morals, and general welfare.

Section 14.12.B.8 In approving the application for Pre-Development Plan or Final Development Plan, the Zoning Commission/Board of Trustees may impose such conditions, safeguards and restrictions in order to carry out the purpose and intent of this district and provide for public health, safety, morals and general welfare.

SECTION 14.13 EXPIRATION OF APPROVALS

Section 14.13.A Pre-Development Plan

Approval of a Pre-Development Plan shall be valid for twelve (12) months. If the property owner has not filed a Final Development Plan Application within 12 months of the Pre-Development Application, said property owner shall be required to resubmit a complete Pre-Development Application along with associated materials and fees.

Section 14.13.B Final Development Plan

Approval of a Final Development Plan shall be valid for a period of 24 months. If a PUD has not commenced construction and filed Final Plat (according to the requirements of the Licking County Subdivision Regulations) within 24 months from the date of approval, said approval shall expire.

SECTION 14.14 EXTENTION OF TIME OR MODIFICATION OF A PRE-DEVELOPMENT PLAN OR FINAL DEVELOPMENT PLAN

Section 14.14.A Extension of Time

A one-time request for an extension of time for a Pre Development Plan or Final Development Plan may be granted by the Zoning Commission/Board of Trustees for a period up to twelve (12) months. Such extension shall require a quasi-judicial public hearing as specified in Section 14. 12: PUD Plan Submittals, Review By Township of this resolution. The applicant shall show substantial cause as to why the development has not been completed within the time frame allowed. Upon the

**January 26, 2011
Public Hearing Draft**

expiration of the extension of time, the Pre-Development Plan or Final Development Plan shall be expired and considered null and void. The applicant shall be required to re-start the process with all new complete applications.

Section 14.14.A.1 Substantial cause may include:

Section 14.14.A.1.a Extreme weather conditions

Section 14.14.A.1.b Physical issues encountered on-site that require re-engineering.

Section 14.14.A.2 Timing of Request

Said request for an extension of time shall be submitted at least 60 days prior to the expiration date of the plan and no more than 90 days prior to the expiration date of the plan.

Section 14.14.A.2 Submittal

All requests for an extension shall be submitted in writing starting the date of the request, the project name, step for which the extension is being requested (predevelopment plan or final development plan), expiration date of the plan, and a justification based upon **Section 14.14.A.1 - Substantial Cause May Include**.

Section 14.14.B Modification of the Pre-Development Plan or Final Development Plan

Section 14.14.B.1 Minor changes shall not require a formal request to modify the Pre-Development Plan or Final Development Plan. A minor request shall be classified as any:

Section 14.14.B.1.a Changes to road names

Section 14.14.B.1.b Development name

Section 14.14.B.c Information within an application such as phone numbers, addresses, and the like,

Section 14.14.B.2 Any substantial change to the Pre-Development or Final Development Plan shall require a formal request for modification, and shall follow the procedures outlined in **Section 14.12: PUD Plan Submittals, Review by Township**. Such changes shall only be considered when they are within lawful limits of the approved PUD text. Any change that is proposed and not in compliance with the PUD text would require an approved amendment to the PUD text prior to a change to the plan being approved. A substantial change shall include but not be limited to the following:

Section 14.14.B.2.a A change of use;

Section 14.14.B.2.b A increase in density;

**January 26, 2011
Public Hearing Draft**

Section 14.14.B.2.c Any change in setback, dwelling bulk, or structure height;

Section 14.14.B.2.d A change in lot configurations;

Section 14.14.B.2.e A reduction in approved open space;

Section 14.14.B.2.f Any substantial change, which may place the PUD in substantial violation of the approved PUD text.

APPENDIX A ~ DEFINITIONS

Appendix "A" is herein adopted as part of the Union Township Zoning Resolution. *Due to the size of the definitions portion of the resolution it has been determined by the Officials of Union Township to present the definitions section at the end of the resolution so as to not segment the substantive regulatory text portion of the resolution. Therefore, instead of presenting the definitions as an article of the resolution it is presented as an appendix at the end of the document and adopted as part of the document unlike other portions of the appendix, that are presented in the appendix for reference only.*

Interpretation of Terms of Words

For the purpose of this resolution, certain terms of words used herein shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.

The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."

The word "lot" includes the words "plot" or "parcel".

The following words: (Listed A through Z)

NOTE: A word being listed within this appendix shall not mean that it is a permitted or conditional use within Union Township.



Abandoned Sign

Any permitted sign or sign structure which was erected on a premises in conjunction with a particular use which has been discontinued for a period of 30 days or more, or a permitted temporary sign for which the permit has expired.

Access Management

The process of providing and managing access to land development while preserving the flow of all modes of traffic in terms of safety, capacity, and speed, and preventing congestion while slowing the need for costly public expansion of the road system. (*see also congestion prevention*)

Access Point

The connecting area of a lot where a vehicle gains egress and ingress from a driveway to a public roadway. Usually there is only one driveway per access point. However, the county is encouraging shared access prohibits along more heavily traveled roadways. A shared access point is one access point that splits into two separate driveways.

Accessory Use of Structure

A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Accessory Structure

A subordinate structure attached to or detached from, but located on the same lot as, a principal building. The use of an accessory structure must be incidental and accessory to the use of the principal building. Accessory structures include but are not limited to; parking places, garages, outbuildings, sheds, decks, signs, canopies, fences and the like.

Acre

A land area of 43,560 square feet.

Adequate Buffering

Means a combination of landscaping and other buffering materials that provide a 100 percent opacity between the ground level and 9 feet above the ground level on a year-round basis to protect the adjoining property owners from noise, glare, dust and visual nuisances.

Adjacent

Land, which abuts, is contiguous to, directly across the thoroughfare (includes roads streets, railroad, bike trails, etc.), or natural feature (includes stream, river, etc.) from the parcel of land in question.

Adjudication

The giving or pronouncing a judgment in a cause; a judgment

Ad judicatory Hearing

A legal proceeding - other than a trial - held before a legally appointed body representing a governmental entity, to take testimony, weigh the testimony and physical evidence, and pronounce a judgment in a cause. These hearings are conducted in a quasi-judicial manner (see definition of quasi-judicial).

Adult Entertainment

(See Article 17)

Advertising Structure

A term indigenous to outdoor advertising referring to the physical structure constructed by a media company to display advertising. The structures are built to standard specifications; the advertising messages are applied using many different techniques.

Advertising Media

The means by which an advertising message is carried to potential customers; includes Internet, magazine, newspaper, radio, television, and signage.

Advertising Use

A use of land, or a building exterior, or of a structure or thing for the advertising or promotion by visible or other means of a product, service, place or event which is for sale, for rent, available, held, assembled, grown or manufactured elsewhere than on the same lot.

Agriculture/Agriculture Production

Means commercial aquaculture, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a non commercial purpose, if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth. *(Source: Section 929.01 of the Ohio Revised Code.)*

Agricultural Building

A structure on agricultural land designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner, lessee, or sub-lessee or their immediate families, their employees, and persons engaged in the pick up or delivery of agricultural produce or products grown or raised on the premises.

Agricultural Entertainment (Agritourism)

An enterprise at a working farm, ranch or agricultural plant conducted for the enjoyment of visitors that generates income for the owner. Agricultural entertainment/tourism refers to the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education or active involvement in the activities of the farm or operation that also adds to the economic viability of the site. Agricultural entertainment/tourism may include: country-themed stores for the sale of goods and souvenirs, dining, tours (self guided or guided), wagon rides, trail rides, corn mazes, pick yourself operations, classes (gardening, cooking, crafts, etc.), fishing, bed and breakfast, in addition to guest partaking in farm activities.

Agricultural Related Business

Feed mills, dairy supplies, poultry processing, creameries, auction yards (for livestock, farm implements, and other farm related goods. This does not include commercial auction yards for automobiles, furniture, antiques and other non-agricultural goods.), veterinarians, and other businesses supporting local agriculture.

Agricultural Sales and Service

A use primarily engaged in the sale or rental of farm tools and implements, feed, grain, tack, animal care products, and farm supplies. This definition excludes the sale of large implements, such as tractors and combines, but includes food sales and farm machinery repair services that are accessory to the principal use.

Agricultural Use

Means commercial aquaculture, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a non commercial purpose, if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth. (Source: Section 929.01 of the Ohio Revised Code.)

Aesthetics

The term is used in the visual beauty rationale, connotes pleasure or offense to the sense of sight resulting from the visual form of environmental features or settings. Consequently, aesthetic regulation's purpose is assumed to be the creation or preservation of features or settings that are 'beautiful'—pleasing to the eye—or, conversely, the restriction of and elimination of those that are 'ugly'—offensive to the eye. The physiological or sensory predisposition of human beings to experience visual qualities in a relatively uniform manner.

**January 26, 2011
Public Hearing Draft**

Aesthetic Appeal

Meaning a regard for outward appearance and good taste in the matter of the beauty of the neighborhood itself, we do not observe any substantial reason for any saying that such consideration is not a matter of general welfare. The beauty of a residence neighborhood is for the comfort and happiness of the residents, and it sustains the value of the property in the neighborhood."

Airport

Means the Newark-Heath Airport and includes any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie down areas, hangars and other necessary buildings, and open spaces. (See Section 1402.)

Airport Hazard

Any structure or tree or use of land that would exceed the federal obstruction standards and that obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to such landing or taking off of aircraft.

Alley

(See *Thoroughfare*)

Alteration

Any change or rearrangement in the supporting members of an existing structure; enlargement; addition; relocation; repair; remodeling; change in number of living units; development of or change in an open area; development of or change in a sign, by painting or otherwise; or other change in a facility, but excluding painting except as provided above for signs; ordinary maintenance for which no building permit is required; and demolition or removal.

Alter Structure

Any change in or alteration to a structure involving a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, foundations, piles, retaining walls, or similar components.

Animal Grooming Service

Any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health and for which a fee is charged.

Animal Husbandry

The branch of agriculture concerned with the breeding and raising of domesticated animals for hunting or sale. This includes other commonly accepted agriculture practices that require the breeding and raising of domestic animals for meat, egg, and other production requiring the slaughter of the domestic animal.

Animal Shelter

Any premises designated by the county for the purpose of impounding, providing care, veterinary, retrieval and adoption services for the cats and dogs found running at large or otherwise subject to impoundment in accordance with the Ohio Revised Code.

Apartment

A building, or portion thereof, designed for occupancy by three or more families living independently of each other in separate living units. Each living unit contains its' own bathroom, kitchen, one or more bedrooms and living area.

Applicant

One who applies. In regards to this resolution, this shall include the current property owner or his/her legally designated representative. A legally designated representative shall include a person given power of attorney or written permission, which is signed and notarized by a licensed notary.

Appurtenances

The visible, functional or ornamental objects accessory to and part of buildings.

Aquifer

An underground area with particularly large concentrations of groundwater. Most often, aquifers are found in those underground areas of porous rock or sand. Many rural well systems draw from aquifers. For planning purposes, an aquifer is often evaluated on its recharged rate and cleanliness.

Archeological Significance

Importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures, or previous periods of the present culture. Areas, sites or landscape of archaeological significance may include, but are not limited to, aboriginal mounds, forts, earthworks, burial grounds, historic or prehistoric ruins, locations of villages, mine excavations or tailings or other locations.

Architectural Feature

A prominent or significant part or element of a building, structure or site.

Art Gallery

A building, place or area where paintings, sculptures or other works of art are exhibited or sold.

Attenuation

Sound decreases in magnitude (in loudness and decibels db(C) the further it travels from the source. This decrease is called attenuation with distance.

Automobile

A usually four-wheeled self-propelled vehicle designed for carrying 10 passengers or less for the transportation of persons. For the purpose of this resolution, this shall exclude motorcycles, ATVs and the like.

Automobile Dealership/Sales

A retail business primarily housed in a structure and characterized by a mixture of related uses upon a commercial site; however, the principal use of the site shall be the marketing of new or used automobiles, trucks, vans, trailers, recreational vehicles, boats or motorcycles; whether by sale, rent, or lease. Secondary supporting uses may also exist upon the same site, such as maintenance, repair and service areas, parts storage areas, and financial service areas.

Automobile Parts/Supply Retail

The use of any land area for the display and sale of new or used parts for automobiles, panel trucks or vans, trailers, or recreation vehicles.

Automotive Service Station

Buildings and premises where gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail, and where in addition the following services may be rendered and sales made, and no other:

1. Sale and servicing of spark plugs, batteries and distributors and distributor parts;
2. Tire servicing and repair, but not recapping or re-grooving;
3. Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats seat covers, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like;
4. Radiator cleaning and flushing;
5. Greasing and lubrication;
6. Providing and repairing fuel pumps, oil pumps, and lines;
7. Minor servicing and repair of carburetors;
8. Emergency wiring repairs;
9. Adjusting and repairing brakes;
10. Minor motor adjustments not involving removal of the head or crankcase or racing the motor;
11. Sales of cold drinks, packaged foods, tobacco, and similar convenience goods for filling stations customers, as accessory and incidental to principal operation;
12. Provision of road maps and other informational material to customers; and
13. Provision of rest room facilities.

Automobile Storage

An open space either used or required for the standing of motor vehicles held for sale or rental.

**January 26, 2011
Public Hearing Draft**

Automobile Wrecking

The dismantling or wrecking of used motor vehicles, mobile homes, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Automobile Wrecking Yard

An area outside of an enclosed building where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored.

Automobile Repair/Service

The use of a site for the repair of automobiles, noncommercial trucks, motor cycles, motor-homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. This use includes muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities, but excludes dismantling or salvage.

Automobile Sales

Note: See Automobile Dealership/Sales

Automobile Sales Lot

Premise on which new or used passenger automobiles, trailers, mobile homes or trucks in operating condition are displayed in the open for sale or trade.

Attic

The area between roof framing and the ceiling of the rooms below that is not habitable, but may be reached by ladder and used for storage or mechanical equipment. Improvement to habitable status shall make it a story.



Back Fill

Materials used to refill a ditch or excavation, or the process of doing so.

Bakery

A factory for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns, or any other bakery product of which flour or meal is the principal ingredient, but does not include a restaurant or other premises where any such product is made for consumption on the premises or a bake shop.

Bakery Retail

An establishment primarily engaged in the retail sale of baked products for consumption off site. The products may be prepared either on or off site. Such use may include incidental food service.

Bakery Wholesale

A bakery in which there is permitted the production and / or wholesaling of baked goods, but where over-the-counter or other retail dispensing of baked goods shall be prohibited.

Balcony

A platform enclosed by a railing, balustrade, or parapet projecting from the wall of a building for the private use of tenants or for exterior access to the above-grade living units.

Bank

A freestanding building, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds.

Banquet Hall

A facility or hall available for lease by private parties.

Bar

Any place devoted primarily to the selling, serving, or dispensing and drinking of malt, vinous, or other alcoholic beverages, or any place where any sign is exhibited or displayed indicating that alcoholic beverages are obtainable within or thereon, and where such beverages are consumed on the premises. Food service is only incidental to the consumption of beverages.

