



Zoning & Subdivision Committee

Thursday, June 8, 2023, 12:30 pm

- Minutes from the last meeting of May 11, 2023
- 1. Review of Claibourne Township Zoning Text Amendment (Union County) – Staff Report by Gram Dick
- 2. Review of Darby Township Zoning Text Amendment (Union County) – Staff Report by Gram Dick
- 3. Review of Jerome Township Zoning Text Amendment (Union County) – Staff Report by Aaron Smith
- 4. Review of Rush Township Zoning Text Amendment (Champaign County) – Staff Report by Aaron Smith
- 5. Review of Washington Township Zoning Text Amendment (Union County) – Staff Report by Gram Dick

Members:

Tyler Bumbalough – City of Urbana Engineer
Scott Coleman – Logan County Engineer
Weston R. Dodds – City of Bellefontaine Safety Service Director
Ashley Gaver – City of Marysville
Steve Robinson – Union County Commissioner
Steve McCall – Champaign County Engineer
Tammy Noble – City of Dublin Planning
Tom Scheiderer – Jefferson & Zane Township Zoning Inspector
Jeff Stauch – Union County Engineer
Todd Freyhof – North Lewisburg Administrator
LUC Staff



Staff Report – Claibourne Township (U) Zoning Amendment

Applicant:	<p>Claibourne Township Zoning Commission c/o Tod Dresback (740) 360-1154 claibournezoning@gmail.com</p>
Request:	<p>The Claibourne Township Board of Trustees initiated an amendment to the text of the Zoning Resolution. The proposal amends Article II Definitions and Section 1071 Solar Energy Systems.</p>
Location:	<p>Claibourne Township is in northeastern Union County and contains the village of Richwood.</p>

Staff Analysis:	<p>The Township adopted a previous iteration of the LUC Model Text for Solar Energy Systems. This text amendment brings that text in line with the most recent interaction of the LUC Model Text because there has been so changes to that model text.</p> <p><u>Amending Article II Definitions – Solar Energy Related Definitions</u></p> <p>Modifications to the Solar Energy Related Definitions match the recently updated LUC Model Text. Those modifications include:</p> <ul style="list-style-type: none"> • Adds “other structure mounted” to both the accessory and principal systems definition. • Requires both “ground/pole mounted” and “other structure mounted” systems to have a clear fall zone. • Adds “Community Solar” and “Small Solar Facility” definitions. <p><u>Amending Section 1071 Solar Energy Systems</u></p> <p>Previously, the Township adopted a modified Version 1 of the model text. Purposed changes more closely match the current model text. Modifications include:</p> <ul style="list-style-type: none"> • Modifies the section title to “Section 1071 Small Solar Energy Systems (Less Than 50 MW)”. • #4 Adds an exemption for Solar Energy Systems that produce 500 watts or less. • Adds #7, which creates standards for “Other structure mounted solar energy systems.” • Updates (B.) Principal Solar Energy Production Facilities, to read, “it is not the purpose of this regulation to regulate a major utility facility as defined by the Ohio Revised Code.”
------------------------	---



Logan-Union-Champaign regional planning commission

Staff Report – Claibourne Township (U) Zoning Amendment

	<p>This change also removes language no longer in the LUC Solar Model Text.</p> <p><u>Prosecutor’s Office</u></p> <ul style="list-style-type: none">• A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. The comments from that Office should be reviewed and included in any recommendation.
<p>Staff Recommendations:</p>	<p>Staff recommends <i>APPROVAL</i> of the proposed zoning text amendment.</p> <p>The Township should consider the opinion of the Prosecutor’s Office when it is available.</p>
<p>Z&S Committee Recommendations:</p>	



Logan-Union-Champaign
regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: May 17th, 2023 Township: Clairbourne

Amendment Title: Solar Energy Systems

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

05-17-2023

Todd Dresback
Chair, Zoning Commission
Claibourne Township
10117 Kirby Road
Richwood, OH 43344

**RE: Action by Claibourne Township Board of Trustees
 Certification of Resolution to initiate a Zoning Text Amendment**

Dear Mr. Todd Dresback:

Please consider this document certification of action by the Claibourne Township Board of Trustees.

On May 17th, 2023, The Claibourne Township Board of Trustees met. During the meeting, Trustee Converse moved a motion to initiate a zoning text amendment. Trustee Goddard seconded the motion. All in favor.

Attest



Mary Lu Swartz 05-17-2023
Fiscal Officer, Claibourne Township

Date of Request.

May 17th, 2023

Logan-Union-Champaign Regional Planning Commission
c/o Gram Dick
PO Box 219
East Liberty, OH 43319
gramdick@lucplanning.com

RE: Zoning Text Amendment Application, Claibourne Township, Union County
Amendment topic: updating Solar Energy Systems Definitions and Text

Dear LUC Regional Planning Commission Committee Members:

The Claibourne Township Board of Trustees met at 7:00 PM on May 17th, 2023. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Board of Trustees. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are in red and ~~strike through~~. Please refer to these attachments for further information.

- Amend solar energy related definitions in Article II Definitions and amend Section 1071 Solar Energy Systems. The text of Section 1071 and the solar energy related definitions in Article II regulate solar energy systems.

Public Hearing.

The Claibourne Township Zoning Commission of Union County, Ohio, will hold a public hearing concerning the proposed amendments at 7:00 PM on JUNE 20, 2023, in the Claibourne Township Building. The address is 26751 STATE ROUTE 37, RICHMOND, OH 43344

Point of Contact.

Please consider me, TOD DRESBACK, Township's point of contact for this matter. My contact information is below:

CLAIBOURNEZONING@GMAIL.COM
Phone: 740-360-1154

Sincerely,

Attachments.

1. Proposed Zoning Resolution Text Amendments (text changes shown ~~removed~~ and red)

Claibourne Township Union County, Ohio

Zoning Code

As Amended:
_____, 2023

Formatted: No underline

This version: Amended and restated to reflect amendments as effective _____
_____, 2023.

- Small Wind Project. Any wind project less than 5MW which includes the wind turbine generator and anemometer.
- Wind Power Turbine Owner. The person, persons, or entity who owns the Wind Turbine structure.
- Wind Power Turbine Tower. The support structure to which the turbine and rotor are attached.
- Wind Power Turbine Tower Height. The distance from the rotor blade at its highest point to the top surface of the ground at the Wind Power Generating Facility (WPGF) foundation.

Solar Energy Systems Related Definitions:

- **Accessory Solar Energy**: A solar collection system consisting of one or more roof/~~structure~~~~building~~ mounted, ~~and/or~~ ground/pole mounted, ~~and/or other structure mounted~~ solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- **Principal Solar Energy Production Facility**: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. ~~These production facilities primarily produce electricity to be used off-site.~~ ~~Large~~~~Principal~~ solar energy production facilities consist of one or more ~~free-standing roof/building mounted,~~ ground/pole ~~mounted,~~ ~~and/or roof/structure mounted~~~~other structure -solar~~~~mounted solar~~ collector devices, solar related equipment, and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. ~~Examples include “Small Solar Facility” and “Community Solar Facility” as defined by statute or herein.~~ ~~These production facilities primarily produce electricity to be provided off-site.~~

- **Solar Energy Equipment:** Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter(s), batteries, mounting brackets, racking, framing and/or foundation used for or intended to be used for the collection of solar energy.
- **Solar Photovoltaic (PV):** The technology that uses a semiconductor to convert light directly into electricity.
- **Clear Fall Zone (Solar Energy):** An area surrounding a ground/pole mounted or other structure mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not intrude onto a neighboring property.

- **Small Solar Facility:** Pursuant to ORC 519.213 (A) (2), "Small Solar Facility" means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than 50 MW.

- **Community Solar:** Also known as shared solar, or solar gardens, is an energy model that allows customers to buy or lease part of a larger off-site shared solar photovoltaic (PV) system. For the purposes of this Resolution, "Community Solar" is considered to be a "Principal Solar Energy Production Facility".

Formatted: Font: Bold, Underline

Formatted: Font: (Default) Garamond, 14 pt, Bold, Underline

Formatted: Indent: Left: 0.5", Add space between paragraphs of the same style, No bullets or

Formatted: Font: Bold, Underline

Formatted: Font: (Default) Garamond, 14 pt, Bold, Underline

Formatted: Indent: Left: 0.5", Add space between paragraphs of the same style, No bullets or

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

1. Location of all public and private airports in relation to the location of the wind turbine.
2. An report that shows:
 - a. The total size and height of the unit.
 - b. The total size and depth of the unit's foundation structure, as well as soil and bedrock data.
 - c. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.
 - d. Data specifying the kilowatt size and generating capacity in kilowatts of the particular unit.
 - e. The maximum decibel level of the particular unit. This information shall be obtained from the manufacturer of the turbine unit.
 - f. Hazardous materials containment and disposal plan.
3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, overhead utility lines, and neighboring property lines.
4. Evidence of established setbacks of 1.25 times the height of the wind turbine and "clear fall zone."
5. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit.

Section 1071 Small Solar Energy Systems (Less Than 50 MW).

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. No accessory solar energy system for a dwelling and its accessory structures shall have a production output of more than 50 kW. For a dwelling with multiple dwelling units, 50 kW is allowed per dwelling unit. No other principal use shall have an accessory system with a production output of more than 250 kW.
2. An accessory solar energy system is permitted in all zoning districts as an accessory to a principal use.
3. An accessory solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net ~~M~~etering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.

Formatted: List Paragraph, No bullets or numbering

~~3.4.~~ Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.

4.5. Roof/~~Structure~~Building mounted accessory solar energy systems:

- a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
- b. May be mounted to a principal or accessory building.
- c. ~~Combined~~The height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs, and may not be taller than five (5) feet above the roofline of a flat roof.

5.6. Ground/Pole mounted accessory solar energy systems:

- a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
- b. Shall be permitted in the rear or side yard only.
- c. Shall be erected within an established clear fall zone.
- d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least fifty (50) feet from the nearest property line, whichever is greater.

Formatted: Indent: Left: 1", No bullets or numbering

7. Other structure mounted accessory solar energy systems:

- a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
- b. Shall be permitted in the rear or side yard only.
- c. Shall be erected within an established clear fall zone.
- d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (50) feet from the nearest property line, whichever is greater.

6.8. Accessory Ssolar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.

7.9. Accessory Ssolar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mountedaccessory solar energy system shall be graded and reseeded within thirty (30) days of removal.

8.10. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:

- a. Height of the proposed solar energy system(s) at maximum tilt.
- b. Evidence of established setbacks of 1.1 times the height of any ground/pole mounted or other structure mounted solar energy systemother than a building and its "clear fall zone".
- c. Proof of notice to the electric company, Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts) regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, ~~or subsidiary use~~, as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater). ~~It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).~~

Principal Solar Energy Production Facilities are prohibited in any district.

Section 1075

General Conditions for Adult Entertainment Use. Adult

Entertainment Facilities are conditionally permitted within the B-2 Local Business District only, and subject to conditions set forth in the Zoning Resolution Section 1075 and paragraphs 1-9 hereafter set forth.

1. No adult entertainment facility shall be established within one thousand (1,000) feet of any areas zoned for residential use.
2. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any school, library, or teaching facility, whether public or private, governmental or commercial which school, library, or teaching facility is attended by persons under eighteen (18) years of age.
3. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any park or recreational facility attended by persons under eighteen (18) years of age.
4. No adult entertainment facility shall be established within a radius of two thousand (2,000) feet of any other adult entertainment facility.
5. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of established church, synagogue, or permanently established place of religious services which is attended by persons under eighteen (18) years of age.
6. No advertisements, displays, or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.
7. All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view

SIGNATURE BLOCKS
Original Resolution Adopted May 14, 1984

Adopted: _____

Township Trustees

Attest: _____
Township Fiscal Officer

Township Trustee

Township Trustee

Claibourne Township Union County, Ohio

Zoning Code

As Amended:
_____, 2023

Formatted: No underline

This version: Amended and restated to reflect amendments as effective _____
_____, 2023.

- Small Wind Project. Any wind project less than 5MW which includes the wind turbine generator and anemometer.
- Wind Power Turbine Owner. The person, persons, or entity who owns the Wind Turbine structure.
- Wind Power Turbine Tower. The support structure to which the turbine and rotor are attached.
- Wind Power Turbine Tower Height. The distance from the rotor blade at its highest point to the top surface of the ground at the Wind Power Generating Facility (WPGF) foundation.

Solar Energy Systems Related Definitions:

- **Accessory Solar Energy**: A solar collection system consisting of one or more roof/~~structure~~~~building~~ mounted, ~~and/or~~ ground/pole mounted, ~~and/or other structure mounted~~ solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- **Principal Solar Energy Production Facility**: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. ~~These production facilities primarily produce electricity to be used off-site.~~ ~~Large~~~~Principal~~ solar energy production facilities consist of one or more ~~free-standing roof/building mounted,~~ ground/pole ~~mounted,~~ ~~and/or roof/structure mounted~~~~other structure -solar~~~~mounted solar~~ collector devices, solar related equipment, and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. ~~Examples include “Small Solar Facility” and “Community Solar Facility” as defined by statute or herein.~~ ~~These production facilities primarily produce electricity to be provided off-site.~~

- **Solar Energy Equipment:** Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter(s), batteries, mounting brackets, racking, framing and/or foundation used for or intended to be used for the collection of solar energy.
- **Solar Photovoltaic (PV):** The technology that uses a semiconductor to convert light directly into electricity.
- **Clear Fall Zone (Solar Energy):** An area surrounding a ground/pole mounted or other structure mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not intrude onto a neighboring property.

- **Small Solar Facility:** Pursuant to ORC 519.213 (A) (2), "Small Solar Facility" means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than 50 MW.

- **Community Solar:** Also known as shared solar, or solar gardens, is an energy model that allows customers to buy or lease part of a larger off-site shared solar photovoltaic (PV) system. For the purposes of this Resolution, "Community Solar" is considered to be a "Principal Solar Energy Production Facility".

Formatted: Font: Bold, Underline

Formatted: Font: (Default) Garamond, 14 pt, Bold, Underline

Formatted: Indent: Left: 0.5", Add space between paragraphs of the same style, No bullets or

Formatted: Font: Bold, Underline

Formatted: Font: (Default) Garamond, 14 pt, Bold, Underline

Formatted: Indent: Left: 0.5", Add space between paragraphs of the same style, No bullets or

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

1. Location of all public and private airports in relation to the location of the wind turbine.
2. An report that shows:
 - a. The total size and height of the unit.
 - b. The total size and depth of the unit's foundation structure, as well as soil and bedrock data.
 - c. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.
 - d. Data specifying the kilowatt size and generating capacity in kilowatts of the particular unit.
 - e. The maximum decibel level of the particular unit. This information shall be obtained from the manufacturer of the turbine unit.
 - f. Hazardous materials containment and disposal plan.
3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, overhead utility lines, and neighboring property lines.
4. Evidence of established setbacks of 1.25 times the height of the wind turbine and "clear fall zone."
5. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit.

Section 1071 Small Solar Energy Systems (Less Than 50 MW).

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. No accessory solar energy system for a dwelling and its accessory structures shall have a production output of more than 50 kW. For a dwelling with multiple dwelling units, 50 kW is allowed per dwelling unit. No other principal use shall have an accessory system with a production output of more than 250 kW.
2. An accessory solar energy system is permitted in all zoning districts as an accessory to a principal use.
3. An accessory solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net ~~M~~etering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.

Formatted: List Paragraph, No bullets or numbering

~~3.4.~~ Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.

4.5. Roof/~~Structure~~Building mounted accessory solar energy systems:

- a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
- b. May be mounted to a principal or accessory building.
- c. ~~Combined~~The height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs, and may not be taller than five (5) feet above the roofline of a flat roof.

5.6. Ground/Pole mounted accessory solar energy systems:

- a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
- b. Shall be permitted in the rear or side yard only.
- c. Shall be erected within an established clear fall zone.
- d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least fifty (50) feet from the nearest property line, whichever is greater.

Formatted: Indent: Left: 1", No bullets or numbering

7. Other structure mounted accessory solar energy systems:

- a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
- b. Shall be permitted in the rear or side yard only.
- c. Shall be erected within an established clear fall zone.
- d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (50) feet from the nearest property line, whichever is greater.

6.8. Accessory Ssolar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.

7.9. Accessory Ssolar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mountedaccessory solar energy system shall be graded and reseeded within thirty (30) days of removal.

8.10. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:

- a. Height of the proposed solar energy system(s) at maximum tilt.
- b. Evidence of established setbacks of 1.1 times the height of any ground/pole mounted or other structure mounted solar energy systemother than a building and its "clear fall zone".
- c. Proof of notice to the electric company, Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts) regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, ~~or subsidiary use~~, as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater). ~~It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).~~

Principal Solar Energy Production Facilities are prohibited in any district.

Section 1075

General Conditions for Adult Entertainment Use. Adult

Entertainment Facilities are conditionally permitted within the B-2 Local Business District only, and subject to conditions set forth in the Zoning Resolution Section 1075 and paragraphs 1-9 hereafter set forth.

1. No adult entertainment facility shall be established within one thousand (1,000) feet of any areas zoned for residential use.
2. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any school, library, or teaching facility, whether public or private, governmental or commercial which school, library, or teaching facility is attended by persons under eighteen (18) years of age.
3. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any park or recreational facility attended by persons under eighteen (18) years of age.
4. No adult entertainment facility shall be established within a radius of two thousand (2,000) feet of any other adult entertainment facility.
5. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of established church, synagogue, or permanently established place of religious services which is attended by persons under eighteen (18) years of age.
6. No advertisements, displays, or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.
7. All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view

SIGNATURE BLOCKS
Original Resolution Adopted May 14, 1984

Adopted: _____

Township Trustees

Attest: _____
Township Fiscal Officer

Township Trustee

Township Trustee



Staff Report – Darby Township (U) Zoning Amendment

Applicant:	Darby Township Zoning Commission c/o Connie Priday 18540 Sam Reed Road Marysville, OH 43040 (937) 645-5034 Cspriday@gmail.com
Request:	The Darby Township Board of Trustees initiated an amendment to the text of the Zoning Resolution. The proposal amends Article II definitions and Section 1046 Solar Energy Systems.
Location:	Darby Township is in southern Union County and contains the village of Unionville Center.

Staff Analysis:	<p>The Township adopted a previous iteration of the LUC Model Text for Solar Energy Systems. This text amendment brings that text in line with the most recent iteration of the LUC Model Text because there has been so many changes to that model text.</p> <p><u>Amending Article II Definitions – Solar Energy Related Definitions</u></p> <p>Modifications to the Solar Energy Related Definitions match the recently updated LUC Model Text. Those modifications include:</p> <ul style="list-style-type: none"> • Adds “other structure mounted” to both the accessory and principal definition. • Requires both “ground/pole mounted” and “other structure mounted” systems to have a clear fall zone. <p><u>Amending Section 1046 Solar Energy Systems</u></p> <p>Previously, the Township adopted a modified Version 1 of the model text. Purposed changes more closely match the current model text. Modifications include:</p> <ul style="list-style-type: none"> • Modifies the section title to “Section 1046 Small Solar Energy Systems (Less Than 50 MW)”. • Updates (B.) Principal Solar Energy Production Facilities, to read, “it is not the purpose of this regulation to regulate a major utility facility as defined by the Ohio Revised Code.” This change also removes language no longer in the LUC Solar Model Text. <p><u>Prosecutor’s Office</u></p> <ul style="list-style-type: none"> • A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. The
------------------------	--



Logan-Union-Champaign regional planning commission

Staff Report – Darby Township (U) Zoning Amendment

	comments from that Office should be reviewed and included in any recommendation.
Staff Recommendations:	Staff recommends APPROVAL of the proposed zoning text amendment. The Township should consider the opinion of the Prosecutor's Office when it is available.
Z&S Committee Recommendations:	



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 05-08-2023 Township: Darby

Amendment Title: Solar Energy Systems Amendment

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219
 East Liberty, Ohio 43319
 • Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

05-08-2023

David Gruenbaum
Chair, Zoning Commission
Darby Township
14235 Hidden Farm Road
Plain City, OH 43064

**RE: Action by Darby Township Board of Trustees
Certification of Resolution to initiate a Zoning Text Amendment**

Dear Mr. David Gruenbaum:

Please consider this document certification of action by the Darby Township Board of Trustees.

On May 8, 2023, the Darby Township Board of Trustees met. During the meeting, James Schauderer moved a motion to initiate a zoning text amendment. David Hueston seconded the motion. All in favor.

Attest



Connie Priday 05-08-2023

Fiscal Officer, Darby Township

Date of Request.

May 8th, 2023

Logan-Union-Champaign Regional Planning Commission
c/o Gram Dick
PO Box 219
East Liberty, OH 43319
gramdick@lucplanning.com

RE: Zoning Text Amendment Application, Darby Township, Union County
Amendment topic: Solar Energy Systems Definitions and Text

Dear LUC Regional Planning Commission Committee Members:

The Darby Township Board of Trustees met at 7:30 PM on May 8th, 2023. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Board of Trustees. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are in red and ~~striketrough~~. Please refer to these attachments for further information.

- Amend solar energy related definitions in Article II Definitions and amend Section 1046 Solar Energy Systems. The text of Section 1046 and the solar energy related definitions in Article II regulate solar energy systems.

Public Hearing.

The Darby Township Zoning Commission of Union County, Ohio, will hold a public hearing concerning the proposed amendments at 7:30A M on June 9, 2023, in the Darby Township Building. The address is 528 4th St. Unionville Center, Ohio

Point of Contact.

Please consider me Connie Friday, Township's point of contact for this matter. My contact information is below:

Address: 18540 Sam Reed Rd. Marysville
 Email: cspridey@gmail.com
 Phone: 937-645-5034

Sincerely,

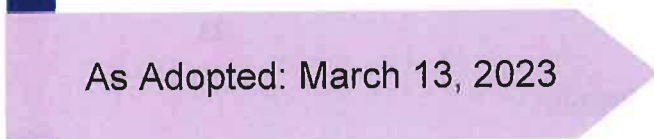
Attachments.