Barber Shop

Any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

Basement

That portion of a building below the first or ground-floor level and having less than four feet of clearance from its ceiling to the average finished grade of the building perimeter. A basement shall not be considered a story for the purposes of determining building height, except when it is used or suitable for habitation.

Bed and Breakfast

A small, owner-occupied and operated business providing the primary or secondary income to the household. Rooms are rented for compensation for a period not to exceed 20 days. Reservations are made directly with the property owner. Room numbers range from 2 to 20. Inns advertise, appropriate taxes, and post signs. Meals may be served to guest of the Inn, but are not offered or open to the general public. The Inn may host events such as weddings, small business meetings, etc. For the purpose of this resolution, Bed and Breakfast shall be considered a home occupation and require the appropriate permits to do so.

Bedroom

That portion of a dwelling unit designed to be suitable for sleeping purposes, which contains one or more closets, may have direct access to a bathroom, and meets building code requirements. May include dens, study, loft or the like.

Beginning of Construction

The incorporation of labor and material within the walls of the building or buildings; the incorporation of labor and materials at the site, lot or parcel where a building is to be constructed; the incorporation of labor and materials where land is to be used for purposes other than construction of a building.

Billboard

A large, standardized third-party / off-premise structure displaying advertising intended for viewing from extended distances, generally more than 50 feet. Billboard / outdoor advertising displays include, but are not limited to, bulletins, wall murals, wrapped posters, 30-sheet posters, and eight-sheet posters.

Blood Relative

For the purposes of this ordinance, a blood relative(s) shall be the great grandparents, grandparents, parents, children, brothers, sisters and their spouses and the parents-in-law of the owner/occupant of the principal structure

Breezeway

A roofed open passage connecting two or more buildings.

Bowling Alley

An establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment and playing area.

**January 26, 2011
Public Hearing Draft**

Bookstore

A retail establishment that, as its primary business, engages in the sale, rental, or other charge-for-use of books, magazines, newspapers, greeting cards, postcards, videotapes, computer software, and/or any other printed or electronically conveyed information or media, excluding any adult themed printings or media as included in (*Section 926 herein*).

Body Piercing

The act of penetrating the skin to make, generally permanent in nature, a hole, mark, or scar. Body piercing does not include the use of a mechanized, pre-sterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

Buffer

A strip of land, fence, or border of trees, etc., between one use and another, which may or may not have trees and shrubs planted for screening purposes, designed to set apart one use area from another. An appropriate buffer may vary depending on uses, districts, size, etc., shall be determined by the appropriate local board.

Buffer, Riparian

A naturally vegetated area located adjacent to streams and rivers that are intended to stabilize banks and limit erosion.

Buffer Strip

A portion of a lot or a land area used to visually separate one use from another through the use of vegetation, screening and distance; to shield or obstruct noise illumination, visual, or other incompatibilities or nuisances. A buffer is measured from the common property line of the different uses.

Buffer Yard

A unit of land, together with a specified type and amount of planting thereon, and any structures, which may be required between land uses to eliminate or minimize conflicts between them.

Buildable Area

The land remaining on the lot upon which the primary and accessory structures may be located after minimum Township Zoning requirements as well as County health and subdivision requirements for right-of-ways, yards, setbacks, easements, leach beds, etc. have been met.

**January 26, 2011
Public Hearing Draft**

Building

Any structure designed or intended for the support, enclosure, shelter, and protection of persons, animals, chattels, or property.

Building Frontage

That portion of the building that faces the road upon which the address for the parcel is assigned.

Building Site / Buildable Lot

A lot or parcel of land, in single or joint ownership, and occupied or to be occupied by a main building and accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required by the terms of this title and having its principle frontage on a street, road, highway, or waterway.

Land occupied or intended to be occupied by a building or interrelated buildings, together with all open space required by this title, which is located on a lot that has been lawfully created and meets all criteria of the city for the intended use.

Building Height

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

Building Line

(See setback line.)

Building Permit

Approval in the form of a building permit is required by Licking County in accordance with Council of American Building Officials (CABO) Ohio's residential building code for one and two family dwellings or any legally adopted building code and amendments thereto. Using application forms furnished by the code administering office, a permit shall be obtained before beginning work on the construction, prefabrication, use, or occupancy of new occupiable spaces. The enclosure of a space where either a foundation or a roof existed as of June 1, 1993 is not regulated by code. When any owner or contractor has begun construction on a project without first obtaining the necessary permits, the building official shall conduct an investigation to determine whether all work performed prior to the subsequent issuance of the permit conforms to all building code provisions.

Building Principal

A building, which is conducted the main or primary use of the lot on which said building is situated. *(See Principal Structure)*

**January 26, 2011
Public Hearing Draft**

Building, Residential

Residential building shall mean any one family dwelling or portion thereof, which is used, designed, or intended to be used for human habitation; living, sleeping, cooking, or eating purposes, or any combination thereof, and shall include structures accessory thereto.

Business

The lawful commercial endeavor to engage in the manufacturing, purchase, sale, lease or exchange of goods and/or provision of services.

Business, Convenience

Commercial uses catering primarily to passing traffic, which originates outside of the surrounding neighborhood. Such uses generally require location on or near major thoroughfares and/or their intersections.

Business, General

Commercial uses which generally require location on or near major thoroughfares and/or their intersections, and which tend, in addition to serving day-to-day needs of the community, also supply the more durable and permanent needs of the whole community. General business uses include, but need not be limited to, such activities as supermarkets, stores that sell hardware, apparel, foot-ware, appliances, and furniture.

Business, Interstate

Commercial uses, which generally require locations near major thoroughfares and /or their intersections, and tend to serve the motoring public. Interstate business uses include, but not be limited to such activities as filling stations, truck and auto sales and services, restaurants and motels and commercial recreation. *Interstate 70 (I-70) is the Interstate traversing Union Township.*

Business Local

Commercial establishments, which cater to and be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. To prevent congestion, uses include, but need not be limited to drugstores, stores that sell clothing, beauty salons, barber shops, carry outs, dry cleaning and laundry pickup facilities, and grocery stores, if they are less than 3,000 square feet in floor area. Use in this classification tends to serve a day-to-day need in the neighborhood.

**January 26, 2011
Public Hearing Draft**

Business, Office

Quasi-commercial uses, which may often be transitional between retail business an/or manufacturing, and residential uses. Office business generally accommodates such occupations as administrative, executive, professional, accounting, writing, clerical, stenographic, and drafting. Institutional offices or a charitable, philanthropic, or religious or educational nature are also included in this classification.

Business, Service

Any profit making activity, which renders services primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes and business.

Business Wholesale

Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

BZA

Board of Zoning Appeals of Union Township

Bulk Materials

Solid matter such as powder, grain, stone, sand, etc., that is not packaged.

Bulk Sales

The sale of bulk materials.

By-Laws

Rules adopted by a board, which govern its procedures.



CABO

Council of American Building Officials. Building codes for one, two and three family dwellings.

Caliper

A horticultural method of measuring the diameter of nursery stock. For trees less than four inches in diameter, the measurement should be taken at six inches above ground level. For trees greater than four inches in diameter up to and including 12 inches, the caliper measurement must be taken at 12 inches above the ground level. For trees greater than 12 inches in diameter, the trunk is measured at breast height (diameter at breast height or DBH), which is 4.5 feet above the ground.

Camp/Campground/RV Park

A parcel of land used and maintained for individuals who provide their own sleeping facilities such as travel trailers, campers, or tents but such individuals are provided with sanitary and waste disposal facilities, and a campsite, for a short-term length of stay not to exceed thirty (30) consecutive days in length. The length of stay includes the individual and their travel trailer, camper, or tent; no permanent year round camping is permitted; no mobile homes or manufactured homes are permitted. A single accessory structure may be established to house registration office, showering and restroom facilities, laundry facilities, and a camp store serving those who are registered guest of the site. No storage or vehicles, travel trailers, campers or tents shall be allowed.

Canopy

A roof construction or cantilevered roof, free of enclosing walls, over an entrance to a building or a gasoline pump island.

Canopy Building

A rigid multisided structure covered with fabric, metal, or other material, and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. Any structure that extends above any adjacent parapet or roof of supporting building is not included within the definition of building canopy.

Canopy-Tarp (Tarpaulin)

A piece of material (including but not limited to durable plastic, or Nylon) used for protecting exposed objects or areas. Usually a tarp is affixed to an object by tie downs or other non-permanent means.

**January 26, 2011
Public Hearing Draft**

Capacity

The maximum lawful level of designed use of any structure, or part thereof, as determined by the city's adopted building code and expressed in terms of occupants, seats, persons, employees, or other units specified by the building code.

Car Shelter

An accessory structure made of canvas, aluminum, or similar materials, or any combination thereof, on movable framing for the shade and shelter of one or two private passenger vehicles.

Car Wash

The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

A building or portion thereof containing facilities for washing more than two automobiles, using production line methods. The use of personnel for one or more phases of this operation in conjunction with or without complete automatic or mechanical devices does not alter its classification. For the purpose of this ordinance, coin-operated devices operated on a self-service basis shall be construed to be the same.

Car Wash Industrial

Mechanical facilities for the washing, waxing, and vacuuming of automobiles, heavy trucks, and buses.

Car Wash Self-Serve

A car wash wherein the customer provides labor and where no self-propelled wash racks are provided.

Cartage/Transport Depot

A building, structure or place where trucks or tractor trailers are rented, leased, kept for hire, or stored or parking for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers.

Catering Service

A service providing meals and/or refreshments for public or private entertainment for a fee.

Continuing Care Retirement Community (C.C.R.C)

Provides a comprehensive living arrangement for the elderly which offers at a minimum: independent –living units, board, and a range of health care and social services including access to prescriptions, physician services, rehabilitation services, assisted living and nursing care. The community is owned by a single entity and has obtained necessary licenses and/or certification for specialized services, including, as appropriate, assisted living and nursing care. Lodging, services and a specified amount of nursing care are provided pursuant to an agreement effective for the lifetime of an individual in consideration of the payment of an entrance fee and additional periodic charges.

**January 26, 2011
Public Hearing Draft**

Center Line

As used in this By-Law with reference to a street or highway means a line drawn parallel to and equidistant from the limits of a road allowance as originally laid out prior to any subsequent road widening.

Chain Store

Retail outlets with the same name, selling similar types of merchandise, operating under a common merchandising policy and usually owned or franchised by a single corporate entity.

Cemetery

Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

Certified Survey

A survey, sketch plan, map, or other exhibit containing a written statement regarding accuracy or conformity to specified standards certified and signed by the registered surveyor under whose supervision said survey was prepared.

Certification of Compliance

A certification of compliance for the purpose of this resolution shall mean a document stating that the proposed use, request, plan etc. is in compliance with regulation(s) herein. This certification shall be provided by an accredited, licensed, registered, and/or notarized, representative, agent or professional.

Certificate of Occupancy

A document stating that the proposed structure meets all state and local regulations and is authorized for inhabitation and/or use.

Channel

A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.

Clinic

A medical establishment run by a group of medical specialist providing outpatient care. May include administrative offices, waiting rooms, treatment rooms, laboratories, pharmacies and dispensaries directly associated with the clinic and in accessory thereto, but shall not include accommodation for in-patient care or operating rooms for major surgery.

Circus

A temporary outdoor amusement center, bazaar, or fair, either involving use of special purpose equipment or conducted by professional operators, or both, and where activities include such things as rides, exhibitions, food service, sales, or small-scale games.

Classification

Division of uses or activities into groups or subgroups for regulatory purposes.

Church

A building used for non-profit purposes by a recognized and legally established sect solely for the purpose of worship.

Church - Neighborhood

A church or religious institution with a seating capacity of 600 persons or less in the sanctuary or main activity area.

Church - Community

A church or religious institution with a seating capacity of greater than 600 persons or less in the sanctuary or main activity area.

Church – Mega

A large, specialized type of house of worship that includes such nontraditional accessory uses as schools, daycare, mental health services, social services, retail sales, residential uses, amusement parks, and sports and entertainment facilities, as an integrated part of the development.

Clear Cutting

Removal of an entire stand of trees and shrubs.

Clear Vision Triangle – Sight Triangle

The vision triangle at a street intersection shall be formed horizontally, by measuring 40 feet along the roadway edges or roadway and railroad track edges from the intersection of the roadway edges or roadway edge and railroad track and connecting those points, and vertically by measuring between three feet and 10 feet above grade. The Clear Vision Triangle at driveway and street intersection: Where a driveway enters the street right-of-way, a vision triangle shall be formed horizontally, by measuring

Club

A nonprofit association of persons who are bonafide members paying annual dues, use of premises being restricted to members and their guest. Club shall also mean, where the context requires, premises owned or occupied by members of such association within which the activities of the club are conducted.

Club House

A building to house a club or social organization not conducted for private profit, as documented by state or federal records, and which is not an adjunct to or operated by or in connection with a public tavern, café, or other public place.

Cluster Development

A development design technique that concentrates buildings in specific areas on a site to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features.

Columbarium

A structure designed for the purpose of storing the ashes of human remains that have been cremated.

Commercial Entertainment Facilities

Any profit making activity, which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, cocktail lounges, and similar entertainment activities.

Commercial Vehicle

A motor vehicle used for commercial purposes with or without an attached or permanently attached delivery body and includes vehicles such as catering or canteen trucks, buses, cube vans, tow trucks, tilt and load, dump trucks, tractor trailers, semi-trailers and any vehicle which has an exterior fixture or fixtures for the purposes of carrying equipment, materials, or supplies for commercial purposes.

Communication Service

Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms. Excluded are facilities classified as major utility services or broadcasting or communication towers. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities.

Complete Buffer

Means a combination of landscaping and other buffering materials that provide 100 percent opacity between the ground level and 9 feet above the ground level on a year-round basis to protect the adjoining property owners from noise, glare, dust and visual nuisances.

Compatible

A building, structure, activity or use that blends with, conforms to, or is harmonious with the surrounding ecological, physical, visual or cultural environment.

Comprehensive Development Plan

A plan, or any portion thereof, adopted by Licking County Planning Commission and the legislative authority of Licking County, showing the general location and extent of present and proposed physical facilities including housing, industrial, and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the general goals, objectives, and policies of the community.

Conditional Rezoning

The attachment of special conditions to a rezoning, which are not spelled out in the text of the ordinance.

Conditional Use

A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Township Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule and District Regulations.

Condominium

A building in which each individual unit is held in separate private ownership and all floor space, facilities and outdoor areas used in common by all tenants are owned, administered and maintained by a corporation created pursuant to the provisions of the appropriate statute.

Conditional Use Permit

A permit issued by the Zoning Inspector upon approval by the Township Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

Condominium Commercial

A building, or group of buildings, used for office, businesses, professional services and other commercial enterprise organized, owned and maintained as a condominium.

Construction Field Office

A mobile home, travel trailer, truck trailer, and/or other structure used as an office in conjunction with a construction project. Only one construction or field office shall be allowed per construction site.