1. Proposed Zoning Resolution Text Amendments (text changes shown ~~removed~~ and red)



Darby Township
Union County, Ohio

Zoning Resolution



As Adopted: March 13, 2023

Index

Article I: Title, Interpretation, and Enactment	1
Section 100 – Title	
Section 110 – Provisions of Resolution Declared to be Minimum Requirements	
Section 120 – Separability Clause	
Section 130 – Repeal of Conflicting Resolution, Effective Date	
Section 140 – Use of Land or Buildings for Agricultural Purposes Not Affected	
Article II: Definitions	2
Article III: Enforcement	21
Section 300 – Zoning Permits Required	
Section 301 – Contents of Application for Zoning Permit	
Section 302 – Approval of Zoning Permit	
Section 303 – Submission to Director of Transportation	
Section 304 – Expiration of Zoning Permit	
Section 310 – Certificate of Zoning Compliance	
Section 311 – Temporary Certificate of Zoning Compliance	
Section 312 – Record of Zoning Permits and Certificates of Zoning Compliance	
Section 320 – Failure to Obtain a Zoning Permit or Certificate of Zoning Compliance	
Section 330 – Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates	
Section 340 – Complaints Regarding Violations	
Section 350 – Penalties for Violation	
Section 360 – Schedule of Fees, Charges, and Expenses	
Article IV: Non-Conformities	24
Section 400 – Intent	
Section 410 – Incompatibility of Non-Conformities	
Section 420 – Avoidance of Undue Hardship	
Section 430 – Single Non-Conforming Lots of Record	
Section 431 – Non-Conforming Lots of Record in Combination	
Section 440 – Non-Conforming Uses of Land	
Section 450 – Non-Conforming Structures	
Section 460 – Non-Conforming Uses of Structures or of Structures and Land in Combination	
Section 470 – Repairs and Maintenance	
Article V: Administration	27
Section 500 – Office of Zoning Inspector Created	
Section 501 – Duties of Zoning Inspector	
Section 508 – Township Zoning Commission Created	
Section 509 – Functions of the Zoning Commission	
Section 510 – Zoning Secretary	
Section 511 – Meetings and Agenda of Zoning Commission	

Section 512 – Minutes
Section 520 – Board of Zoning Appeals Created
Section 521 – Proceedings of the Board of Zoning Appeals
Section 522 – Duties of the Board of Zoning Appeals
Section 530 – Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal
Section 540 – Procedure and Requirements for Appeals and Variances
Section 541 – Appeals
Section 542 – Stay of Proceedings
Section 543 – Variances
Section 544 – Application and Standards for Variances
Section 545 – Supplementary Conditions and Safeguards
Section 546 – Public Hearing by the Board of Zoning Appeals
Section 547 – Notice of Public Hearing in Newspaper
Section 548 – Notice to Parties in Interest
Section 549 – Action by Board of Zoning Appeals
Section 560 – Procedure and Requirements for Approval of Conditional Use Permits
Section 561 – General
Section 562 – Contents of Application for Conditional Use Permit
Section 563 – General Standards Applicable to all Conditional Uses
Section 565 – Supplementary Conditions and Safeguards
Section 566 – Procedure for Hearing, Notice
Section 567 – Action by the Board of Zoning Appeals
Section 568 – Expiration of Conditional Use Permit

Article VI: Amendment

34

Section 600 – Procedure for Amendment or District Changes
Section 601 – General
Section 602 – Initiation of Zoning Amendments
Section 603 – Contents of Application
Section 604 – Involvement of the Regional Planning Commission
Section 605 – Establishment of Date for Public Hearing by Zoning Commission
Section 606 – Notice to Contiguous Property Owners
Section 607 – Publication of Notice of Public Hearing for Proposed Amendment or Redistricting of Ten (10) or Fewer Parcels
Section 608 – Publication of Notice of Public Hearing for Proposed Amendment or Redistricting of More than Ten (10) Parcels
Section 609 – Submission to Director of Transportation
Section 610 – Zoning Commission Acceptance, Rejection or Modification of Amendment Request
Section 611 – Establishment of Date for Public Hearing by Township Trustees
Section 612 – Publication of Notice of Public Hearing for Proposed Amendment or Redistricting of Ten (10) or Fewer Parcels
Section 613 – Publication of Notice of Public Hearing for Proposed Amendment or Redistricting of More than Ten (10) Parcels

Section 614 – Township Trustees Acceptance, Rejection or Modification of Amendment Recommendation from the Zoning Commission	
Section 615 – Effective Date and Referendum	
Section 616 – Transmittal of Amendment	
Article VII: Provisions for Official Zoning Map	38
Section 700 – Official Zoning Map	
Section 710 – Identification of the Official Zoning Map	
Section 720 – Interpretation of District Boundaries	
Article VIII: Establishment and Purpose of Districts	39
Section 800 – Intent	
Section 809 – Agricultural District (A-1)	
Section 810 – Rural Undeveloped District (U-1)	
Section 811 – Low Density Residential District (R-1)	
Section 812 – Local Business District (B-2)	
Section 813 – Light Industrial District (LI)	
Article IX: District Regulations	41
Section 900 – Compliance with Regulations	
Section 910 – Agricultural District (A-1)	
Section 920 – Rural Undeveloped District (U-1)	
Section 930 – Low Density Residential District (R-1)	
Section 940 – Local Business District (B-2)	
Section 950 – Light Industrial District (LI)	
Article X: Supplementary District Regulations	47
Section 1000 – General	
Section 1001 – Conversion of Dwellings to More Units	
Section 1002 – Swimming Pools	
Section 1003 – Accessory Buildings in the A-1, U-1, and R-1 Zoning Districts	
Section 1004 – Temporary Buildings	
Section 1005 – Parking and Storage of Certain Vehicles	
Section 1006 – Required Trash Areas	
Section 1010 – Supplemental Yard and Height Regulations	
Section 1011 – Fences, Walls, and Vegetation	
Section 1012 – Screening	
Section 1013 – Home Occupations	
Section 1014 – Tree Preservation	
Section 1015 – Lighting Standards	
Section 1029 – Mineral, Clay, Sand and Gravel Extraction, Storage and Processing	
Section 1030 – Distance from Residential Areas	
Section 1031 – Filing of Location Map	
Section 1032 – Information on Operation	
Section 1033 – Restoration of Mined Area	
Section 1034 – Performance Bond	

Section 1035 – Enforcement Provision
Section 1036 – Measurement Procedures
Section 1037 – Agricultural Use
Section 1038 – Agritourism
Section 1040 – Adequate Drainage Outlet, Acceptable Soils, and Existing Drainage Tile
Section 1041 – Ponds
Section 1042 – Adult Material and Entertainment
Section 1043 – General Conditions for Medical Marijuana Entities
Section 1045 – Small Wind Projects less than 5 Megawatts (MW)
Section 1046 – Solar Energy Systems
Section 1048 – Telecommunications Towers
Section 1049 – Performance Bond for Telecommunications Towers
Section 1050 – Decks and Porches
Section 1061 – Short Term Rentals

Article XI: Off-Street Parking and Loading Facilities

62

Section 1100 – General Requirements
Section 1110 – Parking Space Dimensions
Section 1111 – Loading Space Requirements and Dimensions
Section 1112 – Paving
Section 1113 – Drainage
Section 1114 – Maintenance
Section 1115 – Lighting
Section 1116 – Location of Parking Spaces
Section 1117 – Screening and Landscaping
Section 1119 – Minimum Distance and Setbacks
Section 1120 – Joint Use
Section 1121 – Wheel Blocks
Section 1122 – Width of Driveway Aisle
Section 1130 – Parking Space Requirements
Section 1131 – General Interpretations

Article XII: Signs

65

Section 1200 – Intent
Section 1201 – Governmental Signs Excluded
Section 1202 – General Requirements for all Signs and Districts
Section 1203 – Measurement of Sign Area
Section 1210 – Signs Permitted in All Districts not Requiring a Permit
Section 1211 – Standards for Signs Requiring a Permit, excluding Off-Premise Signs
Section 1212 – Off-Premise Signs (Billboards)
Section 1220 – Temporary Signs
Section 1260 – Violations

Article XIII: Planned Districts

69

Section 1300 – Objectives for Planned Districts
Section 1301 – Provisions Governing Planned Districts

- Section 1302 – Procedure
- Section 1303 – Pre-Application Meeting
- Section 1304 – Submission of Preliminary Development Plan
- Section 1305 – Preliminary Development Plan Requirements
- Section 1306 – Preliminary Development Plan Approval
- Section 1307 – Final Development Plan Required
- Section 1308 – Contents of Application for Approval of Final Development Plan
- Section 1309 – Final Development Plan Approval
- Section 1310 – Planned Districts Established
- Section 1320 – Minimum Project Area
- Section 1321 – Planned Agricultural District (PAD)
- Section 1322 – Planned Residential District (PRD)
- Section 1323 – Planned Conservation Residential District (PCR)
- Section 1324 – Planned Commercial and Office District (PCO)
- Section 1325 – Planned Industrial District (PID)
- Section 1326 – Project Ownership
- Section 1327 – Common Open Space
- Section 1328 – General Standards Regarding Open Space
- Section 1329 – Ownership of Common Open Space
- Section 1330 – Maintenance of Open Space
- Section 1331 – General Site Development Standards

**Article XIV: Mobile Homes, Mobile Home Parks and Dwelling (Housing)
Manufactured**

80

- Section 1400 – Mobile Homes
- Section 1401 – Mobile Trailers Prohibited

Quick-Reference Guide to District Regulations

Appendix A

PREAMBLE

A resolution of the Township of Darby, Union County, Ohio, enacted in accordance with a comprehensive plan and the provisions of Chapter 519, Ohio Revised Code, dividing the Township into zones and districts, encouraging, regulating, and restricting therein the location, construction, reconstruction, alteration and uses of structures and land; promoting the orderly development of residential, business, industrial, recreational, and public areas; providing for adequate light, air and convenience of access to property by regulating the use of land and buildings and the bulk of structures in relationship to surrounding properties; limiting congestion in the public rights of way; providing for the administration of this resolution as provided hereafter; and prescribing penalties for the violation of the provisions in this resolution or any amendment thereto, all for the purpose of protecting the public health, safety, comfort and general welfare; and for the repeal thereof.

Therefore, be it resolved by the Board of Trustees of the Township of Darby, Union County, Ohio.

ARTICLE I: TITLE, INTERPRETATION, AND ENACTMENT

Section 100 – Title

This resolution shall be known and may be cited to as the “Zoning Resolution of the Township of Darby, Union County, Ohio”.

Section 110 – Provisions of Resolution Declared to be Minimum Requirements

In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of this resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolution, the most restrictive, or that imposing the higher standards shall govern.

Section 120 – Separability Clause

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

Section 130 – Repeal of Conflicting Resolution, Effective Date

All resolutions or parts of Resolution in conflict with this zoning Resolution or inconsistent with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect. This Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

Section 140 - Use of Land or Buildings for Agricultural Purposes Not Affected

The uses of land or buildings for agricultural purposes are not affected by this Resolution and no zoning certificate shall be required for any such building or structure or use of land, except as provided for in Section 1037. Residential dwellings, including those on agricultural land, do require a zoning permit.

ARTICLE II: DEFINITIONS

Interpretation of Terms or Words: For the purpose of this Resolution, certain terms or words used herein shall be interpreted as follows:

1. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
3. The word “shall” is a mandatory requirement, the word “may” is a permissive requirement, and the word “should” is a preferred requirement.
4. The words “used” or “occupied” include the words “intended, designed, or arranged to be used or occupied”.
5. The word “lot” includes the words “plot” or “parcel”.

Access Management Standards - Pursuant to Chapter 5522 of the Ohio Revised Code, Access Management Regulations are regulations adopted by the County Engineer for the purposes of promoting traffic safety and efficiency, maintaining proper traffic capacity and traffic flow, reducing vehicular accident frequency, minimizing the future expenditure of public revenues, and improving the design and location of access connections to county and township roads while at the same time providing necessary and reasonable ingress and egress to properties along those roads. The regulations establish the standards necessary to properly manage access to county and township roads.

Accessory Structure - A subordinate structure 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 Use - A use incidental to and customarily associated with a specific principal use, located on the same lot or parcel.

Acre - A land area of 43,560 square feet.

Addition - Any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

Adult Entertainment Facilities - A facility having a significant portion of its function as adult entertainment which includes the following listed categories:

- a. **Adult Entertainment Business** - A business or enterprise which presents material or performances (1) whose dominant tendency is to arouse lust or to appeal to the prurient or scatological interest by displaying or depicting sexual activity, masturbation, sexual excitement, nudity or human bodily functions of elimination, (2) which, when taken as a whole, lack serious literary, artistic, political or scientific value, and (3) which detrimentally affect or may detrimentally affect the purposes of this Resolution.
- b. **Establishment** - The opening of a new business, the relocation of an existing business or the conversion of an existing business.
- c. **Material** - Any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, phonographic record or tape, disk, digital media or other tangible thing capable of arousing interest through sight, sound or touch.
- d. **Nudity** - The showing, representation or depiction of human male or female genitals, pubic area or buttocks with less than a full, opaque covering, or of a female breast with less than a full,

opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

- e. **Performance** - Any motion picture, preview, trailer, play, show, skit, dance, or other exhibition performed before an audience.
- f. **Presents** - Creates, produces, directs, publishes, advertises, sells, rents, disseminates, distributes or displays.
- g. **Sexual activity** - Sexual conduct or sexual contact, or both.
- h. **Sexual conduct** - Vaginal intercourse between a male and female, and anal intercourse, fellatio, and cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.
- i. **Sexual contact** - Any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if such person is a female, a breast, for the purpose of gratifying either person.
- j. **Sexual excitement** - The condition of human male or female genitals when in a state of sexual stimulation or arousal.

Agribusiness - Manufacturing warehousing, storage, and related industrial and commercial activities that provide services for or are dependent upon agricultural activities. Agribusinesses include, but are not limited to the following uses: sales, storage, and blending; sales and servicing of farm implements and related equipment; preparations and sale of feeds for animals and fowl; seed sales, poultry hatchery services; corn shelling, hay baling, and threshing services; grain elevators and bulk storage of feed grains; horticulture services; agricultural produce milling and processing and livestock auctions.

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. The term "agricultural building" shall not include dwellings.

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. Food sales and farm machinery repair services that are accessory to the principal use are included in this definition.

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

Agritourism related definitions:

- **Agricultural Production** - Commercial animal or poultry husbandry, aquaculture, algaculture meaning the farming of algae, apiculture, animal husbandry, or poultry husbandry; the production for a commercial purpose of timber, field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth; land devoted to biodiesel production, biomass energy

production, electric or heat energy production, or biologically derived methane gas production if the land on which the production facility is located is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use, provide that at least fifty per cent of the feedstock used in the production was derived from parcels of land under common ownership or leasehold. Agricultural production includes conservation practices, provided that the tracts, lots, or parcels of land or portions thereof that are used for conservation practices comprise not more than twenty-five per cent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed under Section 929.02 of the Revised Code.

- **Agritourism** - An agriculturally related educational, entertainment, historical, cultural, or recreational activity, including you-pick operations or farm markets, conducted on a farm that allows or invites members of the general public to observe, participate in, or enjoy that activity.
- **Agritourism Provider** - A person who owns, operates, provides, or sponsors an agritourism activity or an employee of such a person who engages in or provides agritourism activities whether or not for a fee.
- **Farm** - Land that is composed of tracts, lots, or parcels totaling not less than ten (10) acres devoted to agricultural production or totaling less than ten (10) acres devoted to agricultural production if the land produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.

Alley - See Thoroughfare.

Alterations, Structural - Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

Automobile Repair Services - Any building, structure, improvements, or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler or upholstery work, oil change and lubrication, painting, tire service and sales, or installation of car alarms or stereo equipment.

Base Flood - The flood having a one percent chance of being equaled or exceeded in a given year. The base flood may also be referred to as the 1 percent chance annual flood or one hundred (100) year flood.

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

Bed and Breakfast Inn - A single family private residence that provides overnight accommodations and a morning meal to transients for compensation. The owner/operator of the bed and breakfast must live full-time on the inn's premises. Bed and breakfast inns shall contain no more than six (6) separate guest rooms.

Billboard - A sign directing attention to a specific business, product, service, entertainment, or other activity sold, offered or conducted elsewhere than upon the lot on which the sign is located or for public service and information of for political advertising.

Board of Zoning Appeals - The Board of Zoning Appeals of Darby Township, Union County, Ohio.

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.

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

Building, Accessory - A subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use. Accessory buildings include, but are not limited to storage sheds, garages, metal storage buildings, and other prefabricated buildings.

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. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

Building Line - See Setback Line.

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

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 twelve inches, the caliper measurement must be taken at twelve inches above the ground level. For trees greater than twelve inches in diameter, the trunk is measured at breast height (diameter at breast height or DBH), which is 4.5 feet above the ground.

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

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

Chassis - The steel undercarriage, supporting framework to which a dwelling is permanently attached.

Clinic - A place used for the care, diagnosis and treatment of sick, ailing, infirm, or injured persons, and those who are in need of medical and surgical attention, but who are not provided with board or room or kept overnight on the premises.

Club - A building or portion thereof or premises owned or operated by a person for a social, literary, political, education, or recreational purpose primarily for the exclusive use of members and their guests.

Commercial Use - The purchase, sale, or transaction involving the disposition of any article, substance, commodity, or service; the maintenance or conduct of offices, professions, or recreational or amusement enterprises conducted for profit and also including renting of non-residential rooms, business offices, and sales display rooms and premises.

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

Comprehensive Development Plan or Comprehensive Plan - A plan, or any portion thereof, adopted by either Darby Township, the Regional Planning Commission, or the Board of County Commissioners showing the general location and extent of present and proposed land uses, major thoroughfares, parks, schools, or other community facilities. This plan establishes the goals, objectives, and policies of the community.

Conditional Use - A use permitted within a district other than a principally permitted use, requiring a conditional use permit and approval of the Board of Zoning Appeals.

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

Condominium - A multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of the State of Ohio.

Corner Lot - See Lot Types.

Cul-de-Sac - See Thoroughfare.

Dead-End Street - See Thoroughfare.

Deck - An exterior floor system supported on at least two opposing sides by an adjoining structure and/or posts, piers, or other independent supports.

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

Density, Gross - The numerical value obtained by dividing the total number of dwelling units in a development by the gross area of the tract of land (in acres) within a development. This would include all nonresidential land uses and private streets of the development, as well as rights-of-way of dedicated streets; the result being the number of dwelling units per gross acre of land.

Density, Net - The numerical value obtained by dividing the total number of dwelling units in a development by the area of the actual tract of land (in acres) upon which the dwelling units are proposed to be located and including common open space and associated recreational facilities within the area; the result being the number of dwelling units per net residential acre of land. Net density calculations exclude rights-of-way of publicly dedicated streets and private streets.

Dwelling - Any building or structure (except a mobile home as defined elsewhere in this resolution) which is wholly or partly used or intended to be used for living or sleeping quarters by one or more human occupants.

Dwelling, Modular Home - Factory built housing certified as meeting the local or state building codes as applicable to modular housing. Once certified by the state, modular homes shall be subject to the same standards as site built homes. Modular homes are required to be placed upon a solid masonry foundation.

Dwelling, Multi-Family - A dwelling or group of dwellings on one lot, containing separate living units for three or more families, having separate or joint entrances, and including apartments, group homes, row houses, and condominiums.

Dwelling, Permanently-Sited Manufactured Housing - A manufactured home that meets the following criteria:

1. Must be attached to a permanent, frost-free foundation meaning permanent masonry, concrete, or a locally approved footing or foundation (slab, crawl space foundation or full foundation), and connected to appropriate utilities;
2. Excluding any additions, have a width of at least 22 feet and a length of at least 22 feet as manufactured;
3. Have conventional residential siding, (i.e. lap, clapboard, shake, masonry, vertical natural materials), a 6-inch minimum eave overhang, and a minimum "A" roof pitch of 3:12;
4. Have removed its indicia of mobility (temporary axles, trailer tongue, running lights) upon placement upon its foundation;
5. Meet all applicable zoning requirements uniformly imposed on all single-family dwellings in the particular district (excepting contrary requirements for minimum roof pitch and requirements that do not comply with HUD code standards for manufactured housing);
6. And, is not located in a manufactured home park as defined by ORC 3733.01.

Dwelling, Two Family - A dwelling, except manufactured housing, designed exclusively for occupancy by two (2) families living independently of each other, including a duplex (one dwelling unit above the other), or a semi-detached (one dwelling unit beside the other).

Dwelling, Single Family - A detached residential dwelling or housing unit other than a mobile home, designed for and occupied by one family only, including permanently-sited manufactured housing, modular homes, and industrialized units. The type of construction of such units shall conform to the applicable building code.

Dwelling, Manufactured Home - A non self-propelled building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the Federal construction and safety standards establishing by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable Federal construction and safety standards. A manufactured home is transportable in one or more sections, which, in the traveling mode, is eight feet or more in width or forty feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis, designed to be used as a dwelling with or without permanent foundation when connected to required utilities. Calculations used to determine the numbers of square feet in a structure's exterior dimensions are measured at the largest horizontal projection when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows."(ORC 4501.01) For the purposes of this section, chassis means a steel frame specifically designed and constructed with wheels or running gear and towing tongue installed for transportation on public streets or highways and designed without the need for a permanent foundation arriving at the site complete and ready for residential occupancy except for minor and incidental unpacking and assembly operations; location on wheels, jacks, blocks, or other foundation, connection to utilities and the like.

Dwelling, Mobile Home - A non self-propelled building unit or assembly of closed construction that is fabricated in an off-site facility, built on a permanent movable chassis which is 8 feet or more in width and more than 35 feet in length, which when erected on site is 320 or more square feet, that is transportable in one or more sections and which does not qualify as a manufactured home or industrialized unit as defined herein.

Dwelling, Industrialized Unit - A building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as 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 or mobile home as defined herein.

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.

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

Easement - The right to use the real property of another for a specific purpose. The easement is itself a real property interest, but legal title to the underlying land is retained by the original owner for all other purposes.

Easement, Conservation - A nonpossessory interest in real property imposing limitations or affirmative obligations, the purposes of which include retaining or protecting agricultural, natural, scenic, or open space values of real property; protecting natural resources; or maintaining air or water quality.

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

Family - One or more persons occupying a single dwelling unit.

Farm dwelling unit - A single family dwelling that is located on and used in conjunction with a farm.

Farm Market - The seasonal selling or offering for sale at retail of home-grown vegetables or produce, occurring in a pre-designated area, where the vendors are generally individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale.

A farm market where 50% or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year shall only be regulated by factors in this Zoning Resolution such as size of the structure, size of parking areas that may be required, setback lines, and egress or ingress pursuant Ohio Revised Code (ORC) 519.21 (C) (1).

Fence - 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, excluding agricultural fences.

Flood Plain - That land, including the flood fringe and the floodway, subject to inundation by the regional flood.

Flood, Base - Large floods which have previously occurred or which may be expected to occur on a particular stream because of like physical characteristics. The base flood generally has an average frequency of the one hundred (100) year recurrence interval flood.

Floodway - The channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge.

Floodway Fringe - That portion of the flood plain, excluding the floodway, where development may be allowed under certain restrictions.

Floor Area of a Residential Building - 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 of a Non-Residential Building (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, Usable - 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.

Frontage - That portion of a lot that directly abuts the street or street right of way and provides the principal access to the property. Lot frontage shall be measured only from the address side (front) for the purpose of determining road frontage on corner and double frontage lots. All sides of a lot abutting a street shall be considered frontage for the purpose of determining yard requirements only. Property lines that abut limited access roads shall not be construed to be included within any calculation of frontage. The above definition does not apply to common access drives. Common access drives must have a sixty (60) foot minimum ingress/egress onto the roadway.

Garage, Private - An accessory building or a part of the principal building, in which to store vehicles and personal property incidental to the use of the property.

Garage, Parking - A principal or accessory building, other than a private garage, used for parking or temporary storage of motor vehicles.

Gasoline Service Station - Any building, structure, or land used for the dispensing and sale at retail of any automobile fuels, oils, or accessories, including lubrication of automobiles and replacement or installation or minor parts and accessories, but not including major repair work.

Home Occupation - A use which is an activity, profession, occupation, service, craft, or revenue-enhancing hobby conducted by a person on the same premises as the principal place of residence which is clearly subordinate and incidental to use of the premises for residential purposes and is conducted entirely within the dwelling unit, without any significant adverse effect upon the surrounding neighborhood.

Impervious Surface - Any material which prevents, impedes, or slows infiltration or absorption of storm water directly into the ground at the rate of absorption of vegetation-bearing soils, including, but not limited to, building, asphalt, concrete, gravel, and other man made surfaces.

Junk - "Junk" means old scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber, junked, dismantled or wrecked automobiles or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous materials.

Junk Yard - “Junk Yard” means an establishment or place of business, which is maintained or operated for the purpose of storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. It shall also include scrap metal processing facilities which are located within one thousand feet of the nearest edge of right-of-way of a highway or street, and any site, location, or premises on which are kept two or more junk motor vehicles as defined in the Ohio Revised Code, whether or not for a commercial purpose.

Kennels - Any lot or premise, on which dogs, cats or other household pets are boarded, bred or exchanged for monetary compensation.

Land Trust - A private, nonprofit conservation organization formed to protect natural resources, open space and/or agricultural land.

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.

Local Road - Any road in Darby Township not specified as a major or minor collector.

Location Map - See Vicinity Map.

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

- A single lot of record;
- A portion of a lot of record;
- 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 Area - The horizontal area within the exterior lines of the lot, exclusive of any area in a public or private way open to public or common uses.

Lot Coverage - A measure of intensity of land use that represents the portion of a site that is impervious surface.

Lot Line - The property lines bounding the lot.

Lot Line, Front - A line connecting the foremost points of the side lot lines and dividing the lot from the access right-of-way. On a corner, lot lines along both streets shall be considered front lot lines.

Lot Line, Rear - A line connecting the rearmost points of the side lot line.

Lot Line, Side - A lot line that is neither a front lot line nor a rear lot line.

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 - No lot containing ten (10) acres or less shall have an average depth that is more than three (3) times its average width. For the purposes of this requirement the average width shall be the distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and rearmost points of the side lot lines in the rear. For the purposes of this requirement the average depth shall be the distance between the mid-point of a straight line connecting the foremost points of each side lot line at the front and the mid-point of a straight line connecting the rearmost points of the rear lot line.
2. Width - The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the street or right of way line, except at cul-de-sac streets (roads) where it is measured at the setback line. Also see Frontage. For lots containing ten (10) acres or less in area, the actual distance between the side lot lines at any point along the lot depth cannot be less than eight (80) % of the required frontage.

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.

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 lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.
2. Interior Lot - A lot with only one frontage of 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 on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

Major Collectors - Roads designated as major collectors by the Union County Engineer. At the time of the adoption of this resolution, these roads included State Routes 38, 161, and 736 in Darby Township.

Major Thoroughfare Plan - The portion of the Comprehensive Plan adopted by the Board of County Commissioners indicating the general location recommended for arterial, collector, and local thoroughfares within the appropriate jurisdiction.

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

Manufacturing, Light - Manufacturing or other industrial uses, including warehousing or transfer operations which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no major nuisances.