Construction Trailer/Mobile Office

A mobile self-contained unit that is affixed to an axle and not placed upon a permanent foundation. A construction trailer/mobile office is utilized as a field office during the construction of a development or other construction activities. A construction trailer/mobile office is a temporary structure utilized for a limited period of time, and removed once a project for which it was utilized is completed or as specified. A construction trailer/mobile office may have finished interiors, restroom facilities, kitchenettes, electric, heating and cooling systems utilized for office space or may be a shell used for the storage of tools and equipment utilized on-site.

Contiguous

Next to, abutting, or touching and having a boundary, or portion thereof, which is common.

Convenience Store

Any retail establishment offering for sale a limited line of groceries and household items intended for the convenience of the neighborhood.

Construction

Any act or process that requires a building permit and that adds an addition onto an existing building or erects a new principal or accessory structure on a lot which is subject to the design standards for the district in which the property is located.

Construction Sales and Service

Establishments or places of business primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, but specifically excluding automobile or equipment supplies otherwise classified herein. Typical uses include building material stores and home supply establishments.

Contractors

General contractors and builders engaged in the construction of buildings, either residences or commercial structures as well as heavy construction contractors engaged in activities such as paving, highway construction, and utility construction.

Corridor – Transportation

A combination of principal transportation routes involving a linear network of one or more highways of four or more lanes, rail lines, or other primary and secondary access facilities, which support a development corridor.

Correctional Facility

The use of land for the confinement or safe custody of persons so confined as the result of legal process and includes attendance centers established for persons sentenced to serve periods of community service.

Country Club

A club with recreation facilities for members, their families and invited guests.

Crawl Space

An enclosed area below the first usable floor of a building, generally less than five feet in height, used for limited access to plumbing and electrical utilities.

Criminal Justice Facility

A facility used primarily for conducting the affairs of the criminal justice system, including federal, state, county, and municipal courts, public safety departments and detention facilities, together with incidental storage and maintenance of necessary vehicles.

Curb

A stone, concrete or other improved boundary, usually marking the edge of the roadway or paved area.



Daycare Home - Adult

A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of a 24 hour day. No more than five unrelated adults are cared for. Said facility is licensed by the State of Ohio, complies with Section 3722 – Adult Care Facilities of the Ohio Revised Code and shall maintain a current valid license. State law requires this to be permitted in any single-family residential district and comply with regulations in the residential district.

Daycare Facility Adult Group Home

A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of a 24 hour day. Said facility is licensed by the State of Ohio, complies with Section 3722 – Adult Care Facilities of the Ohio Revised Code and shall maintain a current valid license. State law requires this to be permitted use in any multi-family residential district excluding planned unit development districts and comply with regulations in the multi-family residential district. Said facilities may be prohibited in any single-family district.

Daycare Facility Child

A facility that provides non-medical care to children under 18 years of age in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. Child day care facility includes day care centers and family day care homes as regulated by Section 5104 – Child Care of the Ohio Revised Code and shall comply with said regulations. Said facility shall be licensed by the State of Ohio and shall maintain a current valid license.

Daycare Home - Child

A dwelling in which, a permanent occupant of the dwelling provides for the care of children. Those receiving care are not all related to the occupant or to each other by blood or marriage and are not the legal wards or foster children of the attendant adults. Those receiving care and who are not dependents of the occupant, do not reside on the site. For the purpose of this resolution, such activities shall meet all requirements for home occupations and the following standards must be met:

1. Said facility qualifies as a Type “B” family daycare home under section 5104 – Child Care of the Ohio Revised Code.
2. The home shall meet all state standards for registration and inspections for providing care and said facility shall be licensed by the State of Ohio and shall maintain a current valid license.
3. The number of persons provided care does not exceed six (6) persons excluding the caregiver and their immediate family living in the household. In addition no more than three children may be under two years of age.

**January 26, 2011
Public Hearing Draft**

State law requires this to be permitted in any single-family residential district and comply with regulations in the residential district.

Data Processing Center

A building or part of a building used for the input, processing and printing of computerized data.

Deck

A structure without a roof, having a foundation to hold it erect, and attached to or abutting one or more walls of a building or constructed separate from a building, with or without direct access to the ground, the floor of which is greater than 12 inches above finished grade, and which is designed and intended for use as a sundeck, but shall not include a landing or a stair.

Deed Restriction

A private legal restriction on the use of land, attached in the deed to a property. A deed restriction is most commonly used in the establishments of a subdivision to restrict the use of all individual lots in the development to a certain type of use. (e.g., single-family dwellings). Usually the community has no control over deed restrictions.

Density

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

1. **Gross Density:** The number of dwelling units per acre of the total land to be developed.
2. **Net Density:** The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Density Bonus

The granting of the allowance of additional density in a development in exchange for the provision by the developer of other desirable amenities from a public perspective.

Design Density Bonus

Means the Township in its discretion may permit the property owner to increase the density if the property owner has substantially exceeded the design criteria of the PUD Text and this resolution.

Developer

A person who is responsible for any undertaking that requires a zoning permit, special-use permit, conditional-use permit or sign permit.

Development

The construction of a new building or other structures on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for a new use. Also means any man-made change improved or unimproved real estate, including but not limited to parking, fences, pools, signs, temporary uses, clearing of land, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Drive in Business

An establishment with facilities for attracting and servicing prospective customers traveling in motor vehicles which are driven onto the site where, such business is carried on, where normally the customer remains in the vehicle for service, but shall not include car washing establishments, drive-through/fast food or drive-in restaurants, drive-in theatres or service stations. May include, but not limited to, drive-in beverage stores or drive-in ATM facilities, and the like.

Driving Range

A public or private area operated for the purpose of developing golfing techniques, including miniature golf courses, but excluding golf courses.

Drug Store

A store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies and nonprescription medicines but where non-medical products are sold as well.

Dumpster

A portable container designed for receiving, transporting, and dumping waste materials. These containers usually have a hooking mechanism that permits it to be raised and dumped into a sanitation truck or raised unto and secured to a sanitation truck to be hauled to an appropriate disposal facility.

Dwelling

A building or part of a building, containing living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy by one or more families.

Dwelling - Towne Home

A building divided vertically into three or more dwelling units, each of which has an independent entrance(s), to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

Dwelling Units

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

Dwelling, Single- Family

A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space.

Dwelling, Two-Family

A dwelling consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling, Multi-Family

A dwelling consisting of three or more dwelling units including condominiums with varying arrangements of entrances and party walls. Multi-family housing may include public housing and industrialized units.

Dwelling, Industrialized Unit

An assembly of materials or products comprising all or part of a total structure which, when constructed, is self-sufficient or substantially self-sufficient and when installed, constitutes a dwelling unit, except for necessary preparations for its placement, and including a modular or sectional unit but not a mobile home.

Dwelling, Rooming-House (Boarding –House, Lodging House, Dormitory)

A dwelling or part thereof, other than a hotel, motel, or restaurant where meals and/or lodging are provided for compensation, for three or more unrelated persons where no cooking or dining facilities are provided in the individual rooms.



Easement

A negotiated interest in the land of another, which allows the easement holder specified, uses or rights without actual ownership of the land.

Education – Private School

Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency. Schools included under this definition include those termed as primary schools, secondary schools, post-secondary schools elementary schools, middle schools, high schools, community college, college, university, trade school, institute, and technical college.

Education – Public School

Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education, which is tax-funded and provides educational services to the general public. Schools included under this definition include those termed as primary schools, secondary schools, post-secondary schools elementary schools, middle schools, high schools, community college, college, or university.

Emergency Vehicle

Any vehicle legitimately participating in an emergency response to include, but not necessarily limited to crash/fire/rescue vehicles, medical services vehicles, or tenant-operated vehicles.

Employee Parking Area

The portion of total required parking at a development used by on-site employees. Unless specified in the city's zoning/building code, employee parking shall be calculated as follows: Commercial: 30 percent (devoted to employees); Office/professional: 85 percent, Industrial/manufacturing: 90 percent.

Entertainment – Commercial Indoor

Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters and concert or music halls. Excludes Sports Stadium Indoor (see definition herein)

Entertainment – Commercial Outdoor

Predominantly small scale (less than 100 people) spectator uses conducted in open or partially enclosed or screened facilities. Typical uses include live entertainment. Excludes Sports Stadium Outdoor (see definition herein)

Entertainment, Live

A musical, theatrical, dance, cabaret, or comedy act performed by one or more persons. Any form of dancing by patrons and guests at an eating or drinking establishment or bar is live entertainment. The term “Live Entertainment” does not include the term “Adult Entertainment” or “Adult Entertainment Facility”.

Environmentally Significant Habitat:

Any area in which plant and/or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. Three elements to determine if an area is significant:

1. The first is whether a habitat or species is rare. Rarity can take several forms, each of which is important. Globally rare but locally abundant, these species suffered severe historical declines in overall abundance and currently are reduced to a small fraction of their original range, but where present may occur in relatively large numbers or cover large local areas. Others are geographically widespread, but occur everywhere in low abundance.
2. The second is whether a habitat or species is especially valuable. Areas may be valuable because of their “special nature,” such as being an unusually pristine example of a habitat type, containing an unusual mix of species, supporting species at the edge of their range, providing linkages between habitats or containing species with extreme variation.
3. Finally, Environmentally Significant habitat is an area that could be easily disturbed or degraded by human activities and developments.

Environmentally Significant Resources

Environmentally significant resources are naturally occurring substances that are considered valuable in their relatively unmodified (natural) form. These may include but are not limited to sources of water, timber, geological formations, mineral deposits, wildlife and the like.

Environmentally Significant Vistas

A range of sight of pleasing scenes such as wooded areas, meadows, streams, lakes, rock outcroppings and other geological features, and the like.

Equipment Sales and Service

Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment, and the rental of mobile homes. Included in this use type is the incidental storage, maintenance, and servicing of such equipment.

Equestrian Center

**January 26, 2011
Public Hearing Draft**

An establishment primarily engaged in the operation of a riding academy or riding stables.

Erect

Erect means build, construct, reconstruct, alter and relocate and without limiting the generality of the foregoing shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

Essential Services

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

Excavation

The mechanical removal of earth material. Any breaking of ground, except common household gardening and ground care.

Extraction

To draw out or forth; hence to derive as if by drawing out; removal of physical matter in a solid, liquid, or gaseous state from its naturally occurring location; the initial step in use of a natural resource; examples include petroleum and natural gas wells, shale and coal mines, gravel pits, timber cutting.



Family

An individual; two or more individuals related by blood, marriage, adoption, guardianship, or duly-authorized custodial relationship; up to five unrelated individuals living as one housekeeping unit.

Farm Implement Dealer Sales

The use of land, building or structures for the repair or sale of agricultural implements directly associated with the operation of a farm.

Farm Market

Markets from which fifty percent (50%) or more of the gross income received from the market is derived from produce raised or grown upon farms owned or operated by the market operation in a normal crop year.

Farm Open Air Market

An establishment or premises where the farm products of a local farming community are sold at retail from uncovered or open air areas designated for individual retailers.

Fee Simple Lots

Is the ownership of lots of record in which fee simple ownership represents absolute ownership of real property but it is limited by the four basic government powers of taxation, eminent domain, police power, and escheat and could also be limited by certain encumbrances or a condition in the deed.

Feed Store

An establishment engaged in retail sale of supplies directly related to the day-to-day activities of agricultural production.

FEMA

Federal Emergency Management Agency.

**January 26, 2011
Public Hearing Draft**

Fence

An enclosure or barrier, such as 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. An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose screen, or separate areas.

Fence Height

The vertical distance measured from the side of the fence that is exterior to the property or from the lowest adjacent ground level to the top of the fence material. In the case of wire fencing, height shall be measured by the width of the material used providing that when installed the material is directly adjacent to the ground level.

Fill

Any material, such as (by way of illustration) earth, clay, sand, concrete, rubble, wood chips, bark, or waste of any kind, that is placed, stored, or dumped upon the surface of the ground resulting in an increase in the natural surface elevation.

Financial Institution

A bank, savings and loan, credit union, mortgage office, or automated teller machine (ATM), Financial institution shall not include a currency exchange.

First Floor

The floor of a building immediately above a cellar or basement, or where no basement or cellar exists, the first floor shall be that floor at or above grade level.

Fitness Center

A building in which facilities are provided for recreational athletic, activities including but not limited to body-building and exercise classes, and shall include associated facilities such as a sauna and solarium.

Flea Market

An outdoor commercial activity, not including shopping centers, individual retail operations, or sales conducted by a non-profit or charitable organization, that is open to the general public and composed of five or more semi-enclosed or outdoor stalls, rooms, stands, or spaces used for the purpose of display and sale, exchange, or barter of merchandise.

Flood Elevation Base

The highest elevation, expressed in feet above sea level, of the level of floodwaters occurring in the regulatory base flood.

Flood Plain

That land, including the flood fringe and the floodway, subject to inundation by the regional flood.

Flood Regional

Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The regional flood generally has an average frequency of the 100-year recurrence interval flood.

Floodway

That portion of the flood plain, including the channel, which is reasonable required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

Floodway Fringe

That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

Floor Area (Residential Structure)

The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.

Floor Area (Non-Residential Structure) *(To be used in calculating parking requirements.)*

The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and fitting rooms, and similar areas.

Floor Area, Useable

Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls.

Food Processing

The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

Foster Home

A private residence in which children are received apart from their parents, guardian, or legal custodian, by an individual reimbursed for providing the children nonsecure care, supervision, or training twenty-four hours a day. "Foster home" does not include care provided for a child in the home of a person other than the child's parent, guardian, or legal custodian while the parent, guardian, or legal custodian is temporarily away. Family foster homes and specialized foster homes are types of foster homes. [O.R.C. 5103.02 (C)]

Foster Home, Family

A foster home that is not a specialized foster home. [O.R.C. 5103.02 (B)]

**January 26, 2011
Public Hearing Draft**

Foster Home, Specialized

A “medically fragile” foster home or a “treatment” foster home. [O.R.C. 5103.02 (F)]

Flying School

A school other than an educational institution where aviation instruction is provided for gain or profit.

Front

That portion of the building that faces the road upon which the address for the parcel is assigned.

Fuel Island Canopy

Means a functional rigid roof like structure that is wholly or partially supported by a building structure and/or columns, braces, or poles extending to the ground. This structure is used exclusively by gas or service stations over gas pump islands.

Funeral Home

A building or part thereof used for human funeral services. Such building may contain space and facilities for (1) embalming and the performance of other services used in the preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns, and other related funeral supplies; (d) the storage of funeral vehicles; and (e) facilities for cremation. Where a funeral home is permitted, a funeral chapel shall also be permitted.



Garden Center

The use of lands, buildings or structures or part thereof for the purpose of buying or selling lawn and garden equipment, furnishings and supplies.

Gas Station

Any lot or parcel of land or portion thereof used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquefied flammable gas, or flammable gas into the fuel tanks of motor vehicles.

Gas Station Mini-Market

A facility associated with the sale of gasoline products, that also offers for sale prepackaged food items and tangible consumer good, primarily for self-service by the consumer. Hot beverages, fountain-type beverages, and pastries may be included in the food items offered for sale, but food items that are prepared or individually proportioned on the premises shall be prohibited.

Gas Pump Island

A structure, which is an accessory use, intended to provide gasoline for vehicles.

Garage, Public

A principal or accessory building other than a private garage, used for parking or temporary storage of passenger automobiles, and in which no service shall be provided for remuneration.

Garage, Service Station

Buildings and premises where gasoline, oil, grease, batteries, tires, and motor vehicle accessories may be supplied and dispensed at retail, and where in addition, the following services may be rendered and sales made:

1. Sales and services of spark plugs, batteries, and distributors, parts.
2. Tire servicing and repair, but not recapping or re-grooving.
3. Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearings, mirrors, and the like.
4. Radiator cleaning and flushing.
5. Washing, polishing, and sale of washing and polishing materials.
6. Grease and lubrication.
7. Providing and repairing fuel pumps, oil pumps, and lines.
8. Minor servicing and repair of carburetors.
9. Adjusting and repairing brakes.

**January 26, 2011
Public Hearing Draft**

10. Minor motor adjustment not involving removal of the head or crankcase or racing the motor.
11. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service station customers, as accessory and incidental to principle operations.
12. Provisions of road maps and other informational material to customers, provision of restroom facilities.
13. Warranty maintenance and safety inspections.

Uses permissible at a garage, service station, do not include major mechanical and body work, straightening of the body parts, painting, welding, storage of autos not in operation condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in filling stations. A garage, service station is not a repair garage, nor a body shop.

Gazebo

A freestanding, roofed accessory structure which is not enclosed, except for screening or glass and which is utilized for the purposes of relaxation in conjunction with a residential dwelling but shall not include any other use or activity otherwise defined or classified in this By-law.

Glare

A sensation of brightness within the visual field that causes annoyance, discomfort or loss in visual performance and visibility.

Golf Course

A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, clubhouse and recreational facilities, accessory driving ranges and miniature golf courses, and similar uses.

Golf - Miniature

A public or private area operated for the purpose of playing golf and may include an accessory office, retail pro shop, restaurant, banquets facilities, lounge, and golf driving range.

Grade

The average level of the finished surface of the ground adjacent to the exterior walls of the building.

Grade – Finished

The final grade of the site that conforms to the approved plan.

Grade Natural

The existing grade or elevation of the ground surface that exists or existed prior to man-made alterations, such as grading, grubbing, filling, or excavating.

Grade Existing

The vertical elevation of the ground surface prior to excavating or filling.

**January 26, 2011
Public Hearing Draft**

Grandfather Clause

A provision exempting persons or other entities already lawfully engaged in an activity from rules or legislation affecting that activity. *See Article-4 Nonconformities.*

Gravel Pit

An open land area where sand, gravel and rock fragments are mined or excavated for sale of off-tract use.

Green House - Personal

Any establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are grown both in open and enclosed buildings.

Green House Commercial

A building used for the growing of plants, all or part of which are sold at retail or wholesale.

Gross Acreage

The total area within a parcel of land.

Gross Project Area

Means all acreage in the proposed development.

Group Home

A residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for at least nine but not more than sixteen mentally retarded or developmentally disabled persons. [O.R.C. 5123.19 (A) (3)]



Habitable

Any room designed and used for living, sleeping, eating, or cooking or combinations thereof. Bathrooms, toilet compartments, closets, halls, storage rooms, unfinished basements, laundry and utility rooms, garages, and similar areas are not to be considered habitable.

Hazardous Waste

Any waste, or combination waster, which because of quantity, concentration, physical, or chemical, characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored transported, disposed of, or otherwise managed.

Hazardous Material

Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. The term includes, but is not limited to, hazardous substances and hazardous wastes.

Health Club

A facility where members or non-members use equipment or space for the purpose of physical exercise.

Heavy Equipment

A movable or transportable vehicle or other apparatus commonly used in commercial, industrial, or construction enterprises, such as, but not limited to, trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, lifts, having a gross weight of 2.5 tons or more.

Height – Airport Hazard Zone

For the purpose of determining the height limits in all zones set forth in the Airport Hazard Zone Overlay District within this Resolution and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Height - Structure

In regards to structures, the vertical height from the finished grade at the front of the building and,

1. in the case of a flat roof, the highest point of the roof surface or the parapet, whichever is greater;
2. in the case of a mansard roof, the deck roof line, and;
3. in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, exclusive of any accessory roof construction such as a chimney, tower, steeple, television antenna, or elevator shaft.

Highway Business/Interstate Business

A use dependent upon both a large flow of traffic and convenient access. It includes such uses as motels, restaurants, automobile service stations, and produce stands.

Home Improvement Center

A facility of more than 30,000 square feet gross floor area, engaged in the retail sale of various basic hardware lines, such as tools, builders hardware, paint and glass, house wares and household appliances, garden supplies, and cutlery.

Home Occupations – Principal Structure

An occupation conducted in a dwelling unit, provided that:

1. No more than one person other than members of the family residing on the premises shall be engaged in such occupation.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of floor area of the dwelling unit shall be used in the conduct of the home occupation.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
4. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution, and shall not be located in a required front yard.
5. 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, if the occupation is conducted in a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
6. No home occupation – accessory structure is conducted upon the lot.

Home Occupations – Accessory Structure

An occupation conducted in an accessory structure to a principal structure, provided that:

1. No more than one person other than members of the family residing on the premises shall be engaged in such occupation.
2. The use of the accessory structure unit for the home occupation shall be clearly incidental and subordinate to the use of the lot for residential purposes by its occupants, and the accessory structure or area of the accessory structure used for the home occupation shall not be more than 25 percent of floor area of the principal structure unit.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
4. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution, and shall not be located in a required front yard.
5. 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, if the occupation is conducted in a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
6. No home occupation – principle structure is conducted upon the lot.

Homeowners Association

An incorporated nonprofit organization operating under recorded land agreements through which; (a) each lot and/or home owner in a planned unit or other described land area is automatically a member (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property; and (C) the charge if unpaid becomes a lien against the property.

Home Site

That portion of any lot or parcel of land covered by any structure including but not limited to septic systems and reserve area, wells, building, pools, and driveways.

Horse Farm

A building or structure and/or land whose operator keeps equines primarily for breeding and boarding and which operation may or may not be incidental to the owner's primary occupation.

Hotel or Motel and Apartment Hotel

A building in which lodging or boarding and lodging are provided an offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined.

**January 26, 2011
Public Hearing Draft**

Humane Society

A private or quasi-public non-profit organization established to provide care, boarding, veterinary and adoption services for abused, neglected, and/or unwanted animals. Said organizations are not in the business of breeding and raising animals for hunting and/or for sale. Said organizations generally have a core goal to provide for and promote awareness and education for the ethical, humane treatment of animals.



Impound Yard

A place to which disabled motor vehicles, and motor vehicles or other mobile equipment impounded for a breach of the law, may be taken or towed and stored temporarily until reclaimed but does not include an automobile service station, gas bar, public garage, junk yard, salvage yard or wrecker's yard.

Improvement(s)

Street pavement or resurfacing, curbs, gutters, sidewalks, water lines, sewer lines, storm drains, street lights, flood control and drainage facilities, utility lines, landscaping, wells, septic systems, turn lanes, and other related matters normally associated with the development of raw land into building sites.

Indoor Concert Venue

A commercial structure primarily designed for indoor music and dance concerts. Said structure is completely enclosed and may have areas for concessions and souvenirs, but does not include accessory offices, residences, or retail facilities.

Industry

A use providing for the co-generation, manufacturing, processing, assembling, fabricating, testing, servicing, repair, storing, transporting, warehousing, or distributing of goods or materials or things with or without an office to administer the industrial use on the lot, and includes wholesaling provided that the merchandise being sold is distributed from the lot, but excludes the processing of fish, live animals, live poultry or other fowl.

Industrial Park

A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors. Special attention is given to on-site vehicular circulation, parking, utility needs, building design, orientation, and open space. Industrial parks may be promoted or sponsored by private developers, community organizations, or government organizations.

Industrialized Unit

Means a building unit or assembly of closed construction that is fabricated in an off-site facility, that is substantially self-sufficient as a unit or a part of a greater structure, and that requires transportation to the site of intended use. Industrialized unit includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. Industrialized unit does not include a manufactured home as defined within this resolution.

Inter-modal Facility

A facility designed to allow for the linkages, interactions and movement of goods between various modes of transportation. This may include the transfer of goods from rail to semi-trucks and the like or vise-versa.

Island - Parking

An island in parking lot design, are built-up structures, usually curbed, placed at the end of parking rows as a guide to traffic and also used for landscaping, signing or lighting.

Institution

Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling, or other correctional services.



Junk

Old and dilapidated modes of conveyance such as automobiles, trucks, tractors, watercraft, and other such vehicles and parts thereof; wagons and other kinds of vehicles and parts thereof; household appliances, scrap building material, scrap contractors' equipment, tanks, casks, cans barrels, boxes, drums, piping, bottles, glass, old iron machinery, rags, paper, excelsior, hair, mattresses, beds, and bedding or any other kind of scrap or waste material which is stored, kept, handles or displayed.

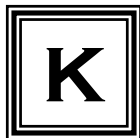
Junk Yards

Junk Buildings, Junk Shops, Junk Yards

Any land, property, structure, building or combination of the same, on which junk is stored or processed.

Junk Car

An automobile, truck or other motor vehicle which has been damaged to such an extent that it cannot be operated under its own power and will require major repairs before being made usable or such a vehicle which does not comply with State, County or Village laws or ordinances.



Kennel, Agriculture

Any building, structure, including the surrounding fenced land, used by a person, partnership, firm, company, or corporation professionally engaged primarily in the business of breeding dogs for hunting or for sale. There shall be no boarding, training, housing, or grooming services provided to the general public. These services may only be provided for those animals involved in the breeding business.

Kennel, Commercial

Any building or structure, including the surrounding fenced land, used for the care and board of five or more domesticated dogs or cats more than four months of age which is open to the public for let, hire, board, training, housing, grooming, or other use on a commercial basis and for compensation. The function of the business is not the breeding of dogs or cats.



Lake

Natural or man-made bodies of water greater than two acres in area.

Land Use

The occupation or use of land or water area for any human activity or any purpose.

Land Fill

A disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

Landscape

Plant materials, topography, and other natural physical elements combined in relation to one another and to man-made structures.

Landscaping Plan

A plan, drawn to scale, showing dimensions and details for revegetating an area 2,500 square feet or greater in size and at least 35 feet wide, including maintenance and protection measures.

Laundromat

A facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

L.C.P.C

Licking County Planning Commission

Library

A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

Lighting

Unit of luminous intensity.

Lighting – Artificial

Any fixed source of light emanating from a manmade device, including but not limited to, incandescent mercury vapor, metal halide, or sodium lamps, spotlights, street lights, construction or security lights.

Lighting – Neon

Outline lighting formed in whole or part with neon.

Lighting – Outline

An arrangement of incandescent lamps or electric discharge tubing that outlines or calls attention to certain features of a building, such as its shape or the decoration of a window.

Line of Sight

A visual path emanating from an average eye level to a specified distance.

Living Space

One or more rooms in a building designed for occupancy by one or more persons for living or sleeping quarters.

Livestock

Poultry, cattle, hogs, horses, mink, rabbits, sheep, goats or any other domestic animal used for consumption.

Livestock Facility

Livestock barns where animals or poultry are housed, including beef feedlots and the associated manure storage.

Loading space, Off-Street

Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

Lot

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

1. A single lot of record.
2. A portion of a lot of record.
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record.

Lot Coverage

The ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

**January 26, 2011
Public Hearing Draft**

Lot - Depth

The average horizontal distance between the front and rear lot lines.

Lot Frontage

The front of a lot shall be construed to be the portion along the road right-of-way line of a constructed and dedicated public road. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to the public road right-of-way line of the constructed and dedicated public roads shall be considered frontage, and yards shall be provided as indicated under "Yards" in this section. Where no road right-of-way is established this shall be established at a distance of thirty (30) feet from the centerline of the constructed and dedicated public road.

Lot – Width

The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the road right-of-way line of a constructed and dedicated public road and shall be maintained throughout the lot. Where no road right-of-way is established this shall be established at a distance of thirty (30) feet from the centerline of the constructed and dedicated public road.

Lot – Line

Any boundary of a lot.

Lot, Minimum Area of

The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street.

Lot Measurements

A lot shall be measured as follows

1. Depth: The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rearmost points of the side lot lines in the rear.
2. Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the road right-of-way line of a constructed and dedicated public road and shall be maintained throughout the lot. Where no road right-of-way is established this shall be established at a distance of thirty (30) feet from the centerline of the constructed and dedicated public road.

Lot of Record

A lot, which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

**January 26, 2011
Public Hearing Draft**

Lot – Rear

The lot line or point of intersection of the side lot lines farthest from and opposite the front lot line.

Lot Types

Terminology used in this resolution with reference to corner lots, interior lots and through lots is as follows:

1. Corner Lot: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight line drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.
2. Interior Lot: A lot with only one frontage on a street.
3. Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
4. Reversed Frontage Lot: A lot which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Lumber Yard

An area used for the storage, distribution, and sale of finished or rough-cut lumber and lumber products, but not including the manufacture or fabrication of lumber, lumber products, or firewood.



Maintenance

In reference to a graphic, cleaning, painting, repair, or replacement of defective parts in a manner that does not alter the basic copy, design, or structure

Maintenance and Storage Facilities

Land, building, and structures devoted primarily to the maintenance and storage of construction equipment and material.

Major Thoroughfare Plan

The portion of comprehensive plan adopted by the Regional Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the appropriate jurisdiction.

Major Wooded Areas

An area with extensive, prominent, and/or significant tree stands and associated undergrowth of plants covering a piece of ground. A major wooded area will consist of trees of six (6) inches in diameter as measured twenty-four (24) inches above the ground level.

Manufactured Home

Means a building unit or assembly of closed construction fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the secretary of housing and urban development pursuant to the "Manufactured Housing and Safety Standards Act of 1974, 88 Stat. 700, 42 W.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.

Manufactured Home Park

Means any tract of land upon which three or more manufactured or mobile homes used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. Manufactured Home Park does not include any of the following:

1. A tract of land used solely for the storage or display for sale of manufactured or mobile homes or solely as a temporary park-camp;
2. A tract of land that is subdivided and the individual lots are for sale or sold for the purpose of installation of manufactured or mobile homes used for habitation and the roadways are dedicated to the local government authority;

**January 26, 2011
Public Hearing Draft**

3. A tract of land within an area that is subject to local zoning authority and subdivision requirements and is subdivided, and the individual lots are for sale or sold for the purpose of installation of manufactured or mobile homes for habitation.