Medical marijuana related definitions:

- a) Cultivate. Means to grow, harvest, package, and transport medical marijuana pursuant to ORC 3796.
- b) Cultivator. Means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796.

- c) Dispensary. Means an entity licensed pursuant to ORC 3796 and any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.
- d) Dispense. Means the delivery of medical marijuana to a patient or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.
- e) Manufacture. Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
- f) Marihuana. Has the same meaning as defined in ORC 3719.01, as amended from time to time.
- g) Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- h) Medical Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- i) Medical Marijuana Entity. Means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
- j) Medical Marijuana Processor. Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
- k) Testing Laboratory. Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

Mineral Extraction - Any mining, quarrying, extraction or processing of limestone, clay, sand, gravel, natural gas, oil or other mineral resources.

Minor Collectors - Roads designated as minor collectors by the Union County Engineer. At the time of the adoption of this resolution, this designation included Burns, Middleburg-Plain City, Robinson, Scottslawn, Taylor, and Weaver Roads in Darby Township.

Mobile Home Park - Any site, or tract of land under single ownership, upon which three or more mobile homes or manufactured buildings used for habitation are parked, either free of charge or for revenue purposes; including any roadway, building, structures, vehicle or enclosure used or intended for use as part of the facilities of such park.

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

Non-farm Dwelling Unit - Any dwelling unit that is not located on and used in conjunction with a farm.

Nursery, Child Care - A building used for the commercial care of six (6) or more children who are not members or wards of the owner or his immediate family. All childcare nurseries shall possess an appropriate license from the Ohio Department of Job and Family Services as required.

Nursery, Retail - The retail handling of any article, substance, or commodity related to the planning, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products to the consumer.

Nursery, Wholesale - The growing, storage, and sale of garden plants, shrubs, trees, or vines for resale, including incidental retail sales.

Nursing Home - A home licensed by the State of Ohio for the aged or chronically or incurably ill persons in which five or more such persons not of 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.

Office - Administrative, executive, professional, research, or similar organizations and laboratories having only limited contact with the 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.

Open Space - Any land or area, the preservation of which in its present or future use would: (1) conserve and enhance natural or scenic resources; or (2) protect streams or water supply; or (3) promote conservation of soils or wetlands; or (4) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations, or sanctuaries; or (5) enhance recreation opportunities.

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.

Patio - An impervious roofless inner space or space adjoining a residence which is used for dining and recreation.

Performance Bond or Surety Bond - An agreement by a subdivider or developer with the Board of Township Trustees for the amount of the estimated construction cost guaranteeing the completion of physical improvement according to plans and specifications within the time prescribed by the subdivider's agreement.

Planned Zoning District - The zoning designation of a lot or tract to permit that development as is specifically depicted on plans approved in the process of zoning that lot or tract. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design, principles, and landscaping plans.

Pond - A man-made structure in which water is impounded by constructing a dam or embankment or by excavating a pit or dugout and intended for non-agricultural use. Agricultural use ponds and ponds created primarily for the purpose of controlling surface runoff as a part of the subdivision process are exempt from the pond requirements in Section 1041.

Porch - A roofed structure projecting from a residential building and separated from the building by the walls of the building, and partially supported by piers, posts or columns, and which is open, enclosed or partially enclosed.

Public Service Facility - The erection, construction, alteration, operation or maintenance of government regulated public buildings, power plants, 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 governmental agency, including the furnishing of electrical, gas, rail transport, and public or private water and sewage facilities. This definition does not include sanitary landfills and excludes telecommunication towers.

Public Uses - Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

Public Way - An alley, bridge, channel, ditch, easement, expressway, freeway, highway, land, road, sidewalk, street, 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-Public Use - Churches and other facilities of an educational, religious, charitable, philanthropic, or nonprofit nature.

Recreation, Commercial - Any business which is operated as a recreational enterprise, either publicly or privately owned, for profit. Examples include, but are not limited to: golf courses, bowling alleys, swimming pools, etc.

Recreation, Non-Commercial - Any business which is operated as a recreational enterprise, either publicly or privately owned, for non-profit. Examples include, but are not limited to: fishing areas, parks, archery ranges, ball parks, etc.

Recreational Vehicle - A transportation structure not more than eight feet in width and either self-propelled or capable of being towed by a passenger car, station wagon or pickup truck and primarily designed or constructed either to provide temporary moveable living quarters for recreational, camping, or travel use or to carry equipment for such uses, but not for profit or commercial use. Recreational vehicles include, but are not limited to: trailer, trailer coach and fifth-wheel trailer; camping trailer, pickup (slide-in) camper and truck cap; chassis mount motor home, and mini-motor home, converted and chopped vans, boat, boat trailer, and utility trailer.

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

Retail Sales Establishment - A commercial enterprise that provides goods directly to the consumer where such goods are available for purchase and removal from the premises.

Retail Services Establishment - Establishments providing services or entertainment, as opposed to products, to the general public or to other commercial or industrial enterprises. Such services may include, but not limited to, eating and drinking places, finance, real estate and insurance, personal service, amusement and recreation services, health, educational and social services, museums, theatres including motion picture, copy shops, printing services, package and postal services, photo processing, and similar operations.

Right-of-Way - A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, and drainage facilities, and may include special features required by the topography such as grade separation, landscaped areas, viaducts and bridges.

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 twenty-four (24) lineal inches of benches, pews, or space for loose chairs.

Self-Service Storage Facility - A building or group of buildings used for the storage of personal property where individuals rent or own individual storage spaces.

Semitrailer/Sealand Containers - A vehicle designed or used for carrying persons or property with another and separate motor vehicle, so that in operation, a part of its own weight or that of its load, or

both, rests upon and is carried by another vehicle. A semitrailer shall not be used for storage, advertising, business, and residence.

Setback - The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

Setback, Front - The setback parallel to the front lot line extending the full width of the lot, representing the distance which all or any part of any structure or building is to be set back from the right of way line.

Setback, Rear - The setback parallel to any rear lot line representing the distance which all or any part of any building is to be set back from the rear lot line.

Setback, Side - The setback parallel to any side lot line representing the distance that all or any part of any building is to be set back from the side lot line.

Setback Line - 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, easement, or otherwise, or a line otherwise established to govern the location of buildings, structures, or uses. Where no minimum front, side, or rear yards are specified, the setback line shall be coterminous with the corresponding lot line.

Sewers, Central - 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.

Short Term Rental - A dwelling unit, rented wholly or in part, for less than thirty (30) consecutive days by persons other than the resident family as lodging for monetary compensation. No short term rental shall contain more than five (5) sleeping rooms.

Sidewalk - That portion of the road right-of-way beyond the road pavement, which is improved for the use of pedestrian traffic.

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 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, Marquee** - A display sign attached to or hung from a marquee, canopy or other covered structure projecting from and supported by the building and extending beyond the building wall, building line or street lot line.
6. **Sign, Monument** - A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.

7. Sign, Pole - Any sign which is erected on a pole or poles, which is wholly or partially independent of any building for support.
8. Sign, Projecting - A display sign which is attached directly to the building wall and which extends more than fifteen inches from the face of the wall.
9. Sign, Roof - A display sign which is erected, constructed and maintained above the roof of the building.
10. Sign, Temporary - A display sign, banner or other advertising device constructed of cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations.
11. Sign, Wall - A display sign which is painted on or attached directly to the building wall and which extends not more than fifteen inches from the face of the wall.

Solar eEnergy rRelated dDefinitions:

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

Stables - Facilities designed or used for the boarding of horses including any barns, exercise areas, and field areas to be used in the stable operation.

Stick-Built - A way of describing any structure built from boards of lumber and other building materials, in which a substantial amount of the required material and construction labor are brought together in final form at the foundation site.

Story - That part of a building between the surface of a floor and the ceiling immediately above.

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 include billboards, buildings, fences, mobile homes, swimming pools, and walls.

Supply Yard - A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain and similar goods.

Swimming Pool - Any structure intended for swimming or recreational bathing that contains water more than 24 inches deep. This includes in-ground, above-ground, and on-ground swimming pools, hot tubs, and spas. This includes portable and non-portable swimming pools. Farm ponds are exempt from this definition.

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; an accessory use.
2. **Community** - Operated with a charge for admission; a primary use.

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

1. It is constructed on or after October 31, 1996;
2. It is owned or principally used by a public utility engaged in the provision of telecommunication services;
3. It is a freestanding structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located.

Temporary Use or Structure - A transient, non-permanent use or structure permitted to exist for a designated period of time during periods of construction of the principal use or structure, or for special events. A temporary structure shall not be intended to be permanently affixed to the ground.

Thoroughfare, Street, or Road - The full width between property lines designating every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

1. **Alley** - A minor street used primarily for vehicular service access at the back or side of properties abutting on another street.
2. **Arterial 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 Street** - A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets to arterial streets including the principal entrance and circulation routes within residential subdivisions.
4. **Cul-de-Sac** - A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turnaround.
5. **Dead-end Street** - A street temporarily having one (1) outlet for vehicular traffic and intended to be extended or continued in the future.

6. **Local Street** - A street primarily for providing access to residential or other abutting property.
7. **Loop Street** - A type of local street, each end of which terminates at an intersection with the same arterial or collector street, and whose principal radius points of the one hundred and eighty (180) degree system of turns are not more than one thousand (1000) feet from said arterial or collector street, nor normally more than six hundred (600) feet from each other.
8. **Marginal Access 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).

Through Lot - See Lot types.

Township Trustees - The Board of Township Trustees of Darby Township, Union County, Ohio.

Transient Lodging - A building in which lodging or boarding and lodgings are provided and 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. Examples include: apartment hotel, bed and breakfast inn, hotel, motel, and short term rental.

Transport Terminal - Any business, structure or premises which primarily receives or distributes goods.

Transportation, Director of - The Director of the Ohio Department of Transportation.

Use - The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

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 resolution would result in unnecessary and undue hardship.

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 to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

Wind Projects - The following definitions shall apply to wind projects:

Accessory Structures - Structures such as sheds, storage sheds, pool houses, unattached garages, and barns.

Anemometer - An instrument that measures the force and direction of the wind.

Clear Fall Zone - An area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located. The purpose being that if the turbine should fall or otherwise become damaged, the falling structure will be

confined to the primary parcel and will not fall onto dwellings, any inhabited buildings, and will not intrude onto a neighboring property.

Cowling - A streamlined removable cover that encloses the turbine's nacelle.

Decibel - A unit of relative loudness equal to ten times the common logarithm of the ratio of two readings. For sound, the decibel scale runs from zero for the least perceptible sound to 130 for sound that causes pain.

Megawatt (MW) - A unit of power equal to one million (1,000,000) watts.

Nacelle - Sits atop the tower and contains the essential mechanical components of the turbine, to which the rotor is attached.

Primary Structure - For each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary structures include structures such as residences, commercial buildings, hospitals, and day care facilities. Primary structures exclude structures such as hunting sheds, storage sheds, pool houses, unattached garages, and barns.

Professional Engineer - A qualified individual who is licensed as a Professional Engineer in the State of Ohio.

Small Wind Project - Any wind system less than five (5) MW (Megawatts) which includes the wind turbine generator and anemometer.

Wind Power Turbine Owner - The person or persons who own the Wind Turbine structure.

Wind Power Turbine Tower - The support structure to which the turbine and rotor are attached.

Wind Power Turbine Tower Height - The distance from the rotor blade at its highest point to the top surface of the ground at the wind turbine foundation.

Walkway - A public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

Wild or Exotic Animals - Shall be defined by the regulation of the Union County Health Department.

Wholesale and Warehousing - Business establishments that generally store and 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.

Yard - A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward, provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

Zoning Certificate - A document issued by the Zoning Inspector authorizing the occupancy or use of a building or structure or the actual use of lots or land in accordance with the previously issued Zoning Permit.

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 - A resolution and subsequent amendments enacted by the Darby Township Board of Trustees pursuant to Ohio law that sets forth regulations and standards relating to the nature and extent of uses of land and structures which includes a zoning map and complies with the provisions of Ohio law. The official zoning map is on file with the Zoning Secretary. The Regional Planning Commission and County Engineer also maintain an updated copy of the zoning resolution and map. The County Recorder and County Auditor shall also maintain an updated copy of the zoning map.

ARTICLE III: ENFORCEMENT

Section 300 – Zoning Permits Required

No building or other structures including decks and porches, shall be erected, moved, added to, structurally altered, nor shall any building, structure or land be established or changed in use without a permit therefore, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this Resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use, or variance as provided by this Resolution.

Section 301 – Contents of Application for Zoning Permit

The application for a zoning permit shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if work has not begun within six months from the date of issuance thereof or if work has not completed within one and one-half (1 ½) years from the date of issuance thereof, subject to extension provided in Section 304. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant;
2. Legal description of property;
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Site plans in duplicate drawn to scale, showing the actual dimensions and the shape of the lot to be built upon; the exact size and location of existing buildings on the lot, if any; and the location and dimensions of the proposed building(s) or alteration;
7. Building heights, dimensions, and square footage;
8. Number and location of off-street parking spaces, refuse areas, and loading berths (if applicable);
9. Number of dwelling units;
10. Preliminary lighting and landscaping plan including location and intensity of proposed lighting (excludes single family dwellings);
11. Such other matters as may be necessary to determine conformance with, and provide for the enforcement of this Resolution.

Section 302 – Approval of Zoning Permit

Within thirty (30) days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. All zoning permits shall, however, be conditional upon the commencement of work within six months. One copy of the plans shall be returned to the applicant by the Zoning Inspector, after the Zoning Inspector shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. One copy of plans, similarly marked, shall be retained by the Zoning Inspector. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this Resolution. Section 302, Approval of Zoning Permit, applies to all zoning permits unless otherwise specified below:

- a. Ponds. See Section 1041.

Section 303 – Submission to Director of Transportation

Before any zoning permit is issued affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Zoning Inspector shall give notice, by registered mail to the Director of Transportation, that he shall not issue a zoning permit for one-hundred twenty (120) days from the date the notice is received by the Director of

Transportation. If he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one-hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this Resolution, issue the zoning permit.

Section 304 – Expiration of Zoning Permit

If the work described in any zoning permit has not begun within six months from the date of issuance thereof, said permit shall expire; it shall be revoked by the Zoning Inspector; and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been completed within one and one-half (1 ½) years of the date of issuance thereof, said permit shall expire and be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted. Extensions, if granted, shall be in six (6) month increments. No more than two (2) extensions total may be granted by the Zoning Inspector. Section 304, Expiration of Zoning Permit, applies to all zoning permits unless otherwise specified below:

- a. Ponds. See Section 1041.

Section 310 – Certificate of Zoning Compliance

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Zoning Compliance shall have been issued therefore by the Zoning Inspector stating that the proposed use of the building or land conforms to the requirements of this Resolution.

Section 311 – Temporary Certificate of Zoning Compliance

A temporary Certificate of Zoning Compliance may be issued by the Zoning Inspector for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion.

Section 312 – Record of Zoning Permits and Certificates of Zoning Compliance

The Zoning Inspector shall maintain a record of all zoning permits and Certificates of Zoning Compliance and copies shall be furnished upon request to any person.

Section 320 – Failure to Obtain a Zoning Permit or Certificate of Zoning Compliance

Failure to obtain a zoning permit or Certificate of Zoning Compliance shall be a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 330 – Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates

Zoning permits or Certificates of Zoning Compliance issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use and arrangement set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this Resolution and punishable as provided in Section 350 of this Resolution.

Section 340 – Complaints Regarding Violations

Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Zoning Inspector. The Zoning Inspector shall record properly such complaint, immediately investigate and take action thereon as provided by this Resolution.

Section 350 – Penalties for Violation

Violation of ORC 519.01 to 519.25, or the provisions of this Resolution or failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with grants of variances or conditional uses shall constitute a minor misdemeanor. Any person who violates ORC 519.01 to 519.25 or this Resolution or fails to comply with any of its requirements shall upon conviction thereof be fined not more than five-hundred dollars (\$500.00), and in addition, shall pay all costs and expenses involved in the case. Any fine so imposed shall be paid to the general fund of the Township. Each day such violation continues shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided. Nothing herein contained shall prevent the Board of Township Trustees from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 360 – Schedule of Fees, Charges, and Expenses

The Board of Township Trustees shall by Resolution establish a schedule of fees, charges, and expenses and a collection procedure for zoning permits, amendments, appeals, variances, conditional use permits, plan approvals, and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector and may be altered or amended on by the Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

ARTICLE IV: NON-CONFORMITIES

Section 400 – Intent

Within the districts established by this Resolution or future amendments that may later be adopted there exist lots, uses of land, structures, and uses of structures and land in combination which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Resolution or future amendments. It is the intent of this Resolution to permit these non-conformities to continue until they are removed or discontinued. It is further the intent of this Resolution that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

Section 410 - Incompatibility of Non-Conformities

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

Section 420 - Avoidance of Undue Hardship

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

Section 430 - Single Non-Conforming Lots of Record

In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of requirements listed in Article 9 and 10 of this Resolution other than lot area or lot width shall be obtained through action of the Board of Zoning Appeals as provided in Section 540 through 549.

Section 431 - Non-Conforming Lots of Record in Combination

If two or more lots or combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Resolution, and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Resolution and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Resolution, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Resolution.

Section 440 - Non-Conforming Uses of Land

Where, at the time of adoption of this Resolution lawful use of land exists which would not be permitted by the regulations imposed by this Resolution, the use may be continued so long as it remains otherwise lawful, provided:

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

Section 450 - Non-Conforming Structures

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

1. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;
2. Should such non-conforming structure or non-conforming portion of structure be destroyed by fire or an Act of God, it may after approval by the Board of Zoning Appeals, be reconstructed as it previously existed. All remaining debris shall be cleared away and disposed of properly within two months of the time of destruction;
3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Section 460 - Non-Conforming Uses of Structures or of Structures and Land in Combination

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

1. No existing structure devoted to a use not permitted by this Resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
2. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution, but no such use shall be extended to occupy any land outside such building;
3. If no structural alterations are made, any non-conforming use of a structure, or structure and land may, upon appeal to the Board of Zoning Appeals, be changed to another non-conforming use provided that the Board of Zoning Appeals shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution.
4. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed;

5. When a non-conforming use of a structure, or structure and land in combination is discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), the structure or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located. However, in cases of insurance dispute, a lawsuit, or other just cause, the Board of Zoning Appeals may extend the above time period;
6. Where non-conforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land except as stated in Section 450 paragraph 2.

Section 470 - Repairs and Maintenance

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

ARTICLE V: ADMINISTRATION

Section 500 – Office of Zoning Inspector Created

A Zoning Inspector designated by the Board of Township Trustees shall administer and enforce this Resolution. He may be provided with assistance of such other persons as the Trustees may direct.

Section 501 – Duties of Zoning Inspector

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

1. Upon finding that any of the provisions of this Resolution are being violated, he shall notify in writing the person responsible for such violation(s) ordering the action necessary to correct such violation;
2. Order discontinuance of illegal uses of land, buildings, or structures;
3. Order removal of illegal buildings or structures or illegal additions or structural alterations;
4. Order discontinuance of any illegal work being done;
5. Take any other action authorized by this Resolution to ensure compliance with or to prevent violation(s) of this Resolution. This may include the issuance of and action on zoning and certificate of occupancy permits and such similar administrative duties as are permissible under the law.

Section 508 – Township Zoning Commission Created

The Zoning Commission shall be composed of five members who are residents of the Township. The Board of Township Trustees shall appoint the members of the Zoning Commission. The Board of Township Trustees may appoint two alternate members to the Zoning Commission, for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member at any meeting of the Zoning Commission, according to procedures prescribed by resolution by the board of township trustees. An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote. The terms of the regular members shall be of such length and so arranged that the term of one member will expire each year. Each regular or alternate member shall serve until the member's successor is appointed and qualified. Members of the Zoning Commission shall be removable for nonperformance of duty, misconduct in office, or other cause by the Board of Township Trustees, upon written charges being filed with the Board of Township Trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten days prior to the hearing, either personally, by registered mail, or by leaving such copy at the member's usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by the Board of Township Trustees and shall be for the unexpired term.

Section 509 - Functions of the Zoning Commission

The Zoning Commission shall submit a plan, including both text and maps, representing the recommendations of the Zoning Commission for the carrying out by the Board of Trustees this Zoning Resolution when requested to do so by the Township Trustees. The Zoning Commission may initiate zoning amendments, take action on proposed zoning amendments, review site development plans and, within the limits of the monies appropriated by the Board of Trustees for the purpose, employ or contract with such planning consultants, agencies, and executive and other assistants, as it deems necessary. The Zoning Commission shall organize, adopt rules for the transaction of its business, and keep a record of its actions and determinations. Members of the Zoning Commission may be allowed their expenses, or such compensation, or both, as the Board of Trustees may approve and provide. No Township Trustee shall be employed by the Zoning Commission. The Zoning Commission shall make use of such information and counsel as is available from appropriate public officials, departments, and agencies and such officials, departments, and agencies having information, maps, and data pertinent to township zoning shall make them available for the use of the Zoning Commission.

Section 510 - Zoning Secretary

To assist in the administration of this Zoning Resolution, the Board of Trustees shall appoint a zoning secretary whose duty it shall be to maintain township zoning records, confirm information in applications, process all notices required under this Zoning Resolution, record the minutes of the Zoning Commission and the Board of Zoning Appeals, assist the zoning inspector, and perform such other duties relating to this Zoning Resolution as the township trustees may from time to time direct. The zoning secretary shall be compensated at rates set from time to time by the Board of Township Trustees. The township clerk may be named to this position and may receive compensation for such services in addition to other compensation allowed by law.

Section 511 - Meetings and Agenda of Zoning Commission

The Zoning Commission shall meet as necessary in a public building within the Township. All meetings of the Zoning Commission shall be open to the public.

Section 512 – Minutes

The minutes of each meeting of the Zoning Commission shall be kept by the zoning secretary on file in the township hall with the other zoning records. Said minutes shall be open for public inspection during commission meetings and normal business hours.

Section 520 – Board of Zoning Appeals Created

A Board of Zoning Appeals is hereby created, which shall consist of five (5) members to be appointed by the Board of Township Trustees each for a term of five (5) years, except that the initial appointments shall be one (1), two (2), three (3), four (4) and five (5) year terms. Each member shall be a resident of the township. Members of the Board may be removed from office by the Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Trustees for the unexpired term of the member affected. The Board of Township Trustees may appoint two (2) alternate members to the Board of Zoning Appeals, for terms to be determined by the Trustees. An Alternate Member shall take the place of an absent Regular Member at any meeting of the Board of Zoning Appeals, according to procedures prescribed by Resolution of the Board of Township Trustees. When attending a meeting on behalf of an absent Regular Member, the Alternate Member shall vote on any matter which the absent Member is authorized to vote. An Alternate Member shall meet the same appointment criteria as a Regular Member.

Section 521 – Proceedings of the Board of Zoning Appeals

The Board shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this Resolution. Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of the witnesses. A quorum shall consist of three (3) members of the Board. All meetings shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Board. A court stenographer may be present to record the proceedings of meetings of the Board.

Section 522 – Duties of the Board of Zoning Appeals

In exercising its duties, the Board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on

any matter upon which it is required to pass under this Resolution or to effect any variation in the application of this Resolution. For the purpose of this Resolution the Board has the following specific responsibilities:

1. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector;
2. To authorize such variances from the terms of this Resolution as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this Resolution will result in practical difficulties, and so that the spirit of this Resolution shall be observed and substantial justice done;
3. To grant conditional use permits under the conditions specified in Article 9 and such additional safeguards as will uphold the intent of this Resolution.

Section 530 – Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters of Appeal

It is the intent of this Resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the Board shall be to the courts as provided by law. It is further the intent of this Resolution that the duties of the Township Trustees in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this Resolution. Under this Resolution the Township Trustees shall have only the duties of considering and adopting or rejecting proposed amendments or the repeal of this Resolution as provided by law; and of establishing a schedule of fees and charges as stated in Section 360 of this Resolution. Nothing in this Resolution shall be interpreted to prevent any official of the Township from appealing a decision of the Board to the courts as provided in the Ohio Revised Code. Any such appeal shall be made within thirty (30) days after journalization of the Board's written decision. A copy of the decision shall be immediately mailed by certified mail, return receipt requested, to the applicant and all parties to the proceedings.

Section 540 – Procedure and Requirements for Appeals and Variances

Appeals and variances shall conform to the procedures and requirements of Section 541- 549, inclusive, of this Resolution. As specified in Section 522, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

Section 541 – Appeals

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the Township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing, with the Zoning Secretary and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is being taken. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

Section 542 – Stay of Proceedings

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with him, that by reason of facts stated in the application, a stay would in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record on application, on notice to the Zoning Inspector from whom the appeal is taken on due cause shown.