Manufactured Home, Permanently Sited

Means a manufactured home that meets all of the following criteria:

1. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
2. The structure, excluding any addition, has a width of at least twenty-two (22) feet at one point, a length of at least twenty-two (22) feet at one point, and a total living area, excluding garages, porches, or attachments, of at least nine hundred square feet;
3. The structure has a minimum of 3:12 residential roof pitch, conventional residential siding, and a six inch minimum eave overhang, including appropriate guttering;
4. The structure was manufactured after January 1, 1995;
5. The structure is not located in a manufactured home park as defined within this resolution.

Manufacturing

The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

Manufacturing – Light

The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing.

Manufacturing – Heavy

The manufacture or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.

Mausoleum

A building containing above ground tombs.

Market, Open Air

A lot where goods, wares, merchandise or any substance, article thing is offered, kept or stored for retail sale but does not include any retail outlet otherwise classified or defined in this By-law.

**January 26, 2011
Public Hearing Draft**

Medical Clinic

A building or structure where two or more members of the medical profession, dentists, chiropractors, osteopaths and physicians or occupational therapists provide diagnosis and treatment to the general public without overnight accommodation and shall include such uses a reception areas, offices, coffee shop, consultation rooms, x-ray and minor operating rooms and a dispensary, providing that all such uses have access only from the interior of the building or structure.

Meeting Hall

A building designed for public assembly, containing at least one room having an area equivalent for four square feet per dwelling unit or 2,400 gross square feet, whichever is greater.

Mine

The act of removing minerals and ores.

Mining

All or any part of the process involved in the mining of minerals by removing overburden and mining directly from the mineral deposits, open pit mining or minerals naturally exposed, mining by auger method, dredging and quarrying, underground mining and surface work incidental to an underground mine.

Minerals

Gravel, sand, and metallic and nonmetallic substances of commercial value.

Miniature Golf

An area of land or a building, structure or premises or part thereof operated for profit or gain as a commercial place of amusement in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a golf ball driving range.

Minutes

The chronological record of the proceedings of a public body.

Missile

An object blown or carried by wind at a high speed, and capable of penetrating a solid object, and potentially creating a life-threatening situation.

Mortuary

An establishment providing services such as preparing the human dead for burial and arranging and managing funerals, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbarium's.

Mobile Home

Means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length or, when erected on site, is three hundred

**January 26, 2011
Public Hearing Draft**

twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined in division (C)(4) of section 3781.06 of the Revised Code or as an industrialized unit as defined in division (C)(3) of section 3781.06 of the Revised Code.

Mobile Home Park

Any site, or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes, including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park.

Morgue

A place for the storage of human bodies prior to autopsy, burial or release to survivors.

Motor vehicle

Means any truck or tractor, including any other self-propelled or motor driven vehicle, that is operated upon any public highway of this state for the purpose of transporting property or passengers for hire

Motor Vehicle Body Shop

Any building or portion thereof used for the repair or straightening of a motor vehicle body or frame or painting of motor vehicles. Maintenance, service, and engine repair may be performed as an ancillary function of the bodywork.

Motor Vehicle Dealership

A building or structure where a franchised dealer displays motor vehicles for sale or rent and in conjunction with which there may be used motor vehicle sales or rentals, a motor vehicle repair garage, a motor vehicle repair garage, a motor vehicle service station, a motor vehicle gasoline bar or a motor vehicle body shop.

Motor Vehicle General Repair and Service

The business of repairing, overhauling, removing, adjusting, replacing, assembling, or disassembling parts of any motor vehicle.

Motor Vehicle Racing Track

A paved roadway used primarily for the sport of automobile racing. Said facilities may include seating, concession areas, suites, parking facilities, and any facility used for driving automobiles under simulated racing or driving conditions (test tract, shakedown tracks, or other similar facilities), but does not include accessory offices, residences, or retail facilities.



Name Plate

A sign indicating the name and address of a building, or the name of an occupant thereof and the practice of a permitted occupation therein.

Natural Buffer

An area of land set aside for preservation in its natural vegetative state. No removal of plants is permitted with the exception of poisonous or non-native plant species. In addition, no full/cutting activities or storage of materials is permitted in these areas. No impervious surfaces are permitted.

Natural Drainage

Channels formed in the existing surface topography of the earth prior to changes made by unnatural causes.

Natural State

Natural state comprises of all living and non-living things that occur naturally on Earth. In it's purest sense, it is an environment that is not the result of human activity or intervention. It is for the purpose of this definition realized that nearly all environments have been directly or indirectly influenced by humans at some point in time. Therefore, some level of human influence is thus allowable without the status of any particular landscape ceasing to be considered to be in a natural state. Therefore, natural state shall include the purest definition and those areas consisting of unmanaged wooded areas, uncultivated grasslands, wildlife, and wildflowers. This may include areas that have been reclaimed or converted from agricultural lands or the built environment back to a natural state.

Net Developable Area

The land within a subdivision excluding 15% of the subdivisions gross acreage for streets and utilities, jurisdictional wetlands, areas within the 100-year floodplain, areas with 15% or greater slopes and existing utility easements and/or right-of-ways.

Night Club

A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing and musical entertainment are permitted.

Noise

The intensity, duration, and character of sound from any and all sources.

Nursery - Plant Materials

Land, building, structure, or combination thereof for the storage, cultivation, transplanting or live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.

Nursing Home

A home licensed by the state for the aged or chronically or incurably ill persons in which five or more such persons not of the immediate family are provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.



Occupancy

The use of land, buildings or structures. Change of occupancy is not intended to include change of tenants or proprietors.

Occupant

Tenant or person in actual possession.

Odor

Stimulus affecting the olfactory nerves.

Off Site

Outside the limits of the area encompassed by the tract area or the parcel of record on which the activity is conducted.

Office

A room or group of rooms used for conducting the affairs of a business, profession, service industry, or government. Administrative, executive, professional, research, or similar organizations, and laboratories having only limited contact with public, provided that no merchandise or merchandising services are sold on the premises, except such as are incidental or accessory to the principal permissible use.

Occupied Area

The total of the areas of all buildings on the lot. The area of each building is the area of a horizontal section of such building on any floor at or above ground level taken at its greatest outside dimensions, including all structures, except fences.

On-Sight

Within the limits of the area encompassed by the tract area or parcel of record on which the activity is conducted.

On-Site Walkabout

The physical review of the entire proposed project site by the developer, agents of the developer, township officials and other government agencies to familiarize themselves with the site, location of features on a site plan in relation with the actual physical environment and the surrounding neighborhood.

Out Building

A separate accessory building or structure not physically connected to the principal building.

Outdoor Advertising Display

An area set aside outside of a building or structure, used in conjunction with a business located within the building or structure on the same property, for the display or sale of seasonal produce, new merchandise or the supply of services.

Outdoor Concert Facilities

A facility, including performance areas, seating, concessions, restroom facilities, and parking for the public performance of music and/or dancing in an outdoor venue.

Outdoor Retail Warehouse

A defined, outside area where goods, wares, merchandise, substances, articles, or things are offered or kept for sale at retail. Every outdoor retail area shall be enclosed within a solid board fence.

Overlay Zone

Zoning districts that extend on top of more than one base zoning district and are intended to protect certain critical features and resources. Where the standards of the overlay and base zoning district are different, the more restrictive standards shall apply.

Owner

A mortgagee, lessee, tenant, occupant, or a person entitled to a limited estate or interest in land, a trustee in whom the land is vested, a committee of the estate of a mentally incompetent person, executor, an administrator or a guardian.

Opacity

An imaginary vertical plane extending from the established grade to a required height of which a required percent of the vertical plane shall be visually screened from adjacent property use.

Open Space

An area that is intended to provide light and air. Open space may include, but is not limited to, meadows, wooded areas, and water-bodies.



Parcel

A piece of land created by a partition, subdivision, deed, or other instrument recorded with the appropriate recorder. This includes a lot, a lot of record, or a piece of land created through other methods.

Park

An area consisting largely of open space, which may include a recreational area, play ground, playfield or similar use but shall not include a mobile home park, a campground or trailer park.

Parking Lot

An open, hard-surfaced area, other than street or public way, to be used for the storage, for limited periods of time, of operable passenger automobiles and commercial vehicles, and available to the public, whether for compensation, free, or as an accommodation to clients or customers.

Parking Space, Off-Street

For the purpose of this resolution, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Paved

Use of blacktop, asphalt, concrete or other similar substance to create a smooth surface, including bituminous penetration, but not the use of dirt, clay, slag or stone.

Pasture

A fenced grazing area.

Performance Bond or Surety Bond

An agreement by a sub-divider or developer with county for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the sub-divider's agreement.

Permanently Sited Manufactured Home

(See Manufactured Home, Permanently Sited)

**January 26, 2011
Public Hearing Draft**

Permitted Use

A use by right, which is specifically authorized in a particular zoning district.

Permit

A document issued by the proper authority authorizing the applicant to undertake certain activities.

Perpetuity

The quality or condition of being perpetual, time without end, eternity

Personal Services

Any enterprise conducted for gain, which primarily offers services to the general public such as shoe repair, watch repair, barbershops, beauty parlors, and similar activities

Plat

A map or plan representing a tract of land, that is planned and developed as a single project; Showing the location and boundaries of the development and the location and boundaries of individual properties, streets, and easements within the development. This document is prepared by a registered surveyor or engineer in compliance with the local land development regulations which, when approved by the County is recorded.

Planning Commission, Licking County

LCPC

Playground

An area of landscaped open space equipped with children's equipment such as slides, swings or wading pools.

Political Sign

Any sign erected for the purpose of advertising a candidate for public office or when stating a position on a public issue on which an election or referendum is pending with respect to a particular campaign.

Pole Barn

A typically metal clad structure most often utilizing wooden poles and trusses for support with unfinished, insulated interiors. Such structures are normally used for agricultural purposes, for construction trade storage, or for general storage and not intended for human habitation.

Print Shop Establishment

An establishment used for blueprinting, engraving, stereotyping, electro-typing, printing or typesetting, and shall include a duplicating shop and a letter-shop.

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.

**January 26, 2011
Public Hearing Draft**

Pond

Natural or man-made bodies of water two acres or less in area.

Premises

A building lot with the required front, side and rear yards for a dwelling.

Private

Belonging to, or restricted for the use or enjoyment of particular persons.

Private Club

A building or part of a building use exclusively by the members and guests of a club for social, recreational or athletic activities.

Professional Activities

The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, and engineers, and similar professions.

Prominent Hilltops and Ridges

Those areas, which extend above the average topography of an area and are noticeable from a regional area and/or are a focal point from a roadway or other community areas.

Property Line

(See lot line)

Public Building

Any building held, used, or controlled exclusively for public purposes by any department or branch of government, state, county, or municipal, without reference to the ownership of the building or of the realty upon which it is situated. A building belonging to or used by the public for the transaction of public or quasi-public business.

Public Meeting

An informal meeting, hearing, workshop, or the public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the local government's decision. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the county's project permit application file.

Public Service Facility

The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water, and sewage services.

**January 26, 2011
Public Hearing Draft**

Public Uses

Public parks, schools, administrative and cultural buildings and structures, not including public land or building devoted solely to the storage and maintenance or equipment and materials and public service facilities.

Public Utility

Means, every corporation, company, co-partnership, person, or association, their lessees, trustees, or receivers, defined in section 4905.03 (*See Appendix #*) of the Ohio Revised Code, including all public utilities that operate their utilities not for profit, except the following:

1. Electric light companies that operate their utilities not for profit;
2. Public utilities, other than telephone companies, that are owned and operated exclusively by and solely for the utilities' customers, including any consumer or group of consumers purchasing, delivering, storing, or transporting, or seeking to purchase, deliver, store or transport, natural gas exclusively by and solely for the consumer's or consumers' own intended use as the end user or end users and not for profit;
3. Public utilities owned or operated by any municipal corporation;
4. Railroads as defined in sections 4907.02 and 4907.03 of the Revised Code.

Public Way

An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, bicycle path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.



Quasi- Judicial

The act of; and having a resemblance to; a judge and proceedings in a court of law.

Quasipublic Use

Churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

Quarry

An open pit from which building stone, sand, gravel, mineral, or fill is taken to be processed for commercial purposes.

Quorum

The minimum number of members who must be present at an assembly before it can validly transact business. For the purpose of this resolution, three members of the Board of Zoning Appeals or Zoning Commission shall be necessary to constitute a quorum to conduct business, and two members of the Board of Township Trustees.



Recreation – Active

Leisure activities usually performed with others, often requiring equipment and taking place at prescribed places, sites, or fields. The term active recreation includes, but is not limited to, swimming, tennis, and other court games, baseball and other field sports, golf and playground activities.

Recreation Camp

An area of land on which two or more travel trailers, campers, tents, or similar temporary recreation structures are regularly accommodated with or without charge, including any building, structure or fixture of equipment that is used or intended to be used in connection with providing such accommodations.

Recreation Facilities

Public or private facilities that may be classified as either “passive” or “active” depending upon the scope of services offered and the extent of use. Passive recreation facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing, and riding clubs and parks, active recreation facilities generally require less land and include, but need not be limited to, ball diamonds, tennis courts, swimming pools and the like.

Recreation – Passive

Recreational activities that generally do not require a developed site. This generally includes such activities as hiking, horseback riding, and picnicking.

Research Activities

Research, testing, and related facilities including operation of prototype, pilot plant or semi-works processes which are no larger than normal version of process, exposure of product to weather and all other tests relating to code and other product performance requirements, and fabrication or assembly operations which process materials or equipment for market development and other uses, provided that such operations shall be conducted within a building or be visually screened or located more than 200 feet from adjacent property lines, and, provided further, that the same do not violate the provisions of Sections 1016 through 1024, inclusive.

RV Park

Any lot or parcel of land used or intended to be used for the accommodation of two or more recreational vehicles for transient dwelling purposes.

Regulation

A rule or order prescribed for managing government.

Relocation

Any repositioning of a building on its site or moving it to another site.

Research Laboratory

An administrative, engineering, scientific research, design, or experimentation facility; Includes research on such things as electronic components, optical equipment, etc., but not research requiring the use of animal husbandry (including dogs, poultry, rodents, or monkeys), heavy equipment (such as construction equipment) , shall be within an enclosed structure, and shall be free of dust, smoke, fumes, odors, or unusual vibrations or noise. The waste of such facilities shall meet the requirements of the appropriate health authority.

Residence

A place where a person resides; particularly a house.

Residential

Land designated in the city or county general plan and zoning ordinance for buildings consisting only of dwelling units. May be improved, vacant, or unimproved.

Restaurant

A structure in which the principal use is the preparation and sale of food and beverages.

Restaurant – Carry Out

A restaurant where food, frozen dessert, or beverages are primarily sold in a packaged, ready-to-consume state, intended for ready consumption by the customer on or off the premises.

Restaurant – Cafeteria

An establishment maintained, operated, and /or advertised or held out to the public as a place where patrons serve themselves at a counter during stated business hours, the patrons take the food and beverages which are served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside a building at tables, booths or counters, with chairs, benches or stools. Said establishment shall not exceed 2000 square feet and shall not include any drive in or drive thru service.

Restaurant – Drive In

A building where food and drink are served to the public and at which parking facilities are provided for customers to eat in their automobiles.

Restaurant – Drive Through/Fast Food

An establishment engaged primarily in the business of preparing food and purveying it on a self-serve or semi self-serve basis. Customer orders and/or service may be by means of a walk-up counter or window designed to accommodate automobile traffic. Consumption may be either on or off the premises.

Restaurant – Entertainment

An establishment where food and drink are prepared, served, and consumed, within a structure that includes, as an integral component of the facility, electronic or mechanical games of skill, simulation, and virtual reality, play areas, video arcades, or similar uses, billiards, and other forms of amusement.

Restaurant – Sit Down

An establishment maintained, operated, and /or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside a building at tables, booths or counters, with chairs, benches or stools. Said establishment shall not exceed 2000 square feet and shall not include any drive in or drive thru service.

Retail Store/Business

A building where goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail, including storage of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such store.

Retaining Wall

A structure constructed to hold back or support an earthen bank.

Rezoning

An amendment or change to the zoning resolution.

Riding Stables

Land and buildings used to house horses and for their exercise and training may include a school, boarding stables, tack shop or other related uses.

Right-of-Way (ROW)

A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer, and/or other public utilities or facilities.

Roadside Stand

A temporary structure designed or used for the display or sale of agricultural and related products.

Roof

The cover of any building, including the eaves and similar projections.

Roof Line

The highest point on any building where an exterior wall encloses usable floor space. The term “roof line” includes the top of any parapet wall, providing said parapet wall extends

**January 26, 2011
Public Hearing Draft**

around the entire perimeter of the building at the same elevation. However, the top of the parapet wall extending along one or more building elevations or a portion of one or more building elevations may be considered to be the roof line in those instances where the parapet wall improves the architectural appearance of a building or shields rooftop mechanical equipment.

Rural

A sparsely developed area where the land is primarily used for farming, forestry, resource extraction, very low-density residential uses (one unit per 10 or more acres) or open space uses.



Salvage

Any article or material that is to be or intended to be reclaimed or saved from destruction.

Salvage Yard

A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment... Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment and appliances, The term includes facilities for separating trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products which can be returned to a condition in which they may again be used for production.

Sand & Gravel Pit

A type of open pit mine, or strip mine, from which the mineral removed is restricted to sand and gravel.

Sanitarium

A health station, retreat, or an institution for the recuperation and treatment of persons suffering from physical or mental disorders.

Scenic Areas and Views

Areas or views, which add to the quality of life, increase the value of property, and/or enhances the desirability and livability of a community. This may include but is not limited to areas overlooking a lake, river, hillside, rock outcrop, wooded area, farm field, grassland, or well recognized landmarks or terrain.

Scenic Highway Corridor

A highway, road, drive, or street that, in addition to its transportation function, provides opportunities for the enjoyment of natural and man-made scenic resources and access or direct views to areas or scenes of exceptional beauty or historic or cultural interest. The aesthetic values of scenic routes often are protected and enhanced by regulations governing the development of property or the placement of outdoor advertising.

School

A public school, a separate school, a university, a college or a private school authorized by the authority having jurisdiction.

Screening

A continuous fence, wall, compact evergreen hedge or combination thereof, supplemented with landscape planting, that would effectively screen the property which it encloses, and is broken only by access drives and walks.

Seat

For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each 24 lineal inches of benches, pews, or space for loose chairs.

Setback Line

A line established by the zoning resolution generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory building, or structure may be located above ground, except as may be provided in said code.

Seasonal Farm Produce Sale Outlet

A fruit, vegetable, flower or farm, produce stand set up in season on a farm for the sale of produce from that same farm.

Seasonal Recreational Uses

A recreational use whose operation is dependent on the climactic conditions of a particular season or seasons, such as ski resorts, outdoor ice-skating rinks, or public beaches.

Self Service Storage Facility

A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.

Semi-Trailer

Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Sensitive Area – Environmental

Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

Septic System

A sewage-treatment system that includes a settling tank through which liquid sewage flows and in which solid sewage settles and is decomposed by bacteria in the absence of oxygen. Septic systems are often used for individual home waste disposal where an urban sewer system is not available.

Service Station

See Gas Station

Service Structure

An accessory structure to a primary structure to include but not limited to shed, outdoor refrigeration units, garbage receptacle, HVAC, etc.

Setback

A line within a lot parallel to a corresponding lot line, which is the boundary of any specified front, side, or rear yard, or the boundary of any public right-of-way whether acquired in fee simple ownership, easement, or otherwise, or a line otherwise established to govern the location of buildings, structures or uses.

Setbacks – Perimeter

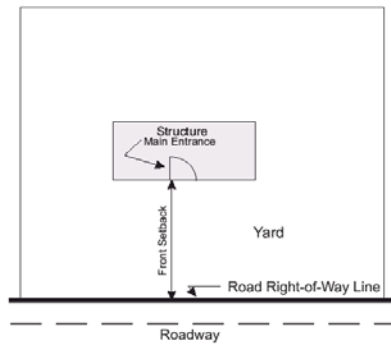
The minimum distance by which any building or structure must be separated from the property lines of the original parcel prior to development.

Setbacks – Internal

The minimum distance by which any building or structure must be separated from the property lines or the other buildings or structures of newly created lots or structures within a development.

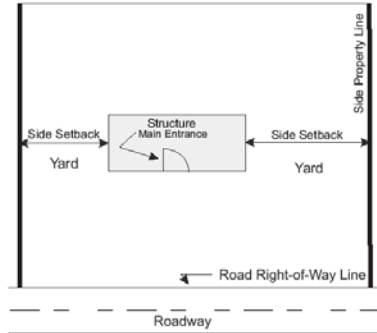
Setback – Front

The front yard setback shall be measured from the edge of the road right-of-way, or if no right of way exist, thirty (30) feet from the centerline of the road. For parcels over 20.000 acres, the front setback shall be measured from the nearest parallel lot line to the public road right-of-way.



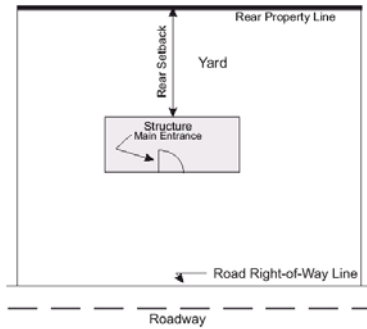
Setback – Side

The side yard setback shall be measured from the edge of the side yard property line. The side yard property line shall be those lines perpendicular to and connecting the lot lines along or parallel and closest to the public road right-of-way and the rear yard property line. (See Setback-Rear for definition of rear yard property line.)



Setback – Rear

The rear yard setback shall be measured from the edge of the rear yard property line. The rear yard property line shall be considered the property line farthest from the property line running parallel to the edge of the public road right-of-way. In the case of corner lots, any lot line opposite a front lot line running parallel to a public road right-of-way shall be considered the rear lot line.



Sewers, Central or Group

An approved sewage disposal system, which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.

Sewers, On Site

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

Shooting Range – Indoor

The use of a structure for archery and/or the discharging of firearms for the purposes of target practice or temporary competitions.

Shooting Range – Outdoor

The use of land for archery and/or the discharging of firearms for the purposes of target practice, skeet and trap shooting, mock war games, or temporary competitions, such as turkey shoots. Excluded from this use type shall be general hunting and unstructured and nonrecurring discharging of firearms on private property with the property owner's permission.

Shopping Center

A group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking, landscaped areas, and pedestrian malls or plazas provided on the property as an integral part of the unit.

Sidewalk

That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

Sight Triangle

The triangular area formed by a diagonal line connecting two points located on intersecting street right-of-ways or a right-of-way and the edge/curb of a driveway. *(See Section 1600.09 Visibility at Intersections)*

Sign

Any device designated to inform or attract the attention of persons not on the premises on which the sign is located.

1. Sign, On-Premises: Any sign related to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
2. Sign, Off-Premises: Any sign unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
3. Sign, Illuminated: Any sign illuminated by electricity, gas, or other artificial light including reflecting or phosphorescent light.
4. Sign, Lighting Device: Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. Sign, Projecting: Any sign which projects from the exterior of a building.

Sign, Abandoned

A sign or sign structure on a site where all buildings have been demolished or removed, and/or any sign that advertises a business, lessor, owner, product, service, or activity that is no longer located on the premises where the sign is displayed, and/or for which no legal owner can be found.

Sign, Alteration

Any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.

Sign, Animated or Moving

Any sign that, through the use of moving structural elements, flashing or sequential lights, lighting elements, and/or other automated methods, results in the movement, the appearance of movement, or change of sign image or text, and/or changes the physical position of any sign or part of that sign.

Sign, Area

The entire face of a sign including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

Sign, Banner

A sign with or without characters, letters, illustrations, or ornamentations applied to cloth, paper, flexible plastic, or fabric of any kind, with only such material for backing.

Sign, Billboard

A board, panel, or tablet used for the display of posters, printed or painted advertising matter, either illuminated or non-illuminated, animated/non-animated, electronic/non-electronic, that directs attention to goods, merchandise, entertainment or other services offered elsewhere than the premise on which the sign is located.

Sign, Construction/Development

A temporary sign providing information about future development or current construction on a site and the parties involved in the project.

Sign, Directional

Any on-premise sign that includes information assisting in the flow of pedestrian or vehicular traffic such as enter, exit, and one-way signs.

Sign, Electronic

A sign with a fixed or changing display / message composed of a series of lights that may be changed through electronic means.

Sign, Entry Feature

A permanent on-premises sign identifying a vehicular entrance to a residential subdivision, residential complex, or institution.

Sign Face

The part of the sign that is or can be used to identify, advertise, or communicate information or for visual representation that attracts the attention of the public for any purpose,. The frame or structural members may be considered as part of the sign face if it is so designed with lighting or other ornamentation that is incorporated for the sign design.

Sign, Flashing

Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such is in use. Any moving, illuminated sign shall be considered a “flashing sign”. Such signs shall not include public message/warning signs using electronic switching such as cross walk signs.

Sign, Freestanding

A sign that is attached to, erected on, or supported by some structure (such as a pole, mast, frame, or other structure) that is not itself an integral part of or attached to a building or other structure whose principal function is something other than the support of a sign.

Sign, Fuel Island Canopy

Means a sign attached to or part of a fuel island canopy.

Sign, Graphics

Any drawing, symbol, picture, motif or logo displayed on a sign face.

Sign, Home Occupation

A sign containing only the name and occupation of a permitted home occupation.

Sign, Illuminated

A sign designed to give forth artificial light directly or through transparent or translucent material from a source of light within this sign, including, but not limited to, neon and exposed lamp signs, or a sign illuminated by external light directed primarily toward this sign and so shielded that no direct rays from the light are visible elsewhere than on the lot where the illumination occur.

Sign, Inflatable

Any sign that is either expanded to its full dimensions or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure. Untethered airships are not considered to be inflatable signs.

Sign Mobile

A sign attached to, mounted, pasted, painted or drawn on any vehicle, whether motorized or maintained at one particular location for the express purpose and intent of promotion or conveying an advertising message.

Sign Nameplate

A sign indicating the name and address of a building; or the name of an occupant thereof, and the practice of a permitted occupation therein.

Sign, Neon

A sign containing glass tube lighting in which a gas and phosphors are used in combination to create a colored light. Such tubes are bent to form letters, symbols or other shapes to convey and advertising message.

Sign Nonconforming

A sign lawfully erected and maintained prior to the adopting of this ordinance that does not conform with the requirements of this ordinance.

Sign, Seasonal Event

A use whose operation is dependent on the climactic conditions of a particular season, and operates longer than (1) one day but not longer than four (4) weeks out of the calendar year every year. Such event is intended to or likely to attract substantial crowds, and is unlike the customary or usual activities generally associated with the property where the seasonal event is to be located. Such events include Christmas tree sales and Agriculture Entertainment.

Sign, Special Event

Any sign erected for the purpose of announcing a special event or function, which is of general interest to the community.

Sign, Official/Government

A sign erected by a governmental agency or its designee, setting forth information pursuant to law.

Sign, Off-Premise Outdoor Advertising

A sign, including the supporting sign structure, which is visible from a street or highway and advertises goods or services not usually located on the premises and/or property upon which the sign is located; such signs include but are not limited to Billboards.

Sign On-Premise Sign

A sign which advertises the primary goods or services sold or taking place upon the premises on which the sign is located.

Sign, Portable

A sign designated or intended to be moved easily that is not permanently embedded in the ground or affixed to a building or other structure, including any sign that rests upon the ground, a frame, a building, or other structure. Including but not limited to the following signs:

- Trailer signs
- Signs mounted on a wheel carrier or other non-motorized wheeled carrier.
- Menu and sandwich board signs

**January 26, 2011
Public Hearing Draft**

- Hot air or gas-filled balloons
- Umbrellas
- Signs mounted for advertising purposes on a vehicle that is parked and visible from the public right-of-way (excluding signs identifying the related business when the vehicle is being used in the normal day-to-day operation of that business for deliveries, or transportation of employees of said business for business purposes and during business hours).

Sign, Permanent

A sign attached to a building, structure, or the ground in some manner that requires a permit and which is made of durable materials intended for long-term use.

Sign, Pole

A freestanding sign that is affixed, attached, or erected on a pole that is not itself and integral part of or attached to a building or structure.

Sign, Real Estate

A sign which advertises the sale or lease of the property upon which the sign is located.

Sign, Roof Mounted:

An off-premise sign structure, which consists of multiple sign facings placed at angles to each other, oriented in different directions and not exceeding 10 feet apart at the nearest point to each other.

Sign, Setback

The minimum distance required between any property line and/or public right-of-way line and any portion of a sign or sign structure.

Sign Structure

The supports, uprights, bracing, or framework of any structure exhibiting a sign., be it single-faced, double-faced, v-type or otherwise.

Sign, Vehicle

A sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose or which to attract attention to a product sold or business located on the property.

Sign, Wall Sign

An on-premise sign attached to the wall of a building or structure.

Site

A parcel of land or portion thereof with frontage on a street, devoted to or intended for a use or occupied by a structure or a group of structures

Site Plan – Subdivision/Major Development/Planned Unit Development

A plan, to scale, of single-family residential, multi-family residential, commercial or industrial projects, showing uses and structures proposed for a parcel of land as required by the regulations involved. Includes lot lines, streets, building sites, reserved open space, buildings, major landscape features-both natural and man-made-and, depending on requirements, the location of proposed utility lines.

Site Plan – Zoning Permit

A drawing of a lot, drawn to scale, showing the actual measurements, the size and location of any existing structures or structures to be erected, the location of the lot in relation to abutting streets, and other such information.

Slope

The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees.

Special Event

Circuses, fairs, carnivals, festivals, or other types of special events that (1) run for longer than one day but not longer than two weeks, (2) are intended to or likely to attract substantial crowds, and (3) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

Sport Playing Field

An open space set aside for the playing of sports and may include benches or bleachers for observers but where there is no charge made for spectators.