Section 543 – Variances

The Board of Zoning Appeals may authorize upon appeal in specific cases such variance from the terms of this Resolution as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Resolution would result in practical difficulties. No non-conforming use of neighboring lands, structures, or buildings in the same district and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for issuance of a variance. Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provisions of this Resolution would result in practical difficulties.

Section 544 – Application and Standards for Variances

1. A variance from the terms of this Resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Secretary and the Board of Zoning Appeals containing:
 - a. Name, address, and phone number of applicant(s);
 - b. Legal description of property;
 - c. Description of nature of variance requested;
 - d. A narrative statement demonstrating that the requested variance conforms to the following standards:
 - i. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
 - ii. That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution;
 - iii. That special conditions and circumstances do not result from the actions of the applicant;
 - iv. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district.
2. The following factors shall be considered by the Board when determining whether to grant a variance:
 - a. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
 - b. Whether the variance is substantial.
 - c. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
 - d. Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage)
 - e. Whether the applicant purchased the property with knowledge of the zoning restriction
 - f. Whether the applicant's predicament feasibly can be obviated through some method other than a variance.
 - g. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
3. A variance shall not be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which supports conclusions that the applicant has encountered practical difficulties as outlined by subsection 2 of this section.

Section 545 – Supplementary Conditions and Safeguards

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Resolution in the District involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 546 – Public Hearing by the Board of Zoning Appeals

The Board of Zoning Appeals shall hold a public hearing within twenty (20) days after the receipt of an application for an appeal or variance from the Zoning Inspector or an applicant.

Section 547 – Notice of Public Hearing in Newspaper

Before holding the public hearing required in Section 546, notice of such hearing shall be given in one newspaper of general circulation in the Township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

Section 548 – Notice to Parties in Interest

Before holding the public hearing required in Section 546, written notice of such hearing shall be mailed by the chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. Parties in interest shall include, but not be limited to, property owners contiguous to and directly across the road (street) from the property concerned. The notice shall contain the same information as required of notices published in newspapers as specified in Section 547.

Section 549 – Action by Board of Zoning Appeals

Within thirty (30) days after the public hearing required in Section 546, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in Section 545, or disapprove the request for appeal or variance. The Board of Zoning Appeals shall further make a finding that the reasons set forth in the application justify the granting of the variance that will make possible a reasonable use of the land, building, or structure. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 560 – Procedure and Requirements for Approval of Conditional Use Permits

Conditional uses shall conform to the procedures and requirements of Sections 561 – 568, inclusive of this Resolution.

Section 561 – General

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of Article 9 shall follow the procedures and requirements set forth in Sections 562 – 568, inclusive.

Section 562 – Contents of Application for Conditional Use Permit

An application for conditional use permit shall be filed with the Zoning Secretary of the Board of Zoning Appeals by at least one owner or lessee of property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

1. Name, address, and phone number of applicant;
2. Legal description of property;

3. Description of existing use;
4. Zoning district;
5. Description of proposed conditional use;
6. A site plan of the proposed site for the conditional use showing following when applicable: The location of all buildings, parking and loading area, number of employees, hours of operation, type of sales on premises, how and where items are to be stored, traffic access and traffic circulation, open spaces, landscaping, lighting, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine if the proposed conditional use meets the requirements of this Resolution.
7. A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, odor and fumes on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to Comprehensive Plan;

Section 563 – General Standards Applicable to all Conditional Uses

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

1. Is in fact a conditional use as established under the provisions of Article 9 and appears as a conditional use for the zoning district involved;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
3. Will not be hazardous or disturbing to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
6. Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, or odors;
7. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

Section 565 – Supplementary Conditions and Safeguards

In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution and punishable under Section 350 of this Resolution.

Section 566 – Procedure for Hearing, Notice

Upon receipt of the application for a conditional use permit specified in Section 562, the Board shall hold a public hearing, publish notice in a newspaper, and give written notice to all parties in interest according to the procedures specified in Section 545 through 548.

Section 567 – Action by the Board of Zoning Appeals

Within thirty (30) days after the public hearing required in Section 566, the Board shall either approve, approve with supplementary conditions as specified in Section 565, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval. If the application is disapproved by the Board the applicant may seek relief through the

Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 530.

Section 568 – Expiration of Conditional Use Permit

A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall automatically expire if, for any reason, the conditional use shall cease for more than two (2) years.

ARTICLE VI: AMENDMENT

Section 600 – Procedure for Amendment or District Changes

This Resolution may be amended utilizing the procedures specified in Section 601 – 615, inclusive, of this Resolution.

Section 601 – General

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the Board of Township Trustees may by Resolution, after receipt of recommendation thereon from the Zoning Commission, and subject to procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, and boundaries or classification of property.

Section 602 – Initiation of Zoning Amendments

Amendments to this Resolution, including the map, may be initiated in one of the following ways:

1. By adoption of a motion by the Zoning Commission;
2. By adoption of a resolution by the Township Trustees;
3. By the filing of an application by at least one (1) owner or lessee of property within the area proposed to be changed or affected by said amendment.

Section 603 – Contents of Application

Applications for amendments to the Official Zoning map adopted as part of this Resolution by Section 700 shall contain at least the following information:

1. Name, address, and phone number of applicant;
2. Present use;
3. Present zoning district;
4. Proposed use;
5. Proposed zoning district;
6. A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning and such other items as the Zoning Inspector may require;
7. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the road (street) from the parcel (s) proposed to be rezoned and others that may have a substantial interest in the case, except that addresses need not be included where more than ten (10) parcels are to be rezoned;
8. A fee as established by the Township Trustees, according to Section 360.
9. Preliminary development plan if seeking a rezoning to a planned district consistent with the requirements of Article 13.

Section 604 - Involvement of the Regional Planning Commission

Within five days after the adoption of such motion, the certification of such resolution, or the filing of such application for amendment, the Zoning Commission shall transmit a copy of the proposed amendment together with text and map pertaining to the proposed amendment to the Regional Planning Commission. The Regional Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification of it and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment.

Section 605 – Establishment of Date for Public Hearing by Zoning Commission

Upon the adoption of a motion by the Zoning Commission, the certification of a resolution by the Board of Township Trustees, or the filing of an application as outlined in Sections 602 and 603, the Zoning Commission shall set a date for a public hearing, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the certification of such resolution, the date of adoption of such

motion, or the date of the filing of such application. Notice of such hearing shall be given by the Zoning Commission by one publication in one or more newspapers of general circulation in the township at least ten days before the date of such hearing.

Section 606 - Notice to Contiguous Property Owners

If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land, as listed on the county auditor's current tax list, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area proposed to be rezoned or redistricted to the addresses of such owners appearing on the county auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.

Section 607 - Publication of Notice of Public Hearing for Proposed Amendment or Redistricting of Ten (10) or Fewer Parcels

If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment;
2. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;
3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the county auditor's current tax list;
4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
5. The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;
6. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
7. Any other information requested by the Zoning Commission;
8. A statement that, after the conclusion of such hearing, the matter will be submitted to the Board of Township Trustees for its action.

Section 608 - Publication of Notice of Public Hearing for Proposed Amendment or Redistricting of More than Ten (10) Parcels

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment;
2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
4. The name of the person responsible for giving notice of the public hearing by publication;
5. A statement that, after the conclusion of such hearing, the matter will be submitted to the Board of Township Trustees for its action;
6. Any other information requested by the Zoning Commission.

Section 609 – Submission to Director of Transportation

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or any land within a radius of five-hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the Director of Transportation. The Commission may proceed as required by law; however, the Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Trustees that he shall proceed to acquire the land needed, then the Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Trustees that acquisition at this time is not in the public interest or upon the expiration of the one-hundred twenty (120) day period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Trustees shall proceed as required by law.

Section 610 - Zoning Commission Acceptance, Rejection or Modification of Amendment Request

The Zoning Commission shall, within thirty (30) days after such public hearing, recommend the approval or denial of the proposed amendment, or the approval of some modification of it and submit such recommendation together with such application or resolution, the text and map pertaining to it, and the recommendation of the Regional Planning Commission to the Board of Township Trustees unless a tabling has been requested.

Section 611 – Establishment of Date for Public Hearing by Township Trustees

The Board of Township Trustees shall, upon receipt of a recommendation from the Zoning Commission, set a time for a public hearing on such proposed amendment, which date shall not be more than thirty (30) days from the date of the receipt of such recommendation from the Zoning Commission. Notice of such public hearing shall be given by the Board by one publication in one or more newspapers of general circulation in the Township, at least ten (10) days before the date of such hearing.

Section 612 - Publication of Notice of Public Hearing for Proposed Amendment or Redistricting of Ten (10) or Fewer Parcels

If the proposed amendment intends to rezone or redistrict ten or fewer parcels of land as listed on the county auditor's current tax list, the published and mailed notices shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the Board of Township Trustees that will be conducting the public hearing;
2. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution;
3. A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of these properties, as they appear on the county auditor's current tax list;
4. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property;
5. The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the public hearing;
6. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail;
7. Any other information requested by the Board of Township Trustees;

Section 613 - Publication of Notice of Public Hearing for Proposed Amendment or Redistricting of More than Ten (10) Parcels

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

1. The name of the Board of Township Trustees that will be conducting the public hearing on the proposed amendment;
2. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution;
3. The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten days prior to the public hearing;
4. The name of the person responsible for giving notice of the public hearing by publication;
5. Any other information requested by the Board of Township Trustees.

Section 614 - Township Trustees Acceptance, Rejection or Modification of Amendment Recommendation from the Zoning Commission

Within twenty (20) days after such public hearing, the Board of Township Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification of them. If the Board of Township Trustees denies or modifies the recommendation of the Zoning Commission, a majority vote of the Board of Township Trustees shall be required.

Section 615 – Effective Date and Referendum

Such amendment adopted by the Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment, there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the Township equal to not less than eight (8) percent of the total vote cast in such area at the last preceding general election at which a Governor was elected, requesting the Trustees to submit the zoning amendment to the electors of the Township for approval or rejection at the next primary or general election. If such petition is not presented, the amendment shall be immediately reduced to writing and recorded in the journal of the Township Trustees.

Each part of this petition shall contain the number and the full and correct title, if any, of the zoning amendment resolution, motion, or application, furnishing the name by which the amendment is known and a brief summary of its contents. In addition to meeting the requirements of this section, each petition shall be governed by the rules specified in Section 3501.38 of the Ohio Revised Code.

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect.

Section 616 - Transmittal of Amendment

Following the effective date of an amendment, the Zoning Secretary shall transmit copies of such amendment to the Regional Planning Commission, the County Recorder, and the County Engineer.

ARTICLE VII: PROVISIONS FOR OFFICIAL ZONING MAP

Section 700 – 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. The map shall be publicly displayed in the Township Hall with an updated copy filed with the Regional Planning Commission, County Recorder and County Engineer.

Section 710 – 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 and attested by the Clerk.

Section 720 – 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 center lines of thoroughfares or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries;
2. Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries;
3. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines 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. The Zoning Inspector is charged with interpreting the map.

ARTICLE VIII: ESTABLISHMENT AND PURPOSE OF DISTRICTS

Section 800 – Intent

The following zoning districts are hereby established for Darby Township. For the interpretation of this Resolution, the zoning districts have been formulated to realize the general purposes as set forth in the preamble of this Resolution. In addition, the specific purpose of each zoning district shall be as stated.

Section 809 – Agricultural District (A-1)

It is recognized that the public health, safety and welfare of the citizens of Darby Township, Union County, the State of Ohio, and the United States are greatly dependent upon the sustenance and economic benefits provided by a viable agricultural industry. It is also recognized that uncontrolled residential development is fragmenting the landscape and creating conflicts between agricultural and residential development. Residential development is discouraged in the agricultural district.

This district is intended to ensure that land areas within Darby Township which are well suited for production of food and fiber are retained for such production, unimpeded by the establishment of incompatible uses which would hinder farm operations and irretrievably deplete agricultural lands. This district is intended to create areas where traffic conflicts with farm machinery are minimal and where non farm residential uses are separated from farming activities and the associated dust, noise, and smells that typically accompany farm activities.

The A-1 District acknowledges that agriculture is a specialized form of industry characterized by the production through biological and botanical processes of saleable farm products as a result of the combination of raw materials, manpower, and energy.

Other specific purposes for which this district is established include:

1. To preserve woodlands and wetlands associated with farms, which because of their natural physical features are useful as water retention and groundwater recharge areas, and as habitat for plant and animal life; and which have an important aesthetic and scenic value that contributes to the unique character of the agricultural district.
2. To provide the basis for land tax assessments that reflect the district's existing agricultural nature and owing to these regulations, its limited use for other purposes.
3. To prevent the conversion of agricultural land to scattered non-farm development which when unregulated, unnecessarily increases the cost of public services to all citizens and results in the premature disinvestments in agriculture.

Section 810 – Rural Undeveloped District (U-1)

The intention of the rural undeveloped district is to provide land which is suitable or used for agriculture, conservation, very low density residential and public and quasi-public purposes.

Section 811 – Low Density Residential District (R-1)

The purpose of the low density residential district is to provide land for single family housing units, public and quasi-public uses, and neighborhood commercial development. Group or central water and/or sewer facilities may be required depending on the density of development

Section 812 – Local Business District (B-2)

The purpose of the local business district is to provide land for small retail and personal service establishments offering convenience-type goods and services for the daily needs of the people in the immediate neighborhood or area.

Section 813 – Light Industrial District (LI)

The purpose of the light industrial district is to provide land for industrial development which will supplement the tax base and provide jobs for local residents. Light industrial development should not adversely affect the health, safety, and general welfare of the residents of the Township

ARTICLE IX: DISTRICT REGULATIONS

Section 900 – 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 or land, except as herein after provided; or as otherwise granted by the Board of Zoning Appeals.

1. 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 of the regulations herein specified for the district in which it is located.
2. No building or other structure shall be erected or altered:
 - a. to provide for greater height or bulk;
 - b. to accommodate or house a greater number of families;
 - c. to occupy a greater percentage of lot area;
 - d. to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required or in any other manner be contrary to the provisions of this Resolution.
3. 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 910 - Agricultural District (A-1)

The following standards govern the A-1 district:

1. Permitted (allowed) Uses. Within the Agricultural (A-1) District, the following uses, developed in accordance with all other provisions of this Resolution shall be permitted:
 - a. Agricultural uses as defined by the Ohio Revised Code
 - b. Wholesale and retail nurseries
 - c. Stables
 - d. Farm market
 - e. Projects designed for conservation, watershed protection, or for flood control.
 - f. Single family dwelling units
 - g. Telecommunication towers
 - h. Public services facilities
 - i. Home occupations
 - j. Ponds subject to regulations set forth in Section 1041.
 - k. Accessory structures and uses incidental to the principal building or use. Accessory structures may not be constructed prior to construction of the primary structure.
 - l. Swimming Pools subject to regulations set forth in Section 1002.
 - m. Small Wind Projects Less than 5MW subject to regulations set forth in Section 1045.
2. Conditional Uses. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560-565 provided that the proposed use is sited on a parcel in a manner which minimizes the amount of productive agricultural land that is converted to the proposed use and the proposed use is located in close proximity to existing facilities providing agricultural services whenever possible and appropriate.
 - a. Agribusiness
 - b. Agritourism
 - c. Cemetery
 - d. Public uses
 - e. Veterinary hospital or clinic
 - f. Non-commercial recreation
 - g. Supply yards
 - h. Bed and breakfast inn

- i. Short term rental
 - j. Quasi-public uses
3. Development Standards. The use of land and structures within the exclusive agricultural district shall seek to maximize agricultural productivity and conform to the following standards:
- a. Gross residential density: 1 unit per 20 acres. Density will be calculated using parcel size as it exists at the date the code is adopted. The density requirement listed here (using the lot sizes in b and c below) means that for every 20 acres contained in a parcel, 1 (one) lot of 2 to 5 acres may be sold or designated for residential use.
 - b. Minimum residential lot size: 2 acres
 - c. Maximum residential lot size: 5 acres
 - d. Minimum lot width and frontage:
 - i. State highways: 495 feet; 150 feet if developed on a common access drive
 - ii. Major collector: 495 feet; 150 feet if developed on a common access drive
 - iii. Minor collector: 360 feet; 150 feet if developed on a common access drive
 - iv. Local road: 250 feet; 150 feet if developed on a common access drive
 - e. Minimum yard setbacks:
 - i. Front (depth): Seventy-five (75) feet as measured from the road right-of-way line
 - ii. Rear (depth): Sixty (60) feet for residence; twenty-five (25) feet for accessory buildings
 - iii. Side (width): Thirty-five (35) feet on each side
 - f. Maximum building height (non farm dwellings): Thirty-five (35) feet
 - g. Minimum floor space requirements: 1,400 square feet per each residential dwelling unit with an attached two car garage; 1600 square feet per each residential dwelling unit without an attached two car garage.
 - h. Maximum lot coverage: Twenty-five (25) percent
 - i. Maximum depth to width ratio: 3:1; does not apply to lots above 10 acres, or on lots developed as open space in a platted subdivision.
 - j. Minimum depth to width ratio: 1:1

Section 920 – Rural Undeveloped District (U-1)

The following standards govern the U-1 district:

- 1. Permitted (allowed) Uses. Within the Rural Undeveloped (U-1) District, the following uses, developed in accordance with all other provisions of this Resolution shall be permitted:
 - a. Agricultural uses as defined by the Ohio Revised Code
 - b. Stables
 - c. Farm market
 - d. Projects designed for conservation, watershed protection, or for flood control.
 - e. Single family dwelling units
 - f. Public uses
 - g. Telecommunication towers
 - h. Public services facilities
 - i. Non-commercial recreation
 - j. Home occupations
 - k. Ponds subject to regulations set forth in Section 1041.
 - l. Accessory structures and uses incidental to the principal building or use. Accessory structures may not be constructed prior to construction of the primary structure.
 - m. Swimming Pools subject to regulations set forth in Section 1002.
 - n. Small Wind Projects Less than 5MW subject to regulations set forth in Section 1045.
- 2. Conditional Uses. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560-565.
 - a. Agribusiness
 - b. Agritourism

- c. Retail nursery
 - d. Wholesale nursery
 - e. Commercial recreation
 - f. Supply yards
 - g. Bed and breakfast inn
 - h. Short term rental
 - i. Veterinary hospital or clinic
 - j. Quasi-public uses
 - k. Cemetery
3. Development Standards. The use of land and structures within the U-1 District shall conform to the following standards:
- a. Minimum residential lot size per dwelling unit: 2.0 acres
 - b. Minimum lot width and frontage:
 - i. State Highways: 250 feet
 - ii. Major Collector: 250 feet
 - iii. Minor Collector: 180 feet
 - iv. Local Road: 150 feet if not developed as a part of a subdivision; 100 feet if developed as part of a subdivision
 - c. Minimum yard setbacks:
 - i. Front (depth): Fifty (50) feet as measured from the road right-of-way line
 - ii. Rear (depth): Sixty (60) feet for residence; twenty-five (25) feet for accessory buildings
 - iii. Side (width): Thirty-five (35) feet on each side
 - d. Maximum building height (non farm dwellings): Thirty-five (35) feet
 - e. Minimum floor space requirements: 1,400 square feet per each residential dwelling unit with an attached two car garage; 1600 square feet per each residential dwelling unit without an attached two car garage.
 - f. Maximum lot coverage: Twenty-five (25) percent
 - g. Maximum depth to width ratio: 3:1; does not apply to lots above 10 acres--or on lots developed as open space in a platted subdivision.
 - h. Minimum depth to width ratio: 1:1

Section 930 – Low Density Residential District (R-1)

The following standards govern the R-1 district:

1. Permitted (allowed) Uses. Within the Low Density Residential District (R-1), the following uses, developed in accordance with all other provisions of this Resolution shall be permitted:
 - a. Single family dwelling units
 - b. Public uses
 - c. Public service facilities
 - d. Ponds subject to regulations set forth in Section 1041.
 - e. Home occupations
 - f. Non-commercial recreation
 - g. Accessory structures and uses incidental to the principal building or use. Accessory structures may not be constructed prior to construction of the primary structure.
 - h. Swimming Pools subject to regulations set forth in Section 1002.
2. Conditional Uses. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560-565.
 - a. Agritourism
 - b. Bed and breakfast inn
 - c. Child care nursery
 - d. Nursing home

- e. Commercial recreation
 - f. Clubs
 - g. Quasi-public uses
 - h. Telecommunication towers subject to regulations set forth in Section 1038 & 1039.
3. Development Standards. The use of land and structures within the R-1 District shall conform to the following standards:
- a. Minimum residential lot size: 1 dwelling unit per two (2) acres
 - b. Minimum lot width and frontage:
 - i. State Highways: 250 feet; 150 feet if developed on a common access drive
 - ii. Major Collector: 250 feet; 150 feet if developed on a common access drive
 - iii. Minor Collector: 180 feet; 150 feet if developed on a common access drive
 - iv. Local Road: 150 feet, if not developed as a part on a common access drive or as part of a subdivision; 100 feet if developed on a common access drive or as part of a subdivision
 - c. Minimum yard setbacks:
 - i. Front (depth): Fifty (50) feet as measured from the road right-of-way line
 - ii. Rear (depth): Twenty (20) feet for residence; Ten (10) feet for accessory buildings
 - iii. Side (width): Ten (10) feet on each side for residence; Ten (10) feet for accessory buildings
 - d. Maximum building height (non farm dwellings): Thirty-five (35) feet
 - i. Minimum floor space requirements: 1,400 square feet per each residential dwelling unit with an attached two car garage; 1600 square feet per each residential dwelling unit without an attached two car garage.
 - e. Maximum lot coverage: Twenty-five (25) percent
 - f. Maximum depth to width ratio: 3:1; does not apply to lots above 10 acres or on lots developed as open space in a platted subdivision.
 - g. Minimum depth to width ratio: 1:1

Section 940 – Local Business District (B-2)

The following standards govern the B-2 district:

1. Permitted (allowed) Uses. Within the B-2 District the following uses, developed in accordance with other provisions of this Resolution, shall be permitted.
- a. Child care nursery
 - b. Nursing home
 - c. Wholesale nursery
 - d. Automotive repair services
 - e. Gasoline service stations
 - f. Veterinary hospital or clinic
 - g. Offices
 - h. Kennels
 - i. Clubs
 - j. Public uses
 - k. Quasi-public uses
 - l. Public service facilities
 - m. Telecommunication towers
 - n. Agricultural sales and service
 - o. Agribusiness
 - p. Retail sales establishment
 - q. Retail service establishments
 - r. Commercial and non-commercial recreation
 - s. Swimming Pools subject to regulations set forth in Section 1002.
 - t. Small Wind Projects Less than 5MW subject to regulations set forth in Section 1045.
 - u. Other businesses, similar in nature or character as determined by the Zoning Commission.

2. Conditional Uses. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560-565.
 - a. Agritourism
 - b. Supply yards
 - c. Drive-thru or drive-in facilities for financial institutions, restaurants or other businesses
 - d. Accessory structures and uses incidental to the principal building or use. Accessory structures may not be constructed prior to construction of the primary structure.
 - e. Outdoor storage as an accessory use to any permitted use in Section 940(1).
3. Development Standards. In addition to any other provisions of this Resolution, all lands and uses within the B-2 District shall be developed in strict compliance with the standards hereinafter established.
 - a. Building size - No structure in this district shall contain more than seventy-five hundred (7,500) square feet of floor space per floor devoted to any permitted or conditional use.
 - b. Minimum lot size - None; however, the lot size shall be adequate to provide the yard spaces and off street parking as herein required.
 - c. Minimum lot width - None; however, all tracts shall have access to approved streets and shall be of such width as to provide required yard spaces and off street parking.
 - d. Minimum building setbacks:
 - Front (depth): Fifty (50) feet as measured from the road right of way
 - Rear (depth): Thirty (30) feet to the rear line of any lot
 - Side (width): Twenty-five (25) feet from each side lot line
 - e. Maximum building height - No building shall exceed two (2) stories or thirty-five (35) feet in height.
 - f. Maximum lot coverage: The ground area occupied by all the buildings and structures shall not exceed in the aggregate forty-five percent (45%) of the total area of the lot or tract. The ground area occupied by all the buildings, structures, driveways, traffic circulation areas, parking areas and sidewalks shall not exceed in the aggregate seventy-five percent (75%) of the total area of the lot or tract.