Sports Stadium Indoor

A commercial structure with tiers of seats rising around a central field or court, intended to be used primarily for the viewing of indoor athletic events. Sports stadiums may also be used for entertainment and other public gatherings purposes such as conventions, circuses, or indoor concerts. Said facilities shall be within completely enclosed structures.

Sports Stadium Outdoor

A commercial structure with tiers of seats rising around a central field or court, intended to be used primarily for the viewing of athletic events. Said facilities shall not be used for outdoor concerts.

Stable

A building in which horses are sheltered; may be accessory to a residential or other use or a freestanding principal use.

Stable – Commercial

A structure and/or land use in or on which equines are kept for sale or hire to the public. Breeding, boarding, or training of equines may also be conducted.

Stable – Private

An accessory structure and/or land use that is designed, arranged, used, or intended to be used for the keeping of equines for the private use of the occupants of a principal dwelling and their guests, but in no event for hire.

Structure

Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures including buildings, mobile homes, walls, fences, and billboards.

Standard

A rule or measure establishing a level of quality or quantity that must be complied with or satisfied. Examples of standards might include the number of acres of parkland per 1,000 population that the community will attempt to acquire and improve, or the intersection Level of Service (LOS) that the plan hopes to attain. (2) Requirements in a zoning ordinance that govern building and development as distinguished from use restrictions-for example, site-design regulations such as lot area, height limit, frontage, landscaping, and floor area ratios.

Start of Construction

For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; installation of streets and/or walkways; excavation for basement, footings, piers or foundations; erection of temporary forms; or installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For the substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alterations affects the external dimensions of the building.

Storage Shed

An accessory building with a maximum floor area of 100 square feet used exclusively for the storage of goods.

Storage

A space or place where goods, materials, or personal property is placed and kept for more than 24 consecutive hours.

Storage - Outside

The storage of any materials outside the principal or accessory buildings on a property.

Storage - Portable Units

A portable storage unit for the basis of this zoning resolution shall include any container, trailer, or enclosed structure which is rented or sold to a customer, delivered to and collected from a customer, and is not permanently affixed to the ground on a permanent foundation utilized for the storage of personal, business or manufacturing items, goods or materials for a short or long term period. Said container, trailer or structure is customarily delivered to a residence, business or manufacturing facility to be loaded or unloaded then hauled away to a storage facility owned by the company operating the rental or sale of the storage container, trailer or structure for short or long term storage.

Storm Shelter

A storm shelter is defined as an emergency occupancy structure designed to provide occupants a high probability of protection from injury or loss of life resulting from the forces, debris impacts, and other effects that may result from tornadoes or other windstorm events. When the word shelter is used in this standard, it is intended that the complete unit with all its components including, but not limited to, doors, hinges, latches, hardware, vents, steps, and anchorage, is referred to.

Story

A space in a building between the surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between such floor and the ceiling or roof above; provided, however, that where the floor level of the first story is at least five feet below the adjoining finished grade, the space shall be considered a basement and not counted as a story.

Story and One Half

The portion of a building located wholly or partly within a sloping roof having a floor area of not less than one-third or more than two-thirds of the floor area of the story next below, side-walls not less than four feet in height and a ceiling with a minimum height of seven and one-half feet over an area equal to at least fifty percent of its floor area.

Strip Mining

A process of recovering ore or fuel deposits by mechanically scraping away the overhanging rock and strata.

Structural Alteration

Any change in or alteration to a structure involving a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, foundations, piles, retaining walls or similar components.

Subdivision

The process (and the result) of dividing a parcel of raw land into smaller buildable sites, blocks, streets, open space and public areas and the designation of the location of utilities and other improvements.

**January 26, 2011
Public Hearing Draft**

Substantially Completed

The situation in which the construction of a structure or development that was given a valid zoning permit or other zoning approval complies with the regulations, objectives, standards, guidelines and conditions for which that permit or approval was based upon and given.

Supply Yards

A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

Swimming Pool

A pool or open tank containing at 30” of water at any point to be used for recreational purposes and maintained by the owner or manager.

1. Private: Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development, or a community, the members and guests of a club, or the patrons of a motel or hotel, and accessory use.
2. Community: Operated with a charge for admission, a primary use.



Tavern

A building or part thereof where, in consideration of payment therefore, liquor, beer, or wine or any combination thereof are served for consumption on the premises, with or without food.

Temporary Promotional Use

An activity which may commonly be described as carnival rides or amusement park rides as accessory uses to an existing and legally conforming business use or uses and for the purposes of promoting business sales and/or raising funds for community service organizations or for the purpose of promoting any special event, Any community educational campaign, any membership drive, or any other similar promotion and which activity is established for a fixed period of time with the intent to discontinue such activity upon the expiration of the time period.

Tent

A portable or temporary cover or shelter, with or without side panels, which are supported by poles and are made of canvas, plastic or similar materials.

Theater

A building or part of a building devoted to showing motion pictures, or for dramatic, musical or live performances.

Telecommunications

The transmission, between or among points as specified by the user, or information of the user's choosing, without change in the form or content of the information as sent and received.

Through Lot

See Lot Types

Thoroughfare, Street, or Bond

A public transportation way, located within a right-of-way, to conduct vehicles and pedestrians from one location to another. A thoroughfare may include but is not limited to the following:

1. Alley: A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.
2. Arterial Street/Street: A general term denoting a highway primarily for through traffic, carrying heavy loads and large volume of traffic, usually on a continuous route.
3. Collector Road/Street: A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets, including the principal entrance and circulation routes within residential subdivision.
4. Cul-de-Sac: A local street or relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. Dead-End Road/Street: A street temporarily having only one outlet for vehicular traffic and intended to be extended or continued in the future.
6. Local Road/Street: A street primarily for providing access to residential or other abutting property.
7. Loop Road/Street: A type of local street, each end of which terminated at an intersection with the same arterial or collector street, and whose principal radius points of the 180 degree system of turns are not more than 1,000 feet from said arterial or collector street, nor normally more than 600 feet from each other.
8. Marginal Access Road/Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street).

Tot Lot

Also known as a play lot, a tot lot is a small area developed especially for preschool or elementary school aged children. It may contain such facilities as sandboxes, slides, teeters, swings, climbing apparatus, and the like.

Towing Service

The removing of a motor vehicle by towing, carrying, hauling, or pushing from public or private property when such vehicle has been ordered to be impounded to a public or private impound lot. This shall not include an "automotive service" use that has a tow truck and repairs vehicles on-site.

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 or Noxious Substance

Any solid, liquid, or gaseous matter, including but not limited to gases, vapors, dusts, fumes, and mists containing properties which by chemical means are inherently harmful and likely to destroy life and impair health, or capable of causing injury to the well-being of persons or damage to property.

Traffic / Transportation Corridor

A defined area within which the through movement and connections of roadways and traffic is made. This is an area, which is currently congested or based on long range plans such as the Township Comprehensive Plan will have congestion due to the types and density of land use(s). The importance of preserving the functionality, capacity and safety of the area (corridor) is given consideration.

Transportation, Director of

The Director of the Ohio Department of Transportation.

Trash Enclosure

An accessory use of a property where trash and/or recyclable material containers, or any other type of waste or refuse container is stored

Tree Lawn

A planting strip, planted with trees, usually between a road and sidewalk, or between parking areas and driveways.

Tree Topping

The cutting of trees back nearly to the trunk. Topping is sometimes used as a less expensive alternative to the full removal of large old trees.

Truck Stop

A site in excess of two acres providing specialized facilities for retail fueling services for large trucks; the site may include related facilities including but not limited to restaurants and overnight parking.

Truck- Heavy

Heavy trucks are trucks, including truck tractors, and similar vehicles with two or more rear axles.

Truck – Medium

Medium trucks are trucks and similar vehicles, other than truck tractors, with single rear axles and dual rear wheels. Truck tractors are in the Heavy Truck category.

Truck – Light

Light trucks are trucks and similar vehicles with single rear axles and single rear wheels.

**January 26, 2011
Public Hearing Draft**

Trustees, Board of Township

A three-member board elected at the general elections in off-numbered years for terms of four years. Two trustees are elected the year after presidential elections, and one trustee the year following gubernatorial elections.



Unlike and Dissimilar Uses

A use having differing characteristics as the specifically cited use(s) in terms of the following: motor vehicular trip generation, type of motor vehicle traffic, parking, motor vehicle circulation, pedestrian traffic and circulation, utility demands, environmental impacts, physical space needed, services and/or goods provided, clientele, hours of operation, intensity of land use, differing levels of noise and light generated, and the like. For example, a fast food restaurant with drive through service shall be deemed a dissimilar use from a sit down restaurant due to the increased volume of traffic utilizing the drive through, the increased volume of internal circulation, the increase volume of and differing type of clientele, the increased hours of operation, etc.

Unnecessary Hardship

A hardship by reason of exceptional shape of a lot, exceptional topographic conditions, or other exceptional physical conditions of a parcel of land. Unnecessary hardship shall not include personal or financial hardship or any other hardship that is self-imposed. Used as a standard for granting a variance, the nature of which, is that the owner, unless granted a variance, will be unable to use the property for the purposes for which it is zoned.

Uniformity

A basic premise of zoning that all properties in the same zoning district are subject to the same regulations. Attacks on certain zoning actions, such as spot zoning or attaching extra conditions to a rezoning as in conditional rezoning, often are based on violation of uniformity provisions.

Use

Any purpose for which a lot, building, or other structure or a tract of land may be designated, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

Use – Principle

The main or primary purpose for which a building, other structure and/or lot is designed, arranged, or intended, or for which may be used, occupied or maintained under this Ordinance. The use of any other building, other structure and/or land on the same lot and incidental or supplementary thereto and permitted under this Resolution shall be considered and accessory use.

**January 26, 2011
Public Hearing Draft**

Use – Conditional

A use that, because of special requirements or characteristics, may be allowed in a particular zoning district only after review by the commission and granting of conditional use approval imposing such conditions as necessary to make the use compatible with other uses permitted in the same zone or vicinity. Conditional uses are issued for uses of land and may be transferable from one owner of the land to another.

Use – Existing

The use of a lot or structure at the time of the enactment of a zoning ordinance.

Useable Square Footage

Useable square footage shall include all living space, and shall be measured from the face of a finished wall surface (drywall) of an enclosed room by the formula length times width (l x w = sq. ft.). Useable square footage shall exclude closets, utility rooms, utility closets, attics, crawl spaces, garages and the like.

Utilities

All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and include facilities for the generation of electricity.

Utilities – Public

(See Public Utilities)



Variance

A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Vehicle - Recreational

A vehicle designed to provide temporary living accommodation but does not include a mobile home, travel trailer or other vehicle defined herein.

Vehicle Use Area

Any open or unenclosed area containing more than 1,800 square feet of area and/or used by six or more of any type of vehicle, whether moving or at rest, including, but not limited to, parking lots, loading and unloading areas, mobile home parks, and sales and service areas. Driveways are considered to be vehicular use areas whenever they are adjacent to public streets or other vehicular use elements described in this paragraph, and where intervening curbs, sidewalks landscape strips, etc. do not eliminate adjacency.

Veranda

A flat wooden surface projecting from the exterior wall of a building usually used for seating.

Veterinary Animal Hospital or Clinic

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

Vicinity Map

A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use of other nearby development or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

**January 26, 2011
Public Hearing Draft**

Vibration

A limited reciprocating motion of a particle of an elastic body or medium in alternately opposite directions from its position of equilibrium, when that equilibrium has been disturbed.

Visual Obstruction

Any fence, wall, tree, hedge, or shrub or a combination of them, which limits visibility.



Walkway

A public way, four feet or more in width, for pedestrian use only, whether along the side of a road or not.

Wall

A constructed solid barrier of concrete, stone, brick, tile, wood, or similar type of material that closes, marks, or borders a field, yard, or lot, and that limits visibility and restricts the flow of air and light.

Warehouse

A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards or conditions commonly recognized as offensive.

Water Table

The upper limit of the portion of the soil that is completely saturated with water. The seasonal high-water table is the highest level to which the soil is saturated, as may be indicated by mottling (soil color patterns).

Wholesale

A form of business in which a company resells already manufactured goods in large quantities to retailers.



(Reserved For Future Use)



Yard

A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three feet above the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be perimeter in any yard, subject to height limitations and requirements limiting obstruction of visibility.

1. Yard, Front: A yard extending between side lot lines across the front of a lot and from the lot line to the front of the principal building.
2. Yard, Rear: a yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
3. Yard, Side: A year extending from the principal building to the die lot line on both sides of the principal building between the lines establishing the front and rear yards.



Zoning

The division of a city or county by legislative regulations into areas, or zones, which specify allowable uses for real property and size restrictions for buildings within these areas. Also, a program that implements policies of the General Plan.

Zoning Commission

A five-member board appointed by the Township Board of Trustees. The Township Zoning Commission is the legislative division of the Township and is responsible for developing the Township Zoning Resolution, considering any amendments to the Zoning Resolution or Zoning Map, and making recommendations to the Township Board of Trustees on said amendments to the resolution or map. Additionally, the Township Zoning Commission may develop land use plans for the Township and make a recommendation to the Township Board of Trustees on said plans.

Zoning Board of Appeals

A five-member board appointed by the Township Board of Trustees. The Township Board of Zoning Appeals is a quasi-judicial body of the Township and is responsible for considering variances, conditional uses, and any appeals in regards to Township Zoning.

Zoning Inspector

Appointed by the Township Board of Trustees. The Zoning Inspector is the enforcement officer for the Township, and is charged with enforcing the Township Zoning Resolution.

Zoning Permit

A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures, and the characteristics of the uses.

Zoning Resolution

An resolution enacted by the Township Board of Trustees pursuant to State Law that sets forth regulations and standards relating to the nature and extent of uses of land and structures, which is consistent with the Township Comprehensive Plan, which includes a zoning map, and complies with the provisions of State Law.

Zoning Amendment

A change in the wording, context, or substance of this title or a change in the zoning or district boundaries of the official zoning map, to be made a part of this title.

**January 26, 2011
Public Hearing Draft**

January 26, 2011
Public Hearing Draft

APPENDIX B - Application Forms

Appendix "B" is NOT herein adopted as part of the Union Township Zoning Resolution but provided here for reference only.

To Be Inserted Upon Adoption

January 26, 2011
Public Hearing Draft

APPENDIX C – FEE SCHEDULE

Appendix "C" is NOT herein adopted as part of the Union Township Zoning Resolution but provided here for reference only.

To Be Inserted Upon Adoption

APPENDIX D - PREFERRED TREE LIST

Appendix "D" is NOT herein adopted as part of the Union Township Zoning Resolution but provided here for reference only.

SMALL TREES – Mature height under 30', suitable under utility wires.

Adams Crabapple – Malus 'Adams': height – 25'; habit - dense rounded; fall color – orange-red; fruit – red persistent.

Adirondack Crabapple – Malus 'Adirondack': height – 10'; habit – V shaped upright; fruit – orange-red persistent; flowers – red buds, white flowers with red tinge.