Section 950 – Light Industrial District (LI)

The following standards govern the LI district:

1. Permitted (allowed) Uses. Within the LI District the following uses, developed in accordance with other provisions of this Resolution, shall be permitted.
 - a. Automotive repair service
 - b. Gasoline service station
 - c. Agricultural sales and service
 - d. Research activities
 - e. Offices
 - f. Public uses
 - g. Telecommunication towers
 - h. Public service facilities
 - i. Wholesale and warehousing
 - j. Transport terminals
 - k. Light manufacturing
 - l. Swimming Pools subject to regulations set forth in Section 1002.
 - m. Off premise signs (billboards). See Regulations Section 1212.
 - n. Small Wind Projects Less than 5MW subject to regulations set forth in Section 1045.
 - o. Other businesses, similar in nature or character as determined by the Zoning Commission.

2. Conditional Uses. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560-565.
 - a. Agritourism
 - b. Mineral extraction, storage, and processing
 - c. Supply yards
 - d. Accessory structures and uses incidental to the principal building or use. Accessory structures may not be constructed prior to construction of the primary structure
 - e. Outdoor storage as an accessory use to any permitted use in Section 950(1).
 - f. Heavy manufacturing
 - g. Adult entertainment facilities subject to regulations set forth in Section 1042.

3. Development Standards. In addition to any other provisions of this Resolution, all lands and uses within the Light Industrial District shall be developed in strict compliance with the standards hereinafter established:
 - a. Minimum lot size - None; however, the lot size shall be adequate to provide the yard spaces and off street parking as herein required.
 - b. Minimum lot width - None; however, the industrial tract shall have access to approved streets and shall be of sufficient width to provide required yard spaces and off street parking.
 - c. Minimum building setbacks
 - i. Front (depth): One hundred (100) feet from the right-of-way line of the adjacent road.
 - ii. Rear (depth): Fifty (50) feet to the rear line of any lot. No outdoor storage area or required off street parking area may encroach in the prescribed rear yard except with permission of the Board of Zoning Appeals.
 - iii. Side (width): Thirty (30) feet on each side. No accessory building, outdoor storage area or required off street parking shall encroach in said side yard except with consent of the Board of Zoning Appeals. When abutting a U-1, R-1, or subdivision, additional setbacks shall be required consistent with the requirements of Section 1010(4).
 - d. Maximum building height - No building shall exceed two (2) stories or thirty-five (35) feet in height.
 - e. Maximum lot coverage: The ground area occupied by all the buildings and structures shall not exceed in the aggregate forty-five percent (45%) of the total area of the lot or tract. The ground area occupied by all the buildings, structures, driveways, traffic circulation areas, parking areas and sidewalks shall not exceed in the aggregate seventy-five percent (75%) of the total area of the lot or tract.

ARTICLE X: SUPPLEMENTARY DISTRICT REGULATIONS

Section 1000 – General

The purpose of supplementary district regulations is to set specific conditions for various uses, classification of uses or areas where problems may frequently be encountered.

Section 1001 – Conversion of Dwellings to More Units

A residence may be converted to accommodate an increased number of dwelling units provided:

1. The yard dimensions, including minimum lot width shall meet the yard dimensions required by the zoning regulations for new structures in that district in which the dwelling is located.
2. The lot area per family equals the lot area requirements for new structures in that district;
3. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district.

Section 1002 – Swimming Pools

The conditions and requirements listed below apply to swimming pools in Darby Township:

1. Private swimming pools are permitted in all residential zoning districts provided the following requirements are met:
 - a. It may not be located, including any walks or paved areas or accessory structures adjacent thereto, closer than ten (10) feet to any property line of the property on which it is located.
 - b. Swimming pools, exclusive of swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet, shall be surrounded by a fence, wall, building wall, or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool. The top of said fence, wall, building wall, or combination thereof shall be at least four (4) feet above grade measured on the side of the barrier which faces away from the swimming pool. Access gates shall be self-closing and have a self-latching device.
2. Community swimming pools either public or private are permitted in all residential and commercial zoning districts provided the following requirements are met:
 - a. The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than fifty (50) feet to any property line of the property on which it is located.
 - b. The perimeter of the site shall be appropriately screened from adjacent residential properties.
 - c. The swimming pool area shall be surrounded by a fence, wall, building wall, or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool. The top of the fence, wall, building wall, or combination thereof shall be at least four (4) feet above grade measured on the side of the barrier which faces away from the swimming pool. Access gates shall be self-closing and have a self-latching device.

Section 1003 – Accessory Buildings in the A-1, U-1, and R-1 Zoning Districts

All accessory buildings must meet the development standards of the applicable zoning district.

Each lot is permitted a maximum of one (1) accessory building up to 100 square feet in size and up to 15 feet in height. This is regardless of the number of accessory buildings on the lot, the lot size, and the total maximum size of all accessory buildings.

All other accessory buildings must meet the following requirements:

1. Number. No more than two (2) accessory buildings shall be permitted on any lot.
2. Zoning certificate required. A zoning permit is required prior to the erection, addition or alteration of an accessory building located on any lot in conjunction with a permitted principal structure or building.

3. Size and height. The maximum permitted size and height of an accessory building shall be based on the standards established in the following table.

Lot Size	Total Maximum Size of all Accessory Building(s)	Maximum Height (measured from the finished grade to the mean slope of the roof)
Less than one (1) acre	One and four tenths percent (1.4%) of the difference of the gross lot size less all right-of-way area, but no more than 580 square feet	15 feet
Equal to or greater than one (1) acre but less than two (2) acres	One and four tenths percent (1.4%) of the difference of the gross lot size less all right-of-way area, but no more than 1,160 square feet	18 feet
Equal to or greater than two (2) acres but less than five (5) acres	One and four tenths percent (1.4%) of the difference of the gross lot size less all right-of-way area, but no more than 3,000 square feet	25 feet
Five (5) acres or more	One and four tenths percent (1.4%) of the difference of the gross lot size less all right-of-way area, but no more than 4,000 square feet	25 feet

1. Maintenance. Accessory buildings shall be maintained in good condition and kept secure from the deteriorating effect of natural elements.
2. Agricultural operations exempt. Agricultural operations are exempt from all of the above requirements.

Section 1004 – Temporary Buildings

Temporary buildings, construction trailers, equipment and materials, used in conjunction with construction work only, may be permitted in any district during the period construction work is in progress, but such temporary facilities shall be removed within two (2) weeks of completion of the construction work unless an extension of a specified time period is granted by the Board of Township Trustees. All temporary facilities shall require a zoning permit from the Zoning Inspector.

Also, the temporary placement of a mobile home or manufactured dwelling upon a lot which already contains a dwelling may be permitted, provided evidence is submitted to and the Zoning Inspector finds: 1) That fire or an Act of God prevents occupancy of the existing dwelling and causes exceptional hardship to the applicant; and, 2) The temporary placement does not represent a hazard to the safety,

health, or welfare of the community; and, 3) That a written statement is provided from the Union County Health Department approving the water supply and wastewater disposal system for the temporary placement of said mobile home or manufactured dwelling. No such temporary placement may be allowed for a period of more than twelve (12) months or within 30 days of the receipt of a certificate of occupancy, whichever is sooner.

Section 1005 – Parking and Storage of Certain Vehicles

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings. The parking of a disabled vehicle within all districts for a period of more than two (2) weeks shall be prohibited, unless such vehicle is stored in an enclosed garage or other accessory building. However, one boat and one recreational vehicle may be stored in the rear or side yard if they have a current license.

Section 1006 – Required Trash Areas

All office, commercial, industrial, and multi-family residential uses that provide trash and/or garbage collection areas shall have such areas enclosed on at least three sides by a solid wall or fence a minimum of four feet in height or one foot higher than the receptacles therein with a lockable gate on the fourth side if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as determined by the Zoning Inspector shall be required.

Section 1008 Mobile Trailers Prohibited for Business, Storage, and Sign Purposes - The use of a mobile home, tractor trailer, box car, sealand container, or other similar type trailer, container, or structure shall not be permitted as an office or business structure, storage facility, or sign structure except as stated in Section 1004.

Section 1010 - Supplemental Yard and Height Regulations

In addition to all yard regulations specified in Sections 803 through 807 and in other sections of this Resolution, the following provisions shall be used for interpretation and clarification:

1. Setback requirements for corner buildings. On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street right-of-way lines as required for the front yard in the district in which such structures are located.
2. Horizontal visibility. Nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede horizontal visibility. Minimum horizontal visibility measured on the street centerline shall be as follows:
 - a. 50 feet on local streets developed as part of a subdivision
 - b. 150 feet on local streets
 - c. 300 feet on collector streets
 - d. For all other street classifications, horizontal visibility standards will be based on the Ohio Department of Transportation Location and Design Manual.
3. Yard requirements for multi-family dwellings. Multi-family dwellings shall be considered as one (1) building for the purpose of determining front, side, and rear yard requirements. The entire group as a unit shall require one (1) front, one (1) rear, and two (2) side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard requirements for the appropriate district as though it were on an individual lot.
4. Side and rear yard requirements for non-residential uses abutting residential districts. Non-residential buildings or uses except agricultural operations shall not be located in nor conducted closer than one hundred (100) feet to any U-1 or R-1 lot line nor any established subdivision boundary.
5. Architectural projections. Open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard.

6. Exceptions to height regulations. The height limitations contained in Sections 803 through 807 do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances, usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard.

Section 1011 – Fences, Walls, and Vegetation

The location and height of all fences, walls, and vegetation shall be in accordance with the following provisions.

1. Fences and walls shall not be permitted within any right of way.
2. No fence shall exceed six (6) feet in height unless approved by the Board of Zoning Appeals. All fences greater than three (3) feet in height shall be a minimum of ten (10) feet from the street right-of-way line. Supporting members for walls and fences shall be installed on the interior of the lot being fenced.
3. Fences shall be kept in proper repair and maintained so as not to create conditions that endanger the health, comfort and safety of the public.
4. No accessory structure, wall, fence, or vegetation of any kind may be constructed, placed, planted, or allowed to grow which would visibly obscure, hide, or screen fire hydrants, street address numbering, and other security or emergency service equipment, controls or components.

Section 1012 – Screening

No buildings or structures shall be erected, altered, or enlarged nor shall land for any non residential use on a lot that abuts or faces any residential district be used, nor shall any multiple family use be established adjoining any single family development, until a plan for screening has been submitted, approved by the Zoning Inspector, or the Board of Zoning Appeals in case of conditional uses, except in accordance with the following provisions:

1. Screening may be one or a combination of two or more of the following:
 - a. A solid masonry wall.
 - b. A solidly constructed decorative fence.
 - c. Dense evergreen plantings.
 - d. Landscaped mounding.
2. Height of screening shall be in accordance with the following:
 - a. Visual screening walls, fences, plantings, or mounds shall be a minimum of four (4) feet high, in order to accomplish the desired screening effect.
 - b. In required front yards, the maximum height may not exceed three (3) feet without approval of the Board of Zoning Appeals.
 - c. Whenever required screening is adjacent to parking areas or driveways such screening shall be protected by bumper blocks, post or curbing to avoid damage by vehicles. All screening shall be trimmed, maintained in good condition, and free of advertising or other signs.

Section 1013 – Home Occupations

The following standards shall govern home occupations as a permitted use within Darby Township.

1. The owner or lessee of the premises must reside in the dwelling unit used for the home occupation. The lessee shall have the owner's permission to conduct such home occupation.
2. No person or persons, other than the owners and family members living on the premises shall operate a home occupation.
3. Not more than two workers exclusive of the owners shall be employed in a home occupation at any one time.
4. All activities conducted on site shall be conducted entirely within the dwelling unit, and 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.

5. Not more than thirty (30) percent or six hundred (600) square feet of the gross floor area, whichever is less, of any dwelling unit shall be used for a home occupation.
6. Home occupations shall not be permitted in any accessory building within any district unless a conditional use permit is received from the Board of Zoning Appeals.
7. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home.
8. All signs shall comply with Sign Regulations in Section 1210 of this Zoning Resolution.
9. There shall be no sale on the premises of commodities other than those produced as the result of the home occupation.
10. No additional parking places proposed in conjunction with the home occupation shall be located in the required front setback.
11. Equipment or processes shall not be used in such Home Occupations that creates noise, dust, vibrations, glare, fumes, odors, or visual, audible, or electrical interference detectable off the Lot or beyond the property line.
12. There shall be no increased burden placed upon existing Township public services provided to the residence as a result of a Home Occupation.

Section 1014 – Tree Preservation

Any tree over 18” in caliper that is removed from the site in either the B-1 or LI zoning districts shall be replaced. The total number of caliper inches of replacement trees for a site shall equal or exceed the combined diameter of the protected trees removed. All replacement trees must be deciduous trees and have a minimum caliper size of 2.5 inches at the time of planting.

Section 1015 – Lighting Standards

1. General lighting standards applicable in all districts.
 - a. The amount of illumination projected onto a residential use from another property shall not exceed 0.1 vertical footcandle at the property line.
 - b. No blinking, flashing or fluttering lights, or other illuminated device that has a changing light intensity, brightness or color, is permitted in any zoning district, except for temporary holiday displays.
2. Lighting standards applicable in the B-2 and LI zoning districts and all multi-family, commercial, office, and industrial areas located in a planned district.
 - a. Maximum on-site lighting levels shall not exceed ten (10) footcandles, except for loading and unloading platforms where the maximum lighting level may be twenty (20) footcandles.
 - b. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensors devices, or turned off during non-operating hours.
 - c. Light fixtures shall be dark in color (black, bronze, dark green) to blend with the landscape.
 - d. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam.
 - e. For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roof line. All uplights must be screened with landscaping or aimed away from view from the public street.
 - f. Lighting sources shall be color-correct types such as halogen or metal halide, and light types of limited spectral emission, such as low pressure sodium or mercury vapor lights, are prohibited even in service areas.
 - g. Light fixtures shall be mounted on concrete, fiberglass, or painted metal poles no higher than twenty-five (25) feet from the ground.
 - h. Lighting mounted on a building or structure shall not exceed the height of the building or structure.
 - i. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, such control shall be achieved primarily through the use of sharp cut off fixtures, the

- appropriate application of mounting height, wattage, aiming angle, fixture placement and fixture design, etc. and the additions of shields and baffles as necessary.
3. Parking lot lighting standards applicable in the B-2 and LI zoning districts and all multi-family, commercial, office, and industrial areas located in a planned district.
 - a. On-site parking areas, pedestrian walkways and sidewalks, and on-site streets and driveways shall use full cut-off type lighting that provides consistent illumination of at least one footcandle.
 - b. Light fixtures shall be located on the periphery of the areas with light sources directed into parking areas. No light sources shall be located on building facades directed outward toward property boundaries or adjacent rights-of-way.
 - c. Parking lot lights shall be of a cut-off fixture and shall be no more than twenty-five (25) feet in height.
 - d. Parking lot lights must be placed within a landscape island or on a 36" high pole base to protect both lights and vehicles from possible damage.

Section 1029 - Mineral, Clay, Sand and Gravel Extraction, Storage and Processing

The extraction, storage and processing of minerals shall be conducted in accordance with the requirements of Sections 1030 to 1036, inclusive.

Section 1030 - Distance from Residential Areas

Mineral extraction, storage or processing shall not be conducted closer than one thousand (1,000) feet from any residential district, nor closer than five hundred (500) feet from any structure used for human occupancy in any other district.

Section 1031 - Filing of Location Map

The operator shall file with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads and natural features.

Section 1032 - Information on Operation

The operator shall submit information on the anticipated depth of excavations and on depth and probable effect on the existing water table as coordinated with the Ohio Department of Natural Resources, Division of Water. The operator shall also submit information on the anticipated effect of its operations on waters of the state (rivers, creeks, streams, lakes, ponds, intermittent waterways, etc.) as coordinated with the Ohio Environmental Protection Agency.

Section 1033 - Restoration of Mined Area

Upon ceasing mineral extraction operations, the owner or operator must restore the mined area to a condition substantially identical to its condition previous to the mineral extraction. The owner or operator shall file with the Board of Zoning Appeals and the Zoning Commission a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land. This plan shall be submitted to the Boards before the owner requests a zoning change or conditional use permit prior to commencing operations. Should the mineral extraction company, operation or property be sold prior to ceasing of mineral extraction, the original restoration plan shall transfer to the new owner and operator and the restoration plan shall remain binding.

Section 1034 - Performance Bond

Prior to the Township issuing of a zoning change or conditional use permit to allow mineral extraction, the owner or operator shall be required to file with the Board of Township Trustees a bond, payable to the Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The bond shall be released upon written certification of the Zoning Inspector that the restoration is complete and in compliance with the restoration plan. The dollar amount of the performance bond shall be determined by the calculation contained in the Township Trustees' annual review of fees in effect at the time the bond is filed.

Section 1035 - Enforcement Provision

The Zoning Inspector, prior to the issuance of a zoning permit, shall require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances. Such statements and plans shall include addressing noise, dust, odors, lighting, public safety, and truck and equipment traffic, as well as any other concerns of the Zoning Inspector.

Section 1036 - Measurement Procedures

Methods and procedures for the determination of the existence of any dangerous and objectionable elements shall conform to applicable standard measurement procedures published by the American Standards Association, Inc., New York, N.Y., the Manufacturing Chemists' Association, Inc., Washington, D.C., the United States Bureau of Mines, and the Ohio Environmental Protection Agency.

Section 1037 – Agricultural Use

Pursuant to Section 519.21 of the Revised Code, in any platted subdivision approved under Section 711.05, 711.09, or 711.10 of the Revised Code, or in any area consisting of 15 or more lots approved under Section 711.131 of the Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, agriculture is regulated in the following manner:

1. On lots of one acre or less, agriculture may be permitted as a conditional use.
2. On lots greater than one acre, but not greater than five acres, buildings or structures incident to the use of land for agriculture purposes are regulated as follows:
 - a. Setback building lines. Same for principal structure in the same district as to front, sides, and back.
 - b. Height. Twenty (20) feet maximum height.
 - c. Size. Maximum of 1000 square feet (outside measurement).
3. On lots greater than one acre but not greater than five acres, dairying and animal and poultry husbandry are regulated as follows:
 - a. When at least 35 percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under Section 4503.06 of the Revised Code, dairying and animal and poultry husbandry shall be considered a non-conforming use of land and buildings or structures pursuant to Section 519.19 of the Revised Code.

The aforementioned Resolution confers no power on any Township Zoning Commission, Board of Township Trustees, or Board of Zoning Appeals to regulate agriculture, buildings or structures, in dairying and animal and poultry husbandry on lots greater than five acres.

Section 1038 – Agritourism

In addition to the procedure and requirement for approval of conditional use permits, as stated in Section 560, the Board of Zoning Appeals shall direct the Zoning Inspector to issue a conditional use permit listing the specific conditions specified by the Board for approval if the following conditions have been met:

1. Conditions
 - a. Evidence that the farm on which the agritourism operation is proposed is ten (10) acres or more in area shall be provided. If such farm is less than ten (10) acres, evidence shall be provided that such farm is currently enrolled in the Current Agricultural Use Value (CAUV) program or produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.
 - b. The educational, entertainment, historical, cultural and/or recreational relationship of the agritourism operation to the existing agricultural use of the property, the surrounding

- agricultural community, and/or the relationship of the agritourism activity to agriculture in general shall be identified.
- c. A site plan of the property illustrating all structures to be used for agritourism activities, setbacks from property lines for all structures and any existing or proposed well and/or on-site wastewater disposal system area(s) on the property shall be submitted.
 - i. The size and setback for any structure used primarily for agritourism activities shall be in conformance with Section 1037 – Agricultural Use.
 - d. Off-street parking in accordance with size requirements in Article XI Off-Street Parking and Loading Requirements shall be provided.
 - i. Additionally, off-street parking adequate to meet peak time demand shall be provided in a manner that does not cause nuisance or conflict with adjoining properties. Estimates of traffic generation shall be submitted. In no instance shall parking be permitted within yard setback areas or within 20 feet of the road right-of-way.
 - e. Safe and adequate ingress and egress shall be maintained at all times.
 - f. The applicant shall provide data establishing the seasons and weeks of operation, and the hours of operation. The Conditional Use Permit shall clearly state these parameters.
 - g. Sales are limited to agricultural products meeting the criteria of products incident to the agricultural production and specific supporting products related to the agricultural tourism purpose such as animal feed pellets, U-Pick containers, etc...

Section 1040 – Adequate Drainage Outlet, Acceptable Soils, and Existing Drainage Tile

Every lot shall have an adequate drainage outlet and acceptable soils consistent with the requirements for the proposed use. The Union Soil and Water Conservation District (SWCD) or a Professional Civil Engineer (P.E.) who will follow the Union SWCD criteria in writing shall recommend the drainage outlet adequacy and the Health Department shall recommend the soils acceptability on new lots. The implementation of said recommendations shall be required by the Township as part of the zoning permit. These statements along with a plot map of the drainage systems shall accompany the application for permit. Furthermore, all construction (including construction of ponds and driveways) within the Township shall be accomplished in a manner consistent with maintenance and good surface drainage. In all improvements or uses where submittal of drainage plans is not specifically required, proper drainage on the subject property and adjacent or servient properties shall be maintained or restored at equal or greater capacity as determined by the Union Soil and Water Conservation District. In no event shall any person interdict or interfere with any existing tile or surface drain channel unless it is determined that such tile or channel can be removed or relocated without interfering with the drainage on adjacent properties. Pre-existing drainage tile draining adjoining property shall be restored or re-routed when cut, crushed, or otherwise affected by any construction, excavation, or utility installation on any lot.

Section 1041 – Ponds

Permits are issued using the following steps.

1. Union Soil and Water Conservation District (SWCD) or a Professional Civil Engineer (P.E.) must review and approve proposed construction site with landowner. Test pits must be dug prior to design.
2. The pond shall be designed in accordance with Natural Resource Conservation Service (NRCS) Standards and specifications along with the United States Department of Agricultural Services (USDAS) Engineering Field Manual for Conservation Practices. Drainage tile found or damaged on site shall be rerouted around the proposed pond at the owner's expense. Soil shall be spread in a manner not to encroach on adjacent properties.
3. Union SWCD or a Professional Civil Engineer (P.E.) shall be responsible for designing the pond and doing site inspections with the Township Zoning Inspector during construction to assure that the pond is constructed according to the approved plan.
4. The pond outlet and the discharge shall be designed not to encroach on adjacent property.

5. Every lot shall have an adequate drainage outlet and acceptable soils consistent with the requirements for the proposed use. The Union SWCD or a Professional Civil Engineer (P.E.) who will follow the criteria of Union SWCD shall determine the drainage outlet adequacy and the soils acceptability for ponds.
6. Minimum Lot Size. Two (2) acre minimum lot size exclusive of all easements and rights-of-way.
7. Setbacks—To reduce the risk of vehicles leaving the road and entering a pond, ponds shall be set back from nearby roads. Either of the following standards satisfies this setback requirement:
 - a. A pond shall be setback one hundred (100) feet from the road right-of-way to the high-water mark and thirty (30) feet from the side and rear lot lines to the high-water mark.
 - b. The road right-of-way setback required in subparagraph (a.), above, may be reduced if a minimum of a four (4) foot high earth mound is constructed between the pond and the road, in any location where the pond is less than 100 feet from the road. The reduced setback shall be no less than fifty (50) feet from the road right-of-way to the high-water mark.
8. All ponds shall be at least ¼ (0.25) acre in size.
9. Disturbed soil shall be seeded and such seeding shall meet Ohio EPA Regulations and NRCS Standards and Specifications.
10. Permits. The excavation of all ponds shall require a zoning permit at which work shall commence on said pond within six (6) months from the date of permit issuance from the Township Zoning Inspector. Prior to issuance of a zoning permit, every effort shall be made on the part of the landowner to locate and clearly mark all drainage tiles. The landowner shall be financially responsible for re-routing all tile. Ponds shall be completed within sixty (60) days from the date that construction on pond commences. The property owner shall notify the Zoning Inspector upon commencement of construction on the pond. Should the permit expire before work on the pond is complete, all excavated land shall be returned to its original state and seeded. The owner may apply for a maximum of one 30 day extension with the Township Zoning Inspector.
11. This applies to all zoning districts, including planned districts.

Section 1042 – Adult Material and Entertainment

1. Purposes. The purposes of this section are to prevent crime, protect the township’s retail trade, maintain property values, and generally to project and preserve the quality of the township’s neighborhoods, community life and commercial districts and not to suppress First Amendment rights of free speech.
2. Standards. No person shall cause or permit the establishment of an adult entertainment business within one thousand (1,000) feet of any single, two or multi-family dwelling, church, park, preschool, or school, nor within five hundred (500) feet of another adult entertainment business. For the purposes of this Resolution, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the building within which the adult entertainment business is located to the nearest property line of the premises of a single, two or multi-family dwelling, church, park, preschool or school, or other adult entertainment business.

Section 1043 General Conditions for Medical Marijuana Entities.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations that provide for State-authorized medical marijuana land uses consistent with ORC 519 and ORC 3796. ORC 519.21 and ORC 3796 allow regulation of the location of medical marijuana cultivators, processors, or dispensaries within the unincorporated area of the township.

1. Not an Agricultural Use. Medical marijuana is not considered an “agricultural” use pursuant to ORC 519.21 (D).
2. Zoning Districts. No medical marijuana cultivator, processor, or dispensary shall be located in a zoning district where it is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, or dispensary shall be permitted as a home occupation.

3. Mobile Building Prohibited. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

Section 1045 - Small Wind Projects less than five (5) Megawatts (MW)

Wind Farms of 5MW or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. Small Wind Projects less than 5MW and used solely for Agriculture will be exempt from these zoning regulations as an Agricultural Use. Any proposed construction, erection, or siting of a small wind farm less than 5MW including the wind turbine generator or anemometer or any parts thereof shall be a Permitted Use in the A-1, U-1, B-2, and L-1 Districts only if the following conditions are met:

- I. Regulations:
 - A. Height - The maximum height of any turbine shall be one hundred and twenty five (125) ft. Maximum height therefore shall be the distance from the rotor blade at its highest point to the top surface of the ground at the wind turbine foundation.
 - B. Setbacks - The following shall apply in regards to setbacks:
 1. Any turbine erected on a parcel of land shall be setback 1.1 times the height of the tower (height shall be considered the distance from the rotor blade at its highest point to the top surface of the ground at the wind turbine foundation, or established "clear fall zone", from all road right-of-way lines, neighboring property lines, structures, as well as any inhabited structures on the parcel intended for the turbine. A turbine will need to be erected and placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located at, and would not strike any structures including the primary dwelling, and any inhabited structures.
 - C. Maintenance:
 1. Wind turbines must be maintained in good working order. The owner shall within thirty (30) days of permanently ceasing operation of a wind turbine, provide written notice of abandonment to the Zoning Inspector. An unused wind turbine or small wind project may stand no longer than twelve (12) months following abandonment. All costs associated with the demolition of the wind turbine and associated equipment shall be borne by the owner. A wind turbine is considered abandoned when it ceases generation of electricity for thirty (30) consecutive days. Wind turbines that become inoperable for more than twelve (12) months must be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes removal of all apparatuses, supports, foundation to the ground surface level and other hardware associated with the existing wind turbine.
 - D. Decibel Levels:
 1. All units shall operate not more than five (5) decibels above the established ambient decibel levels at property lines. This information shall be included in the engineering report described below in Section II of this document. This information shall be obtained from the manufacturer of the turbine, and all decibel readings, if necessary, shall be taken from the nearest neighboring property lines. Those turbines not meeting this requirement will be issued a zoning violation and be required to shut down immediately until the required decibel levels are met.
 - E. Wiring and electrical apparatuses:
 1. All wires and electrical apparatuses associated with the operation of a wind turbine unit shall be located underground and meet all applicable local, state, and federal codes including the Union County Building Regulations and Residential Building Code of Ohio.
 - F. Warning Signs:
 1. Appropriate warning signs to address voltage shall be posted.

G. Building Permits:

1. All Small Wind Farms and parts thereof shall obtain all applicable Building Permits from the State of Ohio and Union County Building Regulations where required.

II. Permits:

- A. A permit shall be required before construction can commence on an individual wind turbine system.
- B. As part of the permit process, the applicant shall inquire with the Federal Aviation Administration as to whether or not additional height restrictions are applicable due to the unit's location in relation to any local airports.
- C. Applicant shall then provide the Township Zoning Inspector with the following items and or information when applying for a permit:
 1. Location of all public and private airports in relation to the location of the wind turbine.
 2. An engineering report that shows:
 - a. The total size and height of the unit
 - b. If applicable, the total size and depth of the unit's foundation structure, as well as soil and bedrock data.
 - c. A list and or depiction of all safety measures that will be on the unit including anti-climb devices, grounding devices, and lightning protection, braking systems, guy wiring & anchors.
 - d. Data specifying the kilowatt size and generating capacity of the particular unit.
 - e. The maximum decibel level of the particular unit. This information shall be obtained from the manufacturer of the turbine unit.
 - f. Ambient noise levels at property lines.
 - g. Hazardous materials containment and disposal plan.
 3. A site drawing showing the location of the unit in relation to existing structures on the property, roads and other public right-of-ways, and neighboring property lines.
 4. Evidence of established setbacks of 1.1 times the height of the turbine and "clear fall zone" with manufacturer's recommendation must be attached to the engineering report.
 5. A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the permit.

Section 1046 - Small ~~Solar Energy~~ Systems (Less Than 50 MW)

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. No **accessory** solar energy system for a dwelling **and its accessory structures** shall have a production output of more than 50kW. For a dwelling with multiple dwelling units, 50kW is allowed per dwelling unit. No other principal use shall have an accessory system with a production output of more than the needs of the facility.
2. An **accessory** solar energy system is permitted in all zoning districts as an accessory to a principal use.

3. An accessory solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.
4. Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.
5. Roof/Building mounted accessory solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. CombinedThe height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
6. Ground/Pole mounted accessory solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising the solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
 - e. For purposes of determining lot coverage, the total surface area of all ground/pole mounted and freestanding solar collectors including cells, panels, and water collector devices shall be considered impervious and count towards the maximum percentage of the lot to be occupied.
7. Other structure- mounted solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever greater.
 - e. For purposes of determining lot coverage, the total surface area of all groundother structure mounted and freestanding solar collectors including cells, panels, and water collector devices shall be considered impervious and count towards the maximum percentage of the lot to be occupied.
8. Accessory Ssolar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
9. Accessory Ssolar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground-mountedaccessory solar energy system shall be graded and reseeded within thirty (30) days of removal.

10. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
 - a. Height of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any ground/pole mounted or other structure mounted solar energy system and “clear fall zone”.
 - c. Proof of notice to the electric utility company, Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts) regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, ~~or subsidiary use~~, as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater). ~~It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).~~

Principal Solar Energy Production Facilities are prohibited in any district.

Section 1048 – Telecommunication Towers

Pursuant to the Telecommunications Act of 1996 and the ORC Sections 519.211, and the Darby Township Trustees being duly notified of a person’s intent to construct a telecommunication tower in an area zoned for Residential (R-1, PRD, & PCR Districts), this section sets forth minimum standards that shall be met including:

1. The applicant must provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communication Commission, Federal Aviation Administration, and Ohio Department of Transportation).
2. The applicant shall provide proof that all owners and/or occupants of residential dwellings within one hundred (100) feet of the proposed tower were properly notified as required by ORC Section 519.211.
3. The applicant must demonstrate at the time of applications that no technically suitable and feasible sites are available in a non-residential district.
4. Co-location. All towers shall make available unused space for co-location of other telecommunication facilities. All telecommunication facilities shall be designed to promote facility and site sharing.
5. Setbacks from all platted residential uses and residential districts. All new towers shall be setback 1,000 feet from either the closest subdivision boundary line for all platted residential subdivisions, or from the closest residence in all non-platted residential districts. When residential uses are located within non-residential zoning districts (A-1, U-1, B-2, LI, PAD, PCO, PID), the setback shall be 200 feet from such existing residential use.
6. Setbacks from all streets and private and public road right of ways. All new towers shall be setback from all road right of ways public and private, a distance of 900 feet.
7. Setbacks from all other uses allowable in the zoning district. All new towers shall be setback from any building that is not associated with or accessory to the telecommunications tower facility a distance of 900 feet.
8. Any and all base station equipment, accessory structure, buildings, etc. used in conjunction with the tower shall be screened with fencing, masonry, shrubbery or other screening materials.
9. The applicant shall notify the Zoning Inspector within 30 days of ceasing operations at the site and shall remove all structures within 60 days of ceasing operations.
10. No advertising or illumination other than that required by law may be located on a structure or on the required screening.

11. An inspection report prepared by a qualified engineer licensed by the State of Ohio shall be submitted to the Zoning Office every five (5) years which details the structural integrity of all towers and support structures on the property. The result of such inspections shall be provided to the Union County Building Regulations Department and the Darby Township Zoning Inspector. Based upon results of an inspection, the Township Trustees may require repair or removal of a telecommunication tower. Any and all necessary repairs to the tower and/or support structures shall be made within a seven (7) day period or the tower and/or structures shall be removed. The tower owner (applicant) is responsible to cover the cost of all inspections, repair and/or removal.
12. The unstaffed storage building and/or unit that houses transmitting equipment is considered an accessory use and/or structure. Setbacks for accessory uses/structures will comply with the distance requirements in the zoned district of the tower location. These facilities may not include offices, long-term vehicle storage, other outdoor storage, or broadcast studios except for emergency purposes, or other uses that are needed to send or receive transmissions.
13. A six (6) foot safety fence with a locked gate surrounding the tower is required. If high voltage is necessary, signs must be posted every twenty (20) feet along the fence saying, "Danger – High Voltage". The operator must also post "No Trespassing" signs.

Section 1049 – Performance Bond for Telecommunication Towers

For each telecommunication tower, the owner or operator shall provide to the Township a surety bond or a bank letter of credit so as to assure the Township that the terms and conditions of Section 1038 are performed and complied with, including necessary repairs, repairs to public highways and roads, and the costs and expenses of removal in the event of abandonment; Bond shall equal anticipated demolition, and debris removal cost; the Township Board of Trustees may draw upon the performance bond to recover any costs, damages or expenses incurred by the Township that may arise out of the violations of Section 1038 or the abandonment or discontinuance of the tower. The bond or letter of credit shall be issued by a Board of Trustees, in a form approved by said Board, and shall be in an amount that is equal to no less than fifty percent (50%) of the construction value of the tower. If the cost of decommissioning or removal is greater than the bond, the owner or operator shall be liable for costs greater than such bond. By its terms, the bond or letter of credit may not expire, be terminated, or cancelled without providing the Township Board of Trustees with written notice of such expiration, termination, cancellation or other event of non-renewal no later than one hundred twenty (120) days prior to the date of such event.

Section 1050 – Decks and Porches

Decks and porches shall require a zoning permit (Section 300). However, decks and porches that do not require a zoning permit are those not exceeding two hundred (200) square feet in area, that are not more than thirty (30) inches above grade at any point, are not attached to a dwelling, or do not serve the exit door or as exempted from the Union County Building Regulations.

Section 1061 – Short Term Rental

In the interest of protecting the public health, safety, and general welfare, this Section establishes conditions for the establishment of a short term rental. Further, it is the intent of this Section to protect the purpose and intent of each district, where a short term rental is conditionally permitted.

In addition to the other requirements in this Resolution, the following conditions shall apply:

1. Maximum number of short term rentals. Only one (1) dwelling unit per lot may be used as a short term rental.
2. Maximum number of rooms. No short term rental shall contain more than five (5) sleeping rooms.
3. Trash Areas. Trash areas shall be in accordance with Section 1006 Required Trash Areas.
4. Parking. Parking shall comply with Article XI and the following additional restrictions:
 - a. *Number.* One (1) parking space shall be provided per sleeping room.
 - b. *Location.* No additional parking spaces proposed in conjunction with the short term rental shall be located in the required front yard setback.

5. Signs. Signage shall comply with Article XII and the following additional restrictions:
 - a. *Maximum Number, Size, and Type Permitted*. A short term rental shall be limited to one (1) wall sign no larger than twelve (12) square feet and one (1) monument sign no larger than twelve square feet (12).
 - b. *Exterior Lighting Only*. Sign lighting shall be employed by a white, steady, stationary light of reasonable intensity directed solely at the sign and/or otherwise prevented from beaming directly onto adjacent properties or right-of-way.
6. There shall be no increased burden placed upon existing Township public services provided to the lot as a result of the short term rental.

ARTICLE XI: OFF-STREET PARKING AND LOADING FACILITIES

Section 1100 – General Requirements

1. No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and/or loading spaces have been provided in accordance with the provisions of this Resolution.
2. The provisions of this Article, except where there is a change of use, shall not apply to any existing building or structure.
3. Whenever a building or structure constructed after the effective date of this Resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this Resolution is enlarged to the extent of fifty (50) percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

Section 1110 – Parking Space Dimensions

A parking space shall have minimum rectangular dimensions of not less than nine (9) feet in width and nineteen (19) feet in length for ninety (90) degree parking, nine (9) feet in width and twenty-three (23) feet in length for parallel parking, ten (10) feet in width and nineteen (19) feet in length for sixty (60) degree parking, and twelve (12) feet in width and nineteen (19) feet in length for forty-five (45) degree parking. All dimensions shall be exclusive of driveways, aisles, and other circulation areas. The number of required off-street parking spaces is established in Section 1130 of this ordinance.

Section 1111 – Loading Space Requirements and Dimensions

A loading space shall have minimum dimensions of not less than twelve (12) feet in width, fifty (50) feet in length, exclusive of driveways, aisles and other circulation areas, and a height of clearance of not less than fifteen (15) feet. One off-street loading space shall be provided and maintained on the same lot requiring delivery of goods and having a modified gross floor area up to five thousand (5,000) square feet. One loading space shall be provided for each additional ten thousand (10,000) square feet or fraction thereof of ground floor area.

Section 1112 – Paving

The required number of parking and loading spaces as set forth in Sections 1111 and 1130, together with driveways, aisles, and other circulation areas, shall be improved with such material to provide a durable and dust-free surface.

Section 1113 – Drainage

All parking and loading areas shall provide for proper drainage of surface water into approved storm sewer or retention ponds to prevent the drainage of such water onto adjacent properties or walkways.

Section 1114 – Maintenance

The owner of property used for parking and/or loading shall maintain such area in good condition without holes and free of all dust, trash, and other debris.

Section 1115 – Lighting

Refer to Section 1015.

Section 1116 – Location of Parking Spaces

The following regulations shall govern the location of off-street parking spaces and areas:

1. Parking spaces for all detached residential uses shall be located on the same lot as the use which they are intended to serve;
2. Parking spaces for commercial, industrial, or institutional uses shall be located not more than seven hundred (700) feet from the principal use;
3. Parking spaces for apartments or similar residential uses shall be located not more than three hundred (300) feet from the principal use.

Section 1117 – Screening and Landscaping

1. Perimeter landscaping.
 - a. Parking lots and drives must be screened by any of the methods outlined in Section 1012.
 - b. Entry drives into parking areas shall be landscaped and shall incorporate the design of landscaping in adjoining buffer areas.
 - c. In locations where plants will be susceptible to injury from pedestrian or motor traffic, said plants shall be protected by appropriate curbs, bollards, tree guards or other effective devices.
2. Interior landscaping.
 - a. Any surface parking with more than twenty (20) parking spaces shall provide at least 5 percent of the parking lot as green space. At least one (1) tree shall be planted per 5,000 square feet of green space provided within the parking lot. The tree(s) shall be planted within the parking lot whenever feasible. If not feasible, the tree(s) may be planted adjacent to the parking lot or structure.
 - b. No more than twenty (20) parking spaces in a row will be permitted without providing a landscape island or peninsula. A peninsula shall be no less than 144 square feet (8' X 18'), whereas an island shall be no less than 288 square feet (8' X 36'). Both shall have a minimum width of eight (8) feet. Fewer but larger islands are encouraged.
 - c. In locations where plants will be susceptible to injury from pedestrian or motor traffic, said plants shall be protected by appropriate curbs, bollards, tree guards or other effective devices.
 - d. All open areas not developed with parking, roadways, paths or otherwise planted shall be either seeded or sod.
3. Loading, service, and storage areas.
 - a. All truck loading and service areas shall be located at the rear or side of the building. All loading docks shall be totally screened from view with the same materials used on the building walls. Landscaping shall also be used to soften the impact of these areas within the environment.
 - b. Any external mechanical equipment including any rooftop equipment, satellite dishes, ground-mounted mechanical equipment and exterior storage areas shall be totally screened from view with materials that are similar to or the same as those used on a majority of the building. The screening of the mechanical equipment shall be coordinated with the rest of the building's architecture. As an option, such equipment may also be screened with landscaping of 100% opacity.

Section 1119 – Minimum Distance and Setbacks

No part of any parking area for more than ten (10) vehicles shall be closer than twenty (20) feet to any dwelling unit or school if located on an adjoining lot, unless separated by a screen meeting the standards of Section 1012. In no case shall any part of a parking area be closer than four (4) feet to any established street or alley right-of-way.

Section 1120 – Joint Use

Two or more non-residential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement approved by the Zoning Inspector shall be filed with the application for a zoning permit.

Section 1121 – Wheel Blocks

Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

Section 1122 – Width of Driveway Aisle

Driveways serving individual parking spaces shall be not less than twenty-five (25) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, seventeen and one-half (17 ½) feet for sixty degree parking, and thirteen (13) feet for forty-five (45) degree parking.

Section 1130 – Parking Space Requirements

For the purpose of this Resolution, the following minimum parking space requirements shall apply:

TYPE OF USE:	PARKING SPACES REQUIRED:
Single family or two family dwelling	Two for each unit
Apartments, or multi-family dwellings	Two for each unit
Automobile service garages	One for each 2 gasoline pumps and 2 for each service bay
Restaurants	One for each 250 sq. ft. of floor area
Outdoor swimming pools, public or community or club	One for each 5 persons capacity plus 1 for each 4 seats or 1 for each 30 sq. ft. floor area used for seating purposes, whichever is greater
Retail establishments	One for each 250 sq. ft. of floor area
Offices, public or professional, administration, or service buildings	One for each 400 sq. ft. of floor area
All other types of businesses or commercial uses permitted in any business district	One for each 300 sq. ft. of floor area
Churches	One for each 5 seats
School	One for every 10 students and one for each teacher and employee
All types of manufacturing, storage, and wholesale uses permitted in any manufacturing district	One for every 2 employees on the largest shift for which the building is designed

Section 1131 – General Interpretations

In the interpretation of this Article, the following rules shall govern:

1. Parking spaces for other permitted or conditional uses not listed in this Article shall be determined by the Board of Zoning Appeals upon an appeal from a decision of the Zoning Inspector.
2. Fractional numbers shall be increased to the next whole number.
3. When a reason for parking demand is unusually low or when multiple uses share parking facilities, then the parking space provisions cited above may be reduced proportionately by the Board of Zoning Appeals upon an appeal from a decision of the Zoning Inspector.

ARTICLE XII: SIGNS

Section 1200 – Intent

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, and enhance and protect the physical appearance of the Township.

Section 1201 – Governmental Signs Excluded

For the purpose of this Resolution “sign” does not include signs erected and maintained pursuant to and in discharge of any governmental function, or required by any law, ordinance, or governmental regulation.

Section 1202 – General Requirements for all Signs and Districts

The regulations contained in this section shall apply to all signs and all use districts.

1. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electric code in effect, if any;
2. No sign shall be placed on the roof of any building.
3. No portable or temporary sign shall be placed on the front or face of a building or on any premises, except as provided in Sections 1210 and 1220 herein;
4. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention when not part of a sign;
5. No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape;
6. Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same, shall upon receipt of written notice from the Zoning Inspector proceed at once to put such sign in a safe and secure condition or remove the sign;
7. No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs unless provided for in Section 1210. Signs directing and guiding traffic and parking on private property but bearing no advertising matter shall be permitted on any property.

Section 1203 – Measurement of Sign Area

The surface area of a sign shall be computed as including the entire area within a regular, geometric form or combinations of regular, geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not being advertising matter shall not be included in computation of surface area.

Section 1210 – Signs Permitted in All Districts not Requiring a Permit

A permit shall not be required for the following signs:

1. The flag, pennants or insignia of any nation, state, or other political unit or jurisdiction.
2. Cornerstones, commemorative tablets and historical signs, not to exceed ten (10) square feet in area.
3. Signs denoting the name and address of the occupants of the premises, not to exceed four (4) square feet in area.
4. One wall sign on or over a show window or door of a store or business establishment, announcing only the name of proprietor and the nature of the business, not to exceed three (3) square feet in area.
5. Real estate for sale, sold, rental or lease signs limited to no more than eight (8) square feet in area, no more than six (6) feet in height, and with one (1) sign per lot. Sold signs may be posted for a period not to exceed ten (10) days. A maximum of three (3) off-premise directional signs shall be permitted in conjunction with an open house, not to exceed forty-eight (48) consecutive hours. During the hours of the open house, one additional sign indicating that the house is open will be permitted on the property. For property with a lot size exceeding twenty (20) acres, real estate for sale, sold, rental or

lease signs are permitted to be a maximum of thirty-two (32) square feet in area for any one display area with a total display area not to exceed sixty-four (64) square feet and no more than eight (8) feet in height.

6. Signs for the civic promotion of schools, church, or community service activities which may be displayed for a maximum of thirty (30) days.
7. Flags, signs and sources of illumination clearly in the nature of decorations customarily associated with any national, state, local or religious holiday, and containing no advertisement.
8. Traffic directional signs indicating points of entry or exit to off-street parking, provided such signs are not larger than four (4) square feet in area. Such signs shall not be located in a public right-of-way and shall not obstruct the view of motorists for the purposes of ingress and egress.
9. Window signs not larger than twenty (20) percent of the aggregate window area. For uses that are located in the second or higher floors of a building, window signs shall meet the requirements of this section.
10. One (1) sandwich board shall be permitted for each business location not to exceed four (4) feet in height as measured from the sidewalk and shall not exceed three (3) feet in width per side. Such signs shall be limited to three (3) colors, shall be displayed only during daylight hours and shall not be located on a sidewalk less than six (6) feet in width. Damage to sandwich signs and any liability shall be the responsibility of the owner. Sandwich boards shall be placed in such a way as to leave at least four (4) feet to allow for passage.
11. Personal property "For Sale" signs limited to one (1) per residential dwelling, not to exceed four (4) square feet in area and four (4) feet in height, and posted not more than three (3) consecutive days. Off-premises directional signs shall be permitted for a single forty-eight (48) hour period.
12. Home occupation uses may provide one (1) on-premises wall sign not to exceed one (1) square foot in area and not to extend more than six (6) feet above grade level.
13. A maximum of two (2) directional signs for any bona fide church, religious sect or congregation located within Darby Township shall be permitted provided that such signs do not exceed four (4) square feet in area, do not extend more than six (6) feet above grade level and are located outside a public right-of-way.
14. A sign(s) located inside a building, whether or not the same are visible from the exterior.
15. Signs of a duly constituted government body.
16. Elevated signs posted to indicate special parking locations for the handicapped, imprinted with the international symbol of accessibility.
17. Flags, pennants, or insignia of any educational institution.
18. Political signs provided they are not posted in any place or in any manner that is destructive to public property upon posting or removal. All candidates for public office, their campaign committees, or other persons responsible for the posting on public property of campaign material shall remove such material within two (2) weeks following Election Day.

Section 1211 – Standards for Signs Requiring a Permit, excluding Off-Premise Signs

All signs not expressly listed in Section 1210 shall require a permit consistent with the following requirements:

1. Number of signs permitted. Each parcel shall be permitted to have one ground sign (either monument or pole) and one wall sign. Buildings on corner lots with at least one hundred (100) feet of frontage on two (2) public rights-of-way shall be entitled one (1) ground sign (either monument or pole) and one (1) wall sign along each right-of-way, unless otherwise prohibited.
2. Ground signs.
 - a. Monument signs. All monument signs shall comply with the following requirements:
 - i. Monument signs shall not exceed six (6) feet in height, including the base.
 - ii. Monument signs shall be setback at least twenty (20) feet from any right-of-way or lot line.
 - iii. Monument signs shall not exceed sixty (60) square feet.
 - iv. Sign bases shall be made part of the overall sign design and compliment the sign face.