Centurion Crabapple – Malus 'Centurion': height: 20' – 25'; fruit – cherry-red ½"; habit - upright; fall foliage: green; flowers – rose-red.

Excalibur Crabapple – Malus 'Excalibur': height: 8'; fruit – tiny golden yellow; habit – upright dwarf; flowers – red buds open to white.

Harvest Gold Crabapple – Malus 'Harvest Gold': height: 20' - 25'; fruit – golden, ½"; habit – upright; flowers - white; fruit persists into spring.

Madonna Crabapple – Malus 'Madonna': height: 16' – 20'; fruit – red; habit – compact, upright; flowers – white, double.

Prairifire Crabapple – Malus 'Prairifire': height – 20'; habit – upright spreading, foliage – reddish-green and yellow in the fall; flowers – coral red; fruit – dark red.

Red Jewel Crabapple – Malus 'Red Jewel': height – 15'; habit- mounded spreading form; fruit – cherry red ½" persist to April, foliage – excellent dark green; flowers – white.

Corneliancherry Dogwood – Cornus mas: height: 20' - 30'; habit- rounded; flowers- yellow, March.

Thornless Cockspur Hawthorn – Crataegus crusgalli: height: 15'– 20'; habit – globose, dense branches; flowers – white in clusters; fruit – ½" red persistent, used for wildlife; foliage gray green, purple/red in fall.

Winter King Green Hawthorn - Crataegus viridis 'Winter King': height – 20-25'; habit – rounded, fall color – purple to red; flowers – white cluster; fruit – red and persisting.

Lavalle Hawthorn – Crataegus x lavallei: - height – 15-30', habit – oval to round; flowers – white clusters; fall color – bronzy to coppery red; fruit – red that persist into the winter.

**January 26, 2011
Public Hearing Draft**

Ohio Pioneer Dotted Hawthorn – *Crataegus punctata* var. *inermis* ‘Ohio Pioneer’: height: 20’- 25’; fruit; dark brick-red; habit - rounded; fall foliage – grayish/green; flowers - white clusters; thornless.

Vaughn Hawthorn – *Crataegus phaenopyrum* x *Crataegus crusgalli* ‘Vaughn’: height - 15 - 20’; fruit – glossy, orange-red, 3/8””; habit – rounded; fall foliage – grayish-green; flowers – white.

Washington Hawthorn – *Crataegus phaenopyrum*: height: 25-30’; fruit – bright glossy red; shape – oval rounded; fall foliage – orange to scarlet to purplish, thorns.

Ivory Silk Tree Lilac - *Syringa reticulata* ‘Ivory Silk’: height - 20’–30’; shape – rounded; fruit – clusters of capsules; fall foliage – green; flowers – 6-10” white panicles; attractive flowers in early July, flowers at a young age.

Amur Maackia – *Maackia amurensis*: height - 20’-30’, shape- rounded, fruit – pod, flower – 4-6” white racemes June – July.

Amur Maple - *Acer ginnala*: height: 15’ – 20’; shape - globose to ovate; foliage – green to red/orange in fall.

Paperbark Maple – *Acer griseum*: height – 20 - 30’; shape – upright oval to rounded; fall color – russet red to red; exfoliating bark makes this tree interesting.

Tartarian Maple – *Acer tataricum*: height – 15 - 20’ sometimes 30’; shape – rounded; fall color – yellow, red to reddish brown.

Serviceberry species – *Amelanchier* species: height – 25’ – 30’; fruit – red, birds love them; shape – oval, upright; foliage – orange/red in fall; flowers – white clusters.

Blackhaw Viburnum – *Viburnum prunifolium*: height – 12-15’; shape – rounded; flowers – white clusters in May; fruit – blueish black and edible.

Nannyberry Viburnum – *Viburnum lentago*: height – 18’ possibly 30’; shape – upright, open; flowers – white clusters in May; fruit – blueish black, winter food for birds

MEDIUM TREES – Mature size being 30’-60’.

Black Alder – *Alnus glutinosa*: height – 40-60’; shape – pyramidal when young then irregular; fruit – woody strobile; adaptable, does well in wet or dry sites, full sun or partial shade, nitrogen fixer.

January 26, 2011
Public Hearing Draft

Autumnalis Higan Cherry – Prunus subhirtella variety Autumnalis: height: 20-40'; flowers – semi-double pink; habit – oval upright; Higan cherry are the most cold, heat and stress tolerant of the cherry group.

Amur Cork Tree – Phellodendron amurense: height: 35' – 45'; shape – ovate; fruitless; foliage – yellow fall color, male cultivar only.

Jackii Crabapple – Malus 'Jackii': height: 30-40'; fruit – maroon ½"; shape - upright and rounded; foliage – glossy green, yellow in the fall.

Lacebark or Chinese Elm - Ulmus parvifolia: height: 50'; fruit – whitish, winged ¼"; shape – rounded; fall foliage – yellow to wine.

Goldenraintree – Koelreutaria paniculata: height: 25' to 40'; shape - globose; flower – yellow June-July; foliage – blue/green leaflets, yellow in fall; fruit – bladder like papery green capsules turning brown.

American Hornbeam – Ostrya virginiana: height: 30'-40'; shape conical to globose with age; foliage – green, yellow in fall; flowers – catkins; fruit nutlets in bunches, Prefers some protection, understory tree.

European Hornbeam – Carpinus betulus: height: 35'- 40'; shape – conical becoming ovate, wide spreading; foliage – green-yellow in fall; flowers – catkins with bracts; fruit – leafy cluster with nutlets.

Upright European Hornbeam - Carpinus betulus 'Fastigiata': height: 30-40; shape – upright oval dense; fall color – yellowish. Grown for its dense upright habit.

Crimean Linden – Tilia x euchlora: height – 40-60' and half that in spread; fall color – possibly yellow-green.

Legend American Linden – Tilia Americana 'Wendell': height: 50'; shape – broadly conical; foliage – dark green; flowers – pale yellow, attracts bees; fruit – ½" nutlets.

Littleleaf Linden – Tilia cordata: - height: 45' – 65'; fruit – tan globes ¼"; shape – compact, pyramid; 'Corinthian', 'Greenspire', 'Glenleven'- cultivars.

Hedge Maple – Acer campestre: height – 25 - 45'; shape – rounded; fall color – yellow; can tolerate alkaline soils. 'Queen Elizabeth'-cultivar

Celebration Maple – Acer x freemanii 'Celebration': height: 45'; fruit – seedless; shape – upright, oval; fall foliage - orange-red; flowers – greenish-yellow.

Norwegian Sunset Maple – Acer truncatum x Acer platanoides 'Norwegian Sunset': height; 35' – 45'; fruit – winged, 1 ½"; shape – upright oval; fall foliage – orange-red; flowers - greenish-yellow.

**January 26, 2011
Public Hearing Draft**

Pacific Sunset Maple – *Acer truncatum* x *Acer platanoides* ‘Pacific Sunset’: height: 30’- 40’; fruit – winged, 1 ½”; shape – upright, rounded; fall foliage – red; flowers – greenish yellow.

Sawtooth Oak –*Quercus acutissima*: height: 40’-50’; fruit – acorn; shape – rounded.

Aristocrat Callery Pear – *Pyrus calleryana* ‘Aristocrat’: height: 30’ – 50’; shape – conical to ovate; foliage – green-yellow to bronze in fall; fruit – ½” pome; flower – white.

Cleveland Select Pear – *Pyrus calleryana* ‘Cleveland Select’: height: 35’ – 40’; shape - upright, narrow habit; fruit – russet, ½”; fall foliage – gold-red; flowers – white.

Hardy Rubber Tree – *Eucommia ulmoides*: height: 40’ – 60’; rounded to broad spreading; foliage – green-yellow/green in fall; flower dioecious - not showy; fruit – 1 ½” capsule; lustrous dark green foliage, slow grower.

LARGE TREES – Mature size being 60+ feet.

White Ash species- *Fraxinus Americana*: height: 50’ – 80’; shape – ovate; foliage yellow to maroon in fall; flowers – inconspicuous; fruit 1-2” samara.

Green Ash species- *Fraxinus pennsylvanica*: height: 40’ – 65’; fruit – winged, 1-2”; shape – oval, irregular; fall foliage – yellow; flowers – inconspicuous; ‘Urbanite’, ‘Summit’, ‘Patmore’- cultivars

Blue Ash species- *Fraxinus quadrangulata*: height: 50-70’; shape – rounded with irregular crown; foliage dark green color, yellow fall color; drought resistant.

Baldcypress – *Taxodium distichum*: height: 50-70’; habit – pyramidal; foliage – yellow-green in the spring, linear lanceolate, orange to pink to soft brown in the fall; a deciduous conifer that adapts well to wet or dry sites, landscape tree mostly, but also used as street trees.

River Birch- *Betula nigra*: height – 40-70; habit – oval maturing to rounded; fall color – yellow and has handsome exfoliating bark.

Kentucky Coffeetree – *Gymnocladus dioicus*: height: 55’–75’; foliage – blue-green leaflets, yellow in fall; flowers – green or yellow-white clusters; fruit – 4” to 10” reddish brown pods on females.

American Elms- Improved - *Ulmus Americana*: ‘Valley Forge’, ‘Princeton’, ‘New Harmony’: height 60-80’, medium to fast growing; shows tolerance to Dutch Elm disease.

January 26, 2011
Public Hearing Draft

Ginkgo (male only) Ginkgo biloba: height: 50'–80'; shape – irregular; foliage – fan shaped yellow in fall; fruit – none on males; wide unless upright selection is chosen distinctive and historical interest.

Honeylocust species (Thornless only) Gleditsia triacanthos var. inermis: height: 40' – 70'; shape – ovate; foliage – green/yellow in fall; flowers – inconspicuous; fruit – long brown pods; lacy appearance, casts light shade easy to clean up in fall.

Silver Linden species - Tilia tomentosa: height: 50' – 70'; shape – conical to ovate; foliage – green with silver underside, yellow in the fall; flowers – yellowish-white, fragrant; fruit - 1/3" nutlet; attractive and tolerates heat and drought better than most lindens. 'Sterling' - cultivar

Black Maple – Acer nigrum: height: 60' - 75'; shape – ovate; fall color - yellow; flowers – yellow/green before leaves appear; fruit – 1" samara.

Norway Maple – Acer platanoides: height: 40' – 75'; shape – ovate to globose; flowers – greenish, yellow, abundant; foliage – green-yellow to brown in fall; fruit – 2" samara.

Sugar Maple species – Acer saccharum: height: 60'- 75'+; fruit – winged, 1-1 3/4"; shape – oval to rounded; fall foliage – orange, red; flowers – yellow green. 'Commemoration', 'Green Mountain' – cultivars.

Bur Oak – Quercus macrocarpa: height 70' – 90'; shape – ovate; foliage - 5-8" fiddle shape rounded lobes, yellow brown in fall; flowers – inconspicuous; fruit acorns; durable wide range of soils, massive, more tolerant of city conditions than most Oaks.

Chinkapin Oak – Quercus muehlenbergii: height – 50-70'+, shape – open rounded crown, wide spreading with age, fall color- yellow to orangish brown; will grow in alkaline soils.

English Oak – Quercus robur: height: 60' to 80'; shape ovate to globose; foliage 3- 5" lobes, brown in fall; flowers – inconspicuous; tolerant of drought and resistant to some limited root space, upright forms also available.

'Skymaster' – cultivar - height: 50' – 60'; shape – pyramidal; fall foliage – green.

Northern Red Oak – Quercus rubra: height: 60' – 80'; fruit – acorn; shape – ovate, open; fall foliage – bright reddish, golden brown; flowers – inconspicuous.

Pin Oak – Quercus palustris: height: 55' to 75'; shape – conical to ovate; foliage – 3 –6' lobes, bronze in fall; flowers – inconspicuous; fruit – acorns.

Scarlet Oak –Quercus coccinea: height – 70-75' by 40-50' in width, fall color – scarlet to russet red. May develop chlorosis problems in certain sites.

January 26, 2011
Public Hearing Draft

Shingle Oak – *Quercus imbricaria*: height: 40' – 60'; shape – conical to globose; foliage - 3' – 6" laurel like leaves, green, yellow/brown to russet red in fall; fruit acorns; attractive and tolerant to city conditions, leaves persist into winter and can be used for screening.

Shumard Oak – *Quercus shumardi*: height: 60' – 80'; fruit – acorn; shape – broad, rounded; fall foliage – reddish-brown; flowers – inconspicuous.

Swamp White Oak - *Quercus bicolor*: height: 60' – 80'; shape – ovate; foliage - 4" – 8" lobes, yellow brown in fall; flowers – inconspicuous.

Japanese Pagodatree – *Sophora japonica*: height: 50-75'; shape – upright spreading; flowers – creamy white panicles July- August, fruit – pod, fall color – occasional yellow.

London Planetree – *Platanus x acerifolia*: height: 70-100'; shape – pyramidal in youth, open wide spreading with age; bark – olive green to creamy, exfoliating.

Dawn Redwood – *Metasequois glyptostroboides*: height: 65' - 100'; shape - conical; foliage – deciduous needles, yellow to orange/brown in fall; flowers – inconspicuous; fruit – 1" pendulous cones.

Sweetgum – *Liquidambar styraciflua*: height: 60' - 75'; fruit – horned balls, 1-1 ½"; shape - pyramidal; fall foliage – green, yellow, scarlet and purple; star shaped leaves, best if planted in the spring.

Black Tupelo or Black Gum – *Nyssa sylvatica*: height: 40' – 70'; shape conical; foliage – glossy dark green, yellow/orange and scarlet in fall; flowers – inconspicuous; fruit – ½" blue, eaten by birds and mammals.

Prohibited Street Trees

Spruces and Pines - creates blind spots for both pedestrians and vehicles.

Bradford Pear – Dense foliage creates blind spots; subject to wind breakage.

Box Elder - Breakage and insect pests.

Silver Maple – Breakage; too large when mature; root systems clogs sewers and drains.

Ailanthus – no data.

Horsechestnut and Ohio Buckeye – Leaf blight and burn; messy flowers and poisonous nuts. (Good for Parks however)

Osage Orange – no data.

Mulberry – Fruit objectionable; uses sterile varieties.

Poplars – (all kinds including cottonwoods) – very subject to breakage; disease and insect; roots clog sewers and drains.

Purpleleaf Plum – no data.

Black Cherry – no data.

Black Locust – Insects, borers and leaf miners; thorns.

Willows – (all kinds) – breakage; disease and insects; roots clog sewers and drains.

European Mountain Ash – Shallow rooted; susceptible to wind; short-lived, borers.

Ginkgo – (female) – The berries have an offensive smell.

Catalpa – Coarse, messy flowers and seed pods; insect pests.

Russian Olive – no data.

American Sycamore – no data.

Apple – Fruit objectionable on street; numerous insect pests and diseases; requires too much spraying and pruning.

Tree-Of-Heaven – Coarse, subject to breakage, foul odor.