- v. When two (2) monument signs are permitted, there shall be no less than seventy five (75) feet between the two (2) signs.
- b. Pole signs All pole signs shall comply with the following requirements
 - i. Pylon signs shall not exceed six (6) feet in height.
 - ii. Pylon signs must be setback at least twenty (20) feet from any right-of-way or lot line.
 - iii. Pylon signs shall not exceed ninety (90) square feet.
 - iv. When two (2) pylon signs are permitted, there shall be no less than seventy five (75) feet between the two (2) signs.
- 3. Wall signs. All wall signs shall comply with the following requirements.
 - a. All such signs shall be mounted on the building which houses the business establishment advertised by said signs, shall be located on or along a wall of such building which faces a street, parking lot or service drive, and shall not project above the roof line or the cap of parapets of such building, whichever is higher.
 - b. The sign surface of a sign placed flat against the building shall not exceed twenty-five (25) percent of the side of the building to which it is attached nor shall the display, drawing or message be more than eighty (80) percent of the length of the side of the building to which the sign is attached.
 - c. When two (2) wall signs are permitted, there shall be no less than thirty (30) feet between the two (2) signs.
- 4. Landscaping standards. A landscaped area totaling a minimum of fifty (50) square feet shall be provided centered on the base of all ground signs and should be comprised of a variety of natural materials, such as turf, ground cover, shrubs, and hedges. No more than fifty (50) percent of natural landscaping material shall consist of turf. A sketch plan drawn to scale and indicating plant material by type and quantity shall be provided with the application for a sign permit.
- 5. Joint identification signs. One (1) joint identification ground sign may be authorized by the Zoning Commission to identify a complex or mix of uses as opposed to a single use, provided that such identification sign shall not exceed the following requirements:
 - a. One hundred (100) square feet in sign area;
 - b. A maximum of twenty (20) feet in height;
 - c. A minimum setback of thirty (30) feet from all public right(s)-of-way.
- 6. Sign lighting standards. In addition to the lighting requirements of Section 1015, sign lighting must meet the following requirements:
 - a. Sign lighting shall be consistent, understated, and properly disguised. One of the following methods of lighting shall be employed:
 - i. A white, steady, stationary light of reasonable intensity directed solely at the sign and/or otherwise prevented from beaming directly onto adjacent properties or rights-of-way.
 - ii. A white interior light of reasonable intensity with primary and secondary images lit or silhouetted on an opaque background. The background must be opaque. No additional background lighting or illuminated borders or outlines shall be permitted.
 - b. The level of illumination emitted or reflected from a sign shall not be of an intensity sufficient to constitute a demonstrable hazard to vehicular traffic on any right-of-way or parking lot from which the sign can be viewed.
 - c. Light fixtures shall be screened from view by site grading or evergreen shrubs.
 - d. No exposed light sources shall be permitted.

Section 1212 – Off Premise Signs (Billboards)

The following standards apply to off premise signs:

1. Setback requirements:
 - a. Signs less than twenty-five (25) square feet in area: Twenty (20) feet as measured from the right-of-way
 - b. Signs between twenty-five (25) square feet and fifty (50) square feet in area: Fifty (50) feet as measured from the right-of-way
 - c. Signs greater than fifty (50) square feet but less than one hundred (100) square feet in area: One hundred (100) feet as measured from the right-of-way
 - d. Signs one hundred (100) square feet in area or greater: Two hundred (200) feet as measured from the right-of-way
2. The maximum area of an off-premise sign shall be five hundred (500) square feet.
3. The maximum height of such sign shall be thirty-five (35) feet as measured from the established grade line to the highest point of the sign or its frame or support.
4. Such sign shall be a minimum of five hundred (500) feet from any intersection.
5. Such signs shall be a minimum of one thousand (1,000) feet apart.
6. Such signs shall not be located closer than one thousand (1,000) feet to a dwelling, nor shall any such sign be permitted closer than one thousand (1,000) feet to any public park, public or private school, church, or similar institution.
7. Off-premise signs are permitted only in the Limited Industrial (LI) district.

Section 1220 – Temporary Signs

Temporary signs not exceeding sixty-four (64) square feet in area, announcing special public or institutional events, the erection of a building, the architect, the builders, or contractors may be erected for a period of sixty (60) days plus the construction period. Such temporary signs shall conform to the general requirements listed in Section 1202, the setback requirements in Section 1211 and, in addition, such other standards deemed necessary to accomplish the intent of this Article as stated in Section 1200.

Section 1260 – Violations

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Resolution. Failure to comply with any of the provisions of this Article shall be deemed a violation and shall be punishable under Section 350 of this Resolution.

ARTICLE XIII: PLANNED DISTRICTS

Section 1300 – Objectives for Planned District

Planned districts have been designed to promote the following:

1. A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards, building setbacks, and area requirements;
2. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;
3. A development pattern which preserves and utilizes natural topography and geologic features, trees and other vegetation, and prevents the disruption of natural drainage patterns;
4. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets;
5. A development pattern in harmony with land use density, transportation facilities, and community facilities.

The Township is also prepared to accept a greater population density in undeveloped areas provided the developer can demonstrate that any increment of public cost clearly attributable to increased densities will be compensated for by the private amenities and public benefits to be achieved by the plan of development.

Section 1301 - Provisions Governing Planned Districts

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

Section 1302 –Procedure

The Zoning Commission and Township Trustees must approve an application for an amendment to the Zoning Map consistent with the requirements of Article 6 as well as the preliminary development plan. Prior to construction, the Zoning Commission must approve the final development plan consistent with the requirements of Sections 1307 – 1309.

Section 1303 - Pre-Application Meeting

The developer shall meet with the Zoning Inspector and Zoning Commission prior to the submission of a development plan. The purpose of this meeting is to discuss early and informally the proposed development and the criteria and standards contained herein.

Section 1304 - Submission of Preliminary Development Plan

When the application for an amendment is filed consistent with the requirements of Article 6, a preliminary development plan meeting the requirement of Section 1305 must also be submitted.

Section 1305 – Preliminary Development Plan Requirements

Preliminary development plans shall contain the following information:

1. Name, address, and phone number of applicant;
2. Name, address, and phone number of registered surveyor, registered engineer and/or urban planner assisting in the preparation of the preliminary development plan;
3. Legal description of property;
4. Description of existing use;
5. Zoning district (s)

6. A vicinity map at a scale approved by the Zoning Commission, showing property lines, streets, existing and proposed zoning, and such other items as the Zoning Commission may require.
7. A preliminary development plan at a scale approved by the Zoning Commission showing topography at two (2) foot intervals; preliminary location and type of proposed residential, commercial, and industrial land uses; proposed traffic patterns showing public and private streets and other transportation facilities; preliminary location and type of open space areas, and community spaces; a description of the architectural design criteria for all structures and criteria for proposed signs with proposed control procedures; and such other characteristics as the Zoning Commission deems necessary;
8. A description of the proposed provisions for water, sanitary sewer, and surface drainage with engineering feasibility studies or other evidence of reasonableness
9. Proposed schedule for the development of the site.

Section 1306 – Preliminary Development Plan Approval

The preliminary development plan will go through the approval process simultaneously with the zoning amendment.

Section 1307 – Final Development Plan Required

Following approval of the preliminary development plan, the owner, optionee, or lessee of property has six (6) months to submit a final development plan for approval consistent with the requirements of Section 1309.

Section 1308 - Contents of Application for Approval of Final Development Plan

Applications for approval of a final development plan shall contain the following:

1. A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, existing features of the development site, including the flood plain, streams, major wooded areas, structures, streets, easements, utility lines, and existing land uses;
2. All the information required on the preliminary development plan;
3. The location and sizes of proposed lots; the location and proposed density of dwelling units; non-residential building intensity;
4. A schedule for the development of units to be constructed in progression; tabulation of the number of acres in the proposed project for various uses, the number of housing units proposed by type; and standards for height, open space, building density, parking areas;
5. The percentage and location of land set aside as open space or community spaces;
6. Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage, electricity, telephone, and natural gas installations; waste disposal facilities; street improvements, and nature and extent of earth work required for site preparation and development;
7. Site plan, showing building(s), various functional use areas, circulation, and their relationship;
8. Preliminary building plans, including floor plans and exterior elevations;
9. Landscaping plans;
10. Lighting plans;
11. Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, and the improvements thereon, including those areas which are to be commonly owned and maintained.

Section 1309 – Final Development Plan Approval

A Zoning Permit will not be issued for any site or sites until a final development plan is approved by the Zoning Commission and found in conformance with the adopted standards of this Zoning Resolution. The final development plan shall be approved as follows:

1. Submittal requirements. Six (6) copies of the final development plan shall be submitted to the Zoning Inspector.

2. Conformance of final development plan with preliminary plan. The final development plan shall be in general conformance with the preliminary development plan approved by the Zoning Commission and Board of Township Trustees. If the Zoning Inspector determines that the final development plan substantially deviates from the preliminary development plan, the Zoning Inspector shall not forward the final development plan to the Zoning Commission for review.
3. Approval by the Zoning Commission. Within thirty (30) days of receipt of the final development plan, the Zoning Commission shall approve as presented, approve with supplementary conditions, or disapprove the final development plan.

Section 1310 – Planned Districts Established

The following planned districts have been established for use within Darby Township:

1. Planned Agricultural District
2. Planned Residential District
3. Planned Conservation Residential District
4. Planned Commercial Office District
5. Planned Industrial District

Section 1320 – Minimum Project Area

The minimum gross area of a tract of land to be developed in a planned district shall be consistent with the following, provided, however, that smaller parcels may be considered on the basis of their potential to satisfy the objectives of this Article as stated in Section 1300.

1. Planned Agricultural District – 20 acres
2. Planned Residential District – 20 acres
3. Planned Conservation Residential District – 20 acres
4. Planned Commercial and Office District – 5 acres
5. Planned Industrial District – 20 acres

Section 1321 – Planned Agricultural District (PAD)

1. Intent and purpose. The Township recognizes that low-density development within the agricultural preservation area is appropriate when properly managed in a manner that does not inhibit the long-term viability of agriculture. The Planned Agricultural District is intended to permit limited residential development within the agricultural preservation area while still preserving the health, safety, and general welfare of the inhabitants of the Township. Such developments shall be based upon a unified development plan conceived and carried out for the entire site.
2. Permitted uses. Within a Planned Agricultural District the following uses are permitted subject to the area, size, density, and other provisions set forth in this Resolution.
 - a. All uses permitted in the Agricultural District (A-1).
3. Conditional uses. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560-565.
 - a. All conditional uses permitted in the Agricultural District (A-1).
4. Development standards.
 - a. Maximum gross density: 1 dwelling unit per 20 acres
 - b. Minimum lot size: Shall be based on the amount of land required by the Union County Health Department or the Ohio Environmental Protection Agency
 - c. Minimum lot width and frontage:
 - i. None. However, the applicant must be able to secure a driveway permit from the County Engineer.
 - d. Minimum yard setbacks
 - i. Front (depth): Fifty (50) feet
 - ii. Rear (depth): Sixty (60) feet for residence; twenty-five (25) feet for accessory buildings

- iii. Side (width): Thirty-five (35) feet on each side
 - e. Maximum building height (non farm dwellings): Thirty-five (35) feet
 - f. Minimum floor space requirements: 1,400 square feet per each residential dwelling unit with an attached two car garage; 1600 square feet per each residential dwelling unit without an attached two car garage.
 - g. To the greatest extent feasible, residential units should be clustered along a common access drive. The Zoning Board may decrease lot width and frontage requirements as well as yard requirements when this occurs.
5. Conservation easement required. Following determination of preliminary lot sizes based on preliminary approval from the County Health Department and filing of lot splits with the County Recorder, the owner must place a minimum of a thirty-year conservation easement on the remaining portion of the land that was used to meet the density requirements of the district. The easement must be filed with the County Recorder within thirty (30) days of the sale of the first non-farm residential lot. The Township must be forwarded a copy of the easement following certification by the County Recorder.

The Township shall be the holder of the easement. One year prior to the expiration date of the easement, the Township will notify the property owner and the easement will be re-evaluated and renegotiated if applicable.

6. Nuisance waiver required. Purchasers of lot splits shall be required to sign a nuisance waiver. Said waiver must state that agriculture by nature has some inherent noise, dust, and odors attributed with it that residents must be prepared to accept.

Section 1322 - Planned Residential District (PRD)

1. Intent and purpose. The Township recognizes that with increased population growth come increased demands for well-organized residential areas that take into account unique natural features, contemporary land use concepts, and a balanced residential environment. The Planned Residential District is intended to promote flexibility of land development for residential purposes while still preserving and enhancing the health, safety, and general welfare of the inhabitants of the Township. Such developments shall be based upon a unified development plan conceived and carried out for the entire site.
2. Permitted uses. Within a Planned Residential District the following uses are permitted subject to the area, size, density, and other provisions set forth in this Resolution.
- a. Single family dwelling units
 - b. Public uses
 - c. Public service facilities
 - d. Ponds
 - e. Home occupations
 - f. Multi-family dwelling units
 - g. Nursing home
 - h. Child care nursery
 - i. Accessory structures and uses incidental to the principal building or use. Accessory structures may not be constructed prior to construction of the primary structure.
3. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560-565.
- a. Non-residential uses of a commercial, service, retail or office nature no larger than five thousand (5,000) square feet, designed and intended to serve the residents of the Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are

located in such proximity to the major thoroughfares as to permit access without burdening residential streets.

- b. Quasi-public uses
 - c. Non-commercial recreation
 - d. Commercial recreation
 - e. Telecommunication towers subject to regulations set forth in Section 1038 & 1039.
4. Development standards.
- a. Maximum gross density: 1 dwelling units per 1.75 acres (1 dwelling unit per 76,230 square feet)
 - b. Minimum lot size: Shall be based on the amount of land required by the Union County Health Department or the Ohio Environmental Protection Agency
 - c. Minimum lot width and frontage
 - i. None. However, the applicant must be able to secure a driveway permit from the Union County Engineer.
 - d. Minimum yard setbacks (residential):
 - i. Front (depth): Fifty (50) feet
 - ii. Rear (depth): Sixty (60) feet for residence; twenty-five (25) feet for accessory buildings
 - iii. Side (width): Thirty-five (35) feet on each side
 - e. Minimum yard setbacks (non-residential uses): Front, side, and rear yard setbacks must be a minimum of fifty (50) feet. Non-residential buildings shall be located no closer than fifty (50) feet to any residential district boundary line. Buildings within developments adjacent to major thoroughfares and arterial streets shall be setback no less than fifty (50) feet from the right of way line of said major thoroughfare or arterial street.
 - f. Maximum building height: Thirty-five (35) feet
 - g. Minimum floor space requirements (residential): 1,400 square feet per each residential dwelling unit with an attached two car garage; 1600 square feet per each residential dwelling unit without an attached two car garage.
 - h. Minimum open space requirements: Twenty-five (25) percent of the development must be permanently preserved as open space. Said open space may be owned and maintained by any of the methods outlined in Sections 1329 – 1330.

Section 1323 - Planned Conservation Residential District (PCR)

- 1. Intent and purpose. The Township recognizes that with increased population growth come increased demands for well-organized residential areas that take into account unique natural features, contemporary land use concepts, and a balanced residential environment. The Planned Conservation Residential District is intended to promote flexibility of land development for residential purposes while still preserving and enhancing the health, safety, and general welfare of the inhabitants of the Township. Such developments shall be based upon a unified development plan conceived and carried out for the entire site.
- 2. Permitted uses. The following are permitted uses in PCR Districts:
 - a. Single family dwelling units
 - b. Public uses
 - c. Public service facilities
 - d. Swimming Pools subject to regulations set forth in Section 1002.
 - e. Ponds subject to regulations set forth in Section 1041.
 - f. Home occupations
 - g. Multi-family dwelling units
 - h. Nursing home
 - i. Child care nursery
 - j. Accessory structures and uses incidental to the principal building or use. Accessory structures may not be constructed prior to construction of the primary structure.

3. Conditional uses.
 - a. Non-residential uses of a commercial, service, retail or office nature no larger than five thousand (5,000) square feet, designed and intended to serve the residents of the Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located in such proximity to the major thoroughfares as to permit access without burdening residential streets.
 - b. Quasi-public uses
 - c. Non-commercial recreation
 - d. Commercial recreation
 - e. Telecommunication towers subject to regulations set forth in Section 1038 & 1039.
4. Development standards.
 - a. Maximum gross density: 1 dwelling unit per 1.5 acres (1 dwelling unit per 65,340 square feet)
 - b. Minimum lot size: Shall be based on the amount of land required by the Union County Health Department or the Ohio Environmental Protection Agency
 - c. Minimum yard setbacks (residential): none
 - d. Minimum yard setbacks (non residential uses): Front, side, and rear yard setbacks must be a minimum of fifty (50) feet. No non-residential building shall be located closer than fifty (50) feet to any residential district boundary line. Buildings within developments adjacent to major thoroughfares and arterial streets shall be setback no less than fifty (50) feet from the right of way line of said major thoroughfare or arterial street.
 - e. Maximum building height: Thirty-five (35) feet
 - f. Minimum floor space requirements (residential): 1,400 square feet per each residential dwelling unit with an attached two car garage; 1600 square feet per each residential dwelling unit without an attached two car garage.
 - g. Minimum open space requirements: Fifty (50) percent of the development must be permanently preserved as agricultural land or open space. Said agricultural land or open space may be owned and maintained by any of the methods outlined in Sections 1329 – 1330.

Section 1324 - Planned Commercial and Office District (PCO)

1. Intent and purpose. The Township recognizes the need for well organized commercial areas to provide employment, goods and services to area residents as well as to provide a balanced economy within the township and hereby provides for the Planned Commercial and Office District, intending hereby to promote the variety and flexibility of land development for commercial purposes that are necessary to meet these demands while still preserving and enhancing the health, safety and general welfare of the inhabitants of Darby Township.
2. Permitted uses. The following are permitted uses in the PCO:
 - a. All uses permitted in the Local Business District (B-2)
3. Conditional uses. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560 – 565.
 - a. All uses conditionally permitted in the Local Business District (B-2)
 - b. Research activities
4. Development standards.
 - a. Minimum building setbacks - Front, side, and rear yards shall be designed so that no building is closer than twenty-five (25) feet to any other building. No buildings shall be located closer than

- b. one hundred (100) feet to any residential district boundary line or fifty (50) feet from a street right of way.
 - c. Minimum open space requirements: Ten (10) percent of the development must be permanently preserved as open space. Said open space may be owned and maintained by any of the methods outlined in Sections 1329 – 1330.
 - d. The Zoning Commission and/or the Darby Township Board of Trustees may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed; landscaping, development, improvement, and maintenance of common open space; and any other pertinent development characteristics.
 - e. The outside display of materials, merchandise or products for advertising, merchandising or storage purposes is prohibited.
 - f. Minimum lot size: Shall be based on the amount of land required by the Union County Health Department or the Ohio Environmental Protection Agency
5. Building design guidelines.
- a. Placement - Buildings should be oriented with the front façade facing the primary access point and should be located on the site in juxtaposition to parking areas in order to reduce the amount of glare and radiant heat, and provide for adequate storm water retention. Building locations should also reflect the location of access driveways and yard requirements. Visual orientation to the main building entrance should be maintained. When a building is located on a corner lot, primary access will be defined as the roadway providing driveway entrance.
 - b. Architectural styles – An overall rural style or palette of compatible styles is preferred.
 - c. General design criteria
 - i. No exposed concrete or cinder block shall be permitted on the front or sides of any building, except split face or other special patterned block.
 - ii. No exposed unstained woods including pressure treated “green” lumber is permitted.
 - iii. All windows should have the same sill level and be the same height – window styles should not be mixed.
 - iv. No exposed steel nails shall be used on any wood surface which will rust and cause streaking and staining of the façade.
 - v. No similar but non-matching materials such as brick (size, color, texture, etc.), window treatments (type, number of panes, etc.), siding (type, spacing, etc), wall lighting (color, intensity, uniformity, etc), roofing (color, type, material, etc.) shall be incorporated into the design.
 - vi. No exposed incandescent bulbs, neon, or exposed fluorescent lighting strips are permitted.

Section 1325 - Planned Industrial District (PID)

1. Intent and purpose. The Township recognizes the need to provide for well organized industrial areas to provide employment to area residents as well as to provide a balanced economy within the Township and hereby provides for the Planned Industrial District, intending hereby to promote the variety and flexibility of land development for industrial purposes that are necessary to meet these demands while still preserving and enhancing the health, safety and general welfare of the inhabitants of Darby Township.
2. Permitted uses. The following are permitted uses in the PID:
 - a. All uses permitted in the Light Industrial District (LI)
 - b. Commercial establishments normally associated with and designed to serve the industrial establishments or their employees and approved as part of the development plan such as financial institutions, restaurants, gasoline service stations, automobile repair establishments, and recreation or other personal enrichment facilities.
3. Conditional uses. The following uses of land and structures may be permitted upon issuance of a conditional use permit in accordance with the procedures and standards contained in Sections 560 – 565.

- a. All uses conditionally permitted in the Light Industrial District (LI)
- b. Any use of an industrial or commercial nature not already provided for by this Resolution.
- 4. Plat required. In the Planned Industrial District (PID), no use shall be established or changed and no structure shall be constructed or altered until the required subdivision plat has been prepared and recorded in accordance with the Subdivision Regulations for Union County, Ohio, and these regulations.
- 5. Development standards.
 - a. Minimum building setbacks - Front, side, and rear yards shall be designed so that no building is closer than twenty-five (25) feet to any other building. No buildings shall be located closer than one hundred (100) feet to any residential district boundary line or fifty (50) feet from a street right of way.
 - b. Minimum open space requirements: Ten (10) percent of the development must be permanently preserved as open space. Said open space may be owned and maintained by any of the methods outlined in Sections 1329 – 1330.
 - c. The Zoning Commission and/or the Darby Township Board of Trustees may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed; landscaping, development, improvement, and maintenance of common open space; and any other pertinent development characteristics.
 - d. The outside display of materials, merchandise or products for advertising, merchandising or storage purposes is prohibited.
 - e. Minimum lot size: Shall be based on the amount of land required by the Union County Health Department or the Ohio Environmental Protection Agency

Section 1326 – Project Ownership

The project land may be owned, leased, or controlled either by a single person or corporation, or by a group of individuals or corporations. Such ownership may be by a public or private corporation.

Section 1327 – Common Open Space

In all planned districts except the Planned Agricultural District, open space and/or land for educational, community, or recreational facilities shall be set aside according to the requirements of Sections 1322 - 1325. In the Planned Agricultural District, land shall be preserved for continued agricultural operations. The open space shall meet the standards of Sections 1328 – 1330 of this Resolution.

Section 1328 – General Standards Regarding Open Space

These standards do not apply to planned agricultural districts.

1. The location, shape, size and character of common open space shall be suitable for the planned district in relation to the location, number and types of buildings it is intended to serve. In any case, it shall be highly accessible to all residents or users of the planned development. Entry features, detention and retention basins shall not be included in the area required for common open space.
2. Any uses and/or buildings authorized for the common open space must be appropriate to the scale and character of the planned development in relation to its size, density, expected population, topography, and the type of dwellings.
3. The common open space may be suitably improved for its intended use, but common open space containing natural features worthy of preservation such as floodplains, wetlands, and wooded areas shall be left unimproved. The buildings, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.

Section 1329 - Ownership of Common Open Space

Different ownership and management options apply to the permanently protected common open space created through the planned district process, excluding the open space set aside as a part of the Planned Agricultural District. The common open space shall remain undivided and may be owned and managed

by a corporation, a homeowners association, the Township, or a recognized land trust or conservation district (conservancy). A narrative describing ownership, use and maintenance responsibilities shall be submitted for all common and public improvements and open spaces. Common open space shall be owned, administered, and maintained by any of the following methods, either individually or in combination, and subject to approval by the Township Trustees:

1. Offer of Dedication. In any of the planned districts, the land may be conveyed to the Township provided 1) such land is accessible to all the residents of the Township; 2) there is no cost of acquisition other than incidental costs related to the transfer of ownership; 3) the Township agrees to maintain such lands; 4) the land is not potentially hazardous. The Township is not required to accept such offer of dedication. Where the Township accepts dedication of common open space that contains improvements, the Township may require the posting of financial security to ensure structural integrity of improvements for a term not to exceed eighteen (18) months.
2. Corporation. The undivided common open space and associated facilities may be held in corporate ownership by the owners of the project area for the use of each owner who buys property within the development.
3. Homeowners Association. The undivided common open space and associated facilities may be held in common ownership by a homeowners association or condominium association. The association shall be formed and operated under the following provisions:
 - a. The developer shall provide a description of the association, including its bylaws and methods for maintaining the common open space.
 - b. The Board of Township Trustees shall review and approve the homeowners associations' covenants to be recorded with the title in order to assure that the homeowners association has lien rights.
 - c. The association shall be organized by the developer and shall be operated by the developer, before the sale of any lots within the development.
 - d. The association shall be maintained by the developer until all lots within the development are sold.
 - e. Membership in the association is mandatory for all purchasers of homes therein and their successors. The conditions and timing of transferring control of the association from developer to homeowners shall be identified.
 - f. The association shall be responsible for maintenance of insurance and taxes on the undivided common open space, enforceable by liens placed by the Union County Recorder on the association. The association may establish rules to ensure proper maintenance of property, including monetary liens on the homes and home sites of its members who fail to pay their association dues in a timely manner. Such liens may impose a penalty of interest charges.
 - g. The members of the association shall share equitably the costs of maintaining and developing, where appropriate, such undivided common open space. Shares shall be defined within the association bylaws.
 - h. In the event of transfer, within the methods here permitted, of undivided common open space land by the homeowners association, or the assumption of maintenance of undivided common open space land by the Township, notice of such pending action shall be given to all property owners within the development.
 - i. The association shall provide for adequate staff to administer common facilities and property and continually maintain the undivided common open space.
 - j. The lease shall be subject to the approval of the homeowners association board and any transfer or assignment of the lease shall be further subject to the approval of the board. Lease agreements shall be recorded with the Union County Records Office, and notification shall be provided to the Township within thirty (30) days of action by the board.
4. Transfer of Easements to a Private Conservation Organization. With the permission of the Township, an owner may transfer easements to a private, nonprofit organization, among whose purposes it is to conserve open space and/or natural resources, provided that:

- a. The organization is acceptable to the Township, and is a bona fide conservation organization with perpetual existence;
- b. The conveyance contains appropriate provisions for the proper reverter or retransfer in the event that organization becomes unwilling or unable to continue carrying out its function; and
- c. A maintenance agreement acceptable to the Township Trustees is entered into by the developer and the organization.

Section 1330 - Maintenance of Open Space

These standards do not apply in the Planned Agricultural District.

1. The ultimate owner of the open space shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space through annual dues, special assessments, etc. The owner shall be authorized under its bylaws to place liens on the property of residents who fall delinquent in payment of such dues, assessments, etc.
2. In the event that the organization established to own and maintain common open space shall at any time after establishment of the planned development fail to maintain the common open space in reasonable order and condition, the Zoning Inspector may serve written notice upon such organization or upon the residents of the development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition. The notice shall include a demand that such deficiencies of maintenance be cured within thirty (30) days thereof, and shall state the date and place of a hearing thereon which shall be held within fourteen (14) days of the notice. At such hearing the Township Trustees may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be cured. If the deficiencies set forth in the original notice or in the modifications thereof shall not be cured within said thirty (30) days or any extension thereof, the Township Trustees, in order to preserve the taxable values of the properties within the planned development and to prevent the common open space from becoming a public nuisance, may enter upon said common open space and maintain the same for a period of one (1) year. Said entry and maintenance shall not vest in the public any rights to use the common open space. Before the expiration of said year, the Township Trustees shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the common open space, call a public hearing upon notice to such organization, or to the residents of the planned development, to be held by the Trustees, at which hearing such organization or the residents of the planned development shall show cause why such maintenance by the Township shall not, at the election of the Trustees, continue for a succeeding year. If the Township Trustees determine such organization is ready and able to maintain said common open space in reasonable condition, they shall cease to maintain said common open space at the end of said year. If the Township Trustees shall determine such organization is not ready and able to maintain said common open space in a reasonable condition, they may, at their discretion, continue to maintain said common open space during the next succeeding year and subject to a similar hearing and determination, in each year thereafter. The decision of the Township Trustees in any such case shall constitute a final decision subject to review as provided by law.
3. The cost of such maintenance by the Township shall be assessed against the properties within the planned development that have a right of enjoyment of the common open space, and shall become a tax lien on said properties. The Township, at the time of entering upon said common open space for the purpose of maintenance, shall file a notice of such lien in the office of the Union County Recorder, upon the properties affected by such lien within the planned development.

Section 1331 - General Site Development Standards

The following site development standards shall apply in the Planned Districts unless noted below.

1. Underground utilities, including telephone and electrical systems, are required within the limits of all planned districts except the Planned Agricultural District. Appurtenances to these systems which can be effectively screened may be exempted from this requirement if the Zoning Commission finds that

- such exemption will not violate the intent of the character of the proposed planned district.
2. The applicable sections of the parking, sign and landscaping regulations of this Zoning Resolution shall apply.
 3. In the Planned Commercial Office and Planned Industrial Districts the parking system shall be so designed as to discourage single large unbroken paved lots for off-street parking and shall encourage smaller defined parking areas within the total parking system. Such defined parking areas should be delineated and accented by landscaped areas. Parking aisles, whenever possible, shall be oriented perpendicular to the building fronts.
 4. In the Planned Commercial Office and Planned Industrial Districts all service and delivery shall be made to the rear of the structure(s) or use unless special design treatment or circumstances warrant an alternative, but only with the approval of the Zoning Commission.
 5. No unscreened outside storage shall be permitted and no rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the parcel or lot so as to render any portion of the property unsanitary, unsightly or detrimental to the public health, safety or welfare.
 6. Access points shall be kept to a minimum to reduce traffic congestion and mitigate potential conflict points. Vehicular and pedestrian conflict points shall also be minimized.
 7. Whenever the proposed development abuts a collector or arterial street as defined in the Union County Thoroughfare Plan, access onto the collector or arterial shall be via interior local streets or marginal access (frontage) roads. All uses shall derive their access from the interior streets in the district, unless specific exemptions are made as a part of the approved Development Plan.
 8. In Planned Districts the location and arrangement of areas of various densities shall be so designed as to balance higher density areas adjacent to open space.
 9. Drainage and runoff from the proposed development shall not cause property damage. All drainage improvements shall be designed in conformance with the requirements of the Union County Subdivision Regulations and Soil and Water Conservation District when applicable.
 10. In the Planned Residential and Planned Conservation Residential Districts, walkways shall be provided throughout the development. Walkways shall be constructed of a suitable, dust free, hard surface material. Mulch or other similar surfaces may be permitted for trails in areas the Zoning Commission feels are appropriate. When a Planned Commercial Office District abuts a residential district, walkways to the residential district shall also be provided.

**ARTICLE XIV: MOBILE HOMES, MOBILE HOME PARKS AND DWELLING
(HOUSING) MANUFACTURED**

Section 1400 - Mobile Homes

No mobile homes or mobile home parks shall be permitted within Darby Township boundaries except as stated in Section 1004.

Section 1401 - Mobile Trailers Prohibited

The use of a mobile home, tractor-trailer or other similar type trailer or structure shall not be permitted as an office, structure, storage facility or business structure or as a dwelling whether for commercial, industrial or residential use except as stated in Section 1004.

This Resolution is hereby adopted on this 13th day of March, 2023.

Chairman, Board of Township Trustees

Member, Board of Township Trustees

Member, Board of Township Trustees

Attest, Fiscal Officer, Township Trustees

This Resolution shall become effective in thirty days (30) after the date of its adoption.



Staff Report – Jerome Township Zoning Amendment

Jurisdiction:	Jerome Township Zoning Commission c/o Eric Snowden 9777 Industrial Parkway Plain City, Ohio 43064 (614) 873-4480
Request:	This text amendment is initiated by the Board of Township Trustees. It amends Article 6 General Development Standards by adding 600.02 600.002 Economic Development.
Location:	Jerome Township is in Union County.

Staff Analysis:	<p><u>Township Zoning in Ohio</u> In Ohio, townships are often referred to as “Creatures of Statute”, meaning, that townships have only those powers expressly conferred upon them by statute.</p> <p>The zoning enabling act for townships can be found in Chapter 519 of the Ohio Revised Code. ORC 519.02(A) outlines the purposes for which zoning may be established.</p> <p>A zoning resolution must be developed in accordance with a comprehensive plan. Jerome Township has had several iterations of a comprehensive plan with the most recent dated 2008. Union County has had comprehensive plans, the most dated 2013. LUC has a regional plan dated 1970. It has been established through case law, the Zoning Resolution itself may be considered comprehensive.</p> <p>A township, “in the interest of the public health and safety,” may regulate:</p> <ul style="list-style-type: none"> • Buildings and other structures <ul style="list-style-type: none"> ○ Location, height, bulk, number of stories, and size of buildings and other structures. • Lots or parcels <ul style="list-style-type: none"> ○ Percentage of lot areas which may be occupied, set back building lines, sizes of yards, courts, and other open spaces, and density of population.
------------------------	---



Staff Report – Jerome Township Zoning Amendment

- Uses
 - Uses of buildings and other structures + the uses of land for trade, industry, residence, recreation, or other purposes.

A township “in the interest of the **public convenience, comfort, prosperity, or general welfare**” may regulate:

- Buildings and other structures
 - Location and setback lines
- Uses
 - Uses of buildings and other structures + the uses of land for trade, industry, residence, recreation, or other purposes.

A township, for non-residential property only, “in the interest of the **public convenience, comfort, prosperity, or general welfare**” may regulate:

- Buildings and other structures
 - Height, bulk, number of stories, size
- Lots or parcels
 - Percentage of lot areas which may be occupied, sizes of yards, courts, and other open spaces, and density of population.

Staff Analysis

The resolution (Resolution No. 23-048) passed by the Jerome Township Trustees to initiate this zoning text amendment, contains the statement: “Whereas, from time to time, it becomes necessary to make revisions to the text of Township’s Zoning Resolution in order to further the purposes stated in Section 519.02”. LUC staff believe this to be the closest thing to a purpose statement as to why the proposed amendment was initiated,.

Upon reviewing the language of ORC 519.02, the initiating resolution (Resolution No. 23-048), and the Jerome Township Zoning Resolution, LUC Staff (as planners) do not believe that the proposed text advances the purposes outlined.

Further, upon examination of the rest of ORC 519, the Jerome Twp Zoning Resolution, Jerome Twp Comprehensive Plan (2008), Union County Comprehensive Plan (2013), and the LUC Regional Plan (1970), planning staff were unable to locate any language that permitted or encouraged the



Staff Report – Jerome Township Zoning Amendment

	Township to enact language along the lines of what the Township has proposed.
Staff Recommendations:	Staff recommends <i>DENIAL</i> of the proposed zoning text amendment. Staff does not believe that the proposed text advances the purposes for which townships may enact zoning, found in ORC 519.02, and does not appear to follow guidance or recommendations found in local comprehensive planning documents.
Z&S Committee Recommendations:	The Zoning & Subdivision Committee recommends <i>DENIAL</i> , based on the staff recommendation, of the zoning text amendment.

*Zoning Commission
Jerome Township
Union County, Ohio*

9777 Industrial Parkway
Plain City, Ohio 43064

Office: (614) 873-4480
jerometownship.us

May 11, 2023

L.U.C. Regional Planning Commission
c/o Brad Bodenmiller, Executive Director
Box 219
East Liberty, Ohio 43319

Dear Mr. Bodenmiller:

This letter is to inform you of a proposed amendment to the Jerome Township Zoning Resolution:

Case #: ZT23-001

Name of Applicant: N/A – Amendment Initiated by Board of Township Trustees, see attached resolution.

Request: Amendment to the text of the Jerome Township Zoning Resolution

Enclosed is a copy of the resolution of initiation, proposed text, and other relevant documents and materials. A public hearing for this case before the Zoning Commission has tentatively been set for Monday, June 12, 2023 at 7:00 p.m.

If you need further information, please feel free to contact me.

Sincerely,



Eric Snowden
Zoning Inspector/Planning Coordinator



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 5/11/23 Township: Jerome (U)

Amendment Title: ZT23-001 - Text Amendment Economic Development

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/>	<input type="checkbox"/>

N/A

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219
 East Liberty, Ohio 43319
 • Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

COPY

RESOLUTION NO. 23-048

A RESOLUTION TO INITIATE AN AMENDMENT TO THE ZONING RESOLUTION AND CERTIFY THE CHANGE AS A ZONING AMENDMENT TO THE ZONING COMMISSION FOR PUBLIC HEARING

WHEREAS, the Township has enacted a Zoning Resolution in accordance with the purposes of and in compliance with the provisions contained within Chapter 519 of the Ohio Revised Code; and

WHEREAS, from time to time, it becomes necessary to make revisions to the text of Township's Zoning Resolution in order to further the purposes stated in Section 519.02; and

WHEREAS, a draft text indicating proposed amendments to the text of the Zoning Resolution has been drafted; and

WHEREAS, Sections 519.12 of the Ohio Revised Code provide the Board of Trustees the power to initiate amendments to the Township's Zoning Resolution via resolution; and

WHEREAS, the Board of Trustees believes it would be in the best interests of the Township and its inhabitants to adopt the changes to the Zoning Resolution adopted April 20, 2015 and as amended to date;

NOW THEREFORE, upon motion by Megan Sloat, seconded by Barry Adler, BE IT RESOLVED by the Board of

Trustees of Jerome Township, Union County, Ohio (the "Board"), that:

1. The Board declares its intention to certify this change as an amendment to the Zoning Resolution, and refer it to the Zoning Commission for public hearing in accordance with Sections 519.021(C) and 519.12 of the Ohio Revised Code.
2. The document labeled "Jerome Township Zoning Amendment #ZT23-001" and dated May 10, 2023 shall be certified to the Zoning Commission for review as an amendment to the Zoning Resolution.
3. The Zoning Inspector is directed to transmit a copy of this resolution, the document and attachments noted in item 2, and other relevant documents to the Logan-Union-Champaign Regional Planning Commission and to the Zoning Commission for review and recommendation in accordance with Section 519.12 of the Ohio Revised Code.
4. This zoning amendment shall be known as case #ZT23-001.

Voting Aye thereon:

Wezlynn Davis
Wezlynn Davis

Megan Sloat
Megan Sloat

Barry Adler
Barry Adler

Voting Nay thereon:

Wezlynn Davis

Megan Sloat

Barry Adler

**BOARD OF TRUSTEES,
JEROME TOWNSHIP,
UNION COUNTY, OHIO**

ATTEST AND CERTIFY:



Robert Caldwell, Township Fiscal Officer

05/10/2023

Date

\\bjgserver\shares\Public\L&Bdocs\Local Gov't\Jerome\Resolution - Initiation of Zoning Amendment - TIF CRA.docx

**Jerome Township
Zoning Amendment
ZT23-001**

May 10, 2023

**Jerome Township Zoning Resolution
Text Amendment**

1. Article 6 General Development Standards

Article 6 shall be amended by adding subsection 600.002 Economic Development to Chapter 600 as follows:

600.002 Economic Development

a) Actions Required

In any non-residential zoning district or any subarea of a Planned Development District in which non-residential uses are permitted, every property owner or applicant who submits an application for a zoning certificate, conditional use permit, variances, application for amendment of the Official Zoning Map, application for approval or modification of a detailed development plan, or any other action provided for by this Resolution shall:

1. Complete a DTE Form 24, a DTE Form 24P or similar consent or application for the applicable Township TIF that provides the consent necessary for the TIF exemption to take priority over other exemptions pursuant to Ohio Revised Code Section 5709.911(B).

b) Actions Prohibited

In any non-residential district or any subarea of a Planned Development District in which non-residential uses are permitted, no owner or applicant who submits an application for a zoning certificate, conditional use permit, variances, application for amendment of the Official Zoning Map, application for approval or modification of a detailed development plan, or any other action provided for by this Resolution shall:

1. Complete a DTE Form 24, a DTE Form 24P or similar consent or application for any property tax exemption other than a TIF established by the Township pursuant to Ohio Revised Code Section 5709.73 without the express, written consent of the Board of Township Trustees.
2. File an application pursuant to Ohio Revised Code Section 3735.67 for any Community Reinvestment Area exemption without the express, written consent of the Board of Township Trustees.

3. Enter into any Community Reinvestment Area agreement pursuant to Ohio Revised Code Section 3735.671 without the express, written consent of the Board of Township Trustees.
- c) Joint Economic Development District
1. Unless otherwise excluded by resolution approved by the Board of Township Trustees, any real property that is not exclusively used for residential uses shall not be included in any application for a zoning certificate, conditional use permit, variances, application for amendment of the Official Zoning Map, application for approval or modification of a detailed development plan, or any other action provided for by this Resolution unless such property is located in a joint economic development district created under Section 715.72 of the Ohio Revised Code (a "JEDD") and in which Jerome Township is a contracting party.

End of Zoning Amendment text

\\bjgsrserver\shares\Public\L&Bdocs\Local Gov't\Jerome\Text Amendment - TIF CRA.docx

**JEROME TOWNSHIP
UNION COUNTY, OHIO**

Adopted April 20, 2015
(As subsequently amended, December 6, 2022)

ZONING RESOLUTION



This page intentionally left blank.

Article 1 Interpretation and Enactment

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

Article 2 Administration and Enforcement

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

Article 3 Definitions

- Chapter 300 Definitions

Article 4 Zoning Map and Zoning Districts

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

Article 5 Special Zoning Districts

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

Article 6 General Development Standards

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

Article 7 Appendices

- Chapter 705 Appendix 1 - Buffer Diagrams
- Chapter 710 Appendix 2 - Outdoor Storage Diagrams

Chapter 100 – Title and Resolution

100.01 Title

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

100.02 Resolution

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

Chapter 105 – Reserved for Future Use

Chapter 110 – Repeal of Prior Resolutions

110.01 Repeal of Prior Resolutions

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

Chapter 115 – Conformance

115.001 Conformance

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

115.01 Buildings and Structures

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

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

115.02 Yards and Lots

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 1

Interpretation and Enactment

115.03 Exemptions

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

Chapter 120 – Relationship to Existing Regulations

120.01 Relationship to Existing Regulations Generally

This Resolution shall not be interpreted as interfering with, repealing, or annulling any resolutions, county subdivision regulations, engineering or building standards, or permits adopted or issued except where such resolutions, county subdivision regulations, engineering or building standards, or permits are in conflict with this Resolution or amendments hereto. Where this Resolution or amendments hereto impose greater restrictions or higher requirements than are imposed or required by other resolutions, county subdivision regulations, or engineering or building standards the provisions for this Resolution or amendments hereto shall prevail. However, where such resolutions, county subdivision regulations, or engineering or building standards impose greater restrictions or higher requirements than this Resolution or amendments hereto, they shall prevail.

Chapter 125 – Reserved for Future Use

Chapter 130 – Declaration of Minimum Requirements

130.01 Declaration of Minimum Requirements

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

Chapter 135 – Use of Images, Diagrams and Notes

135.01 Use of Images, Diagrams and Notes

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

Chapter 140 – Severability

140.01 Severability

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

Chapter 200 – Zoning Inspector

200.001 Zoning Inspector

A Zoning Inspector designated by the Board of Township Trustees, as is prescribed by Section 519.16 of the Ohio Revised Code, shall administer and enforce this Resolution. He/she may be provided with the assistance of such other persons as the Board of Township Trustees may direct. The Zoning Inspector shall administer and enforce this Resolution, and shall perform such other duties as are specified by the Board of Township Trustees or this Resolution. (Amd. 10-20-2020)

200.01 Duties of the Zoning Inspector

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

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

Chapter 205 – Zoning Commission

205.001 Zoning Commission Established

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

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

205.01 Proceedings of the Zoning Commission

The Zoning Commission shall organize annually and elect a chairperson, other officers, and a secretary as necessary. The Zoning Commission shall adopt rules in accordance with the Zoning Resolution. Meetings of the Zoning Commission shall be held at the call of the Chairperson and all meetings of the Zoning Commission shall be open to the public. For the purpose of taking action the concurring vote of 3 members of the Zoning Commission shall be required. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record and be immediately filed in the office of the Commission. (Amd. 10-28-2020, 12-6-2022)

205.02 Powers and Duties of the Zoning Commission

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

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

Chapter 210 – Board of Zoning Appeals

210.001 Board of Zoning Appeals Established

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

210.01 Proceedings of the Board of Zoning Appeals

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

210.02 Powers and Duties of the Board of Zoning Appeals

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

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

210.03 Hearings and Appeals

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

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

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

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

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

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

Chapter 220 – Zoning Certificate Required

220.001 Zoning Certificate Required

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

220.01 Application

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

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

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

220.02 Approval of Zoning Certificate

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

220.021 Submission to Director of Transportation

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

220.03 Expiration of Zoning Certificate

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

220.04 Record of Zoning Certificate

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

220.041 Failure to Obtain a Zoning Certificate

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

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

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

220.05 Zoning Certificate Application Fees

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

220.06 Void Zoning Certificate

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

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

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

Chapter 225 – Reserved for Future Use

Chapter 230 – Zoning Amendments

230.001 Zoning Amendments Generally

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

230.01 Application for Zoning Amendment

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

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

230.02 Procedure

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

Chapter 235 – Non-Conformities

235.001 Non-Conformities Generally

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

235.01 Incompatibility of Non-Conforming Uses

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

235.02 Avoidance of Undue Hardship

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

235.03 Non-Conforming Lots of Record

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

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

235.04 Non-Conforming Lots of Record in Combination

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

235.05 Non-Conforming Uses of Land

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

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

235.06 Non-Conforming Structures

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

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

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

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

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

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

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

235.08 Repairs and Maintenance

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

1. The cubic content of the structure existing when it becomes non-conforming shall not be increased through such repairs or maintenance.
2. Nothing in this Resolution shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Chapter 240 – Conditional Uses

240.001 Conditional Uses Generally

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

240.01 Application Required

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

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

240.02 Notice and Hearing

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

240.03 Action by the Board of Zoning Appeals

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

240.04 General Standards Applicable to all Conditional Use Permits

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

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

240.05 Supplementary Conditions and Safeguards

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

240.06 Expiration of Conditional Use Permit

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

Chapter 245 – Variances

245.001 Variances Generally

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

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

245.01 Application Required

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

245.02 Notice and Hearing

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

245.03 Action by the Board of Zoning Appeals

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

245.04 Standards for Variances

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

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

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

245.05 Supplementary Conditions and Safeguards

In granting any variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Resolution and punishable under Chapter 260 of this Resolution. Under no circumstances shall the Board of Zoning Appeals grant a variance to allow a use not permissible under the terms of this Resolution in the district involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. (Amd. 10-20-2020)

Chapter 250 – Fees

250.01 Schedule of Zoning Fees

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

Chapter 255 – Violations of this Resolution

255.01 Violations Generally

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

Chapter 260 – Penalties for Violation

260.01 Penalty for Violation of Zoning Resolution

Any person violating any provision of any article of this Resolution, or who shall violate or fail to comply with any order made thereunder; or who shall falsify plans or statements filed thereunder; or who shall continue to work upon any structure after having received written notice from the Zoning Inspector to cease work, shall be guilty of a misdemeanor, and subject to the penalty provided in Section 519.99, Ohio Revised Code. (Amd. 10-20-2020)

260.02 Remedies for Violation of Zoning Resolution

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 2

Administration and Enforcement

This page intentionally left blank.

Chapter 300 – Definitions

300.001 Interpretation of Terms

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

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

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

300.01 Letter A

Accessory Dwelling Unit – An accessory dwelling unit is a dwelling unit located in a separate structure that is accessory to a single-family dwelling as may be permitted as a conditional use in certain zoning districts-

Adult – An individual eighteen years of age or older.

Adult Book Store – Adult book store means an establishment deriving a majority of its gross income from the sale or rental of, or having a majority of its stock in trade in, books, magazines or other periodicals, films, or mechanical or non-mechanical devices, which constitute adult materials.

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

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

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

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

Agriculture – For the purposes of this Resolution the definition of Agriculture shall be that

Zoning Resolution

Jerome Township, Union County, Ohio

Article 3 Definitions

prescribed by Section 519.01 of the Ohio Revised Code. As used herein, agriculture generally includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production. (Amd. 10-20-2020)

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

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

Attached – “Attached” means:

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

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

300.02 Letter B

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

Buffer – A man-made or natural vegetated area, between the side or rear lot line and the

required side or rear setback line, where mounding, planting, walls, fences or a combination thereof are installed and constructed to protect adjacent uses from noise, odor, dust, fumes, glare, or unsightly storage of materials in commercial or industrial districts.

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

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

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

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

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

300.03 Letter C

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

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

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 3 Definitions

300.04 Letter D

Detached – “Detached” means:

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

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

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

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

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

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

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

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

300.05 Letter E

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

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

300.06 Letter F

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

- a) any number of people related by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship;
- b) two unrelated people; or
- c) two unrelated people and any children related to either of them by blood, marriage, adoption, guardianship or other duly-authorized custodial relationship.

“Family” does not include any society, club, fraternity, sorority, association, lodge, federation, or like organization; any group of individuals whose association is temporary or seasonal in nature; any group of individuals who are in a group living arrangement as a result of a criminal offense. This definition is not, however, intended to prohibit those living arrangements among individuals which is specifically set forth and authorized by applicable law as being permitted uses within residential zoning districts.

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

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

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

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

300.07 Letter G

Gasoline Station – That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor

Zoning Resolution

Jerome Township, Union County, Ohio

Article 3 Definitions

vehicles. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity and may also include a freestanding automatic car wash.

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

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

300.08 Letter H

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

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

300.9 Letter I

300.10 Letter J

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

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

300.11 Letter K

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

300.12 Letter L

Loading Dock – An unobstructed area or platform within or attached to a building or structure, usually coinciding with large openings in the building wall, which are provided and maintained for the temporary parking of trucks and other motor vehicles for the purpose of loading and unloading goods, wares, materials, and merchandise. Loading docks may be

configured in a single arrangement or with multiple loading docks grouped together as typically seen in large warehouse or distribution facilities.

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

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

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

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

Lot, Flag – A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip connecting the main building site with the frontage street.

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

Lot Measurements – A lot shall be measured as follows:

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

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

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

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

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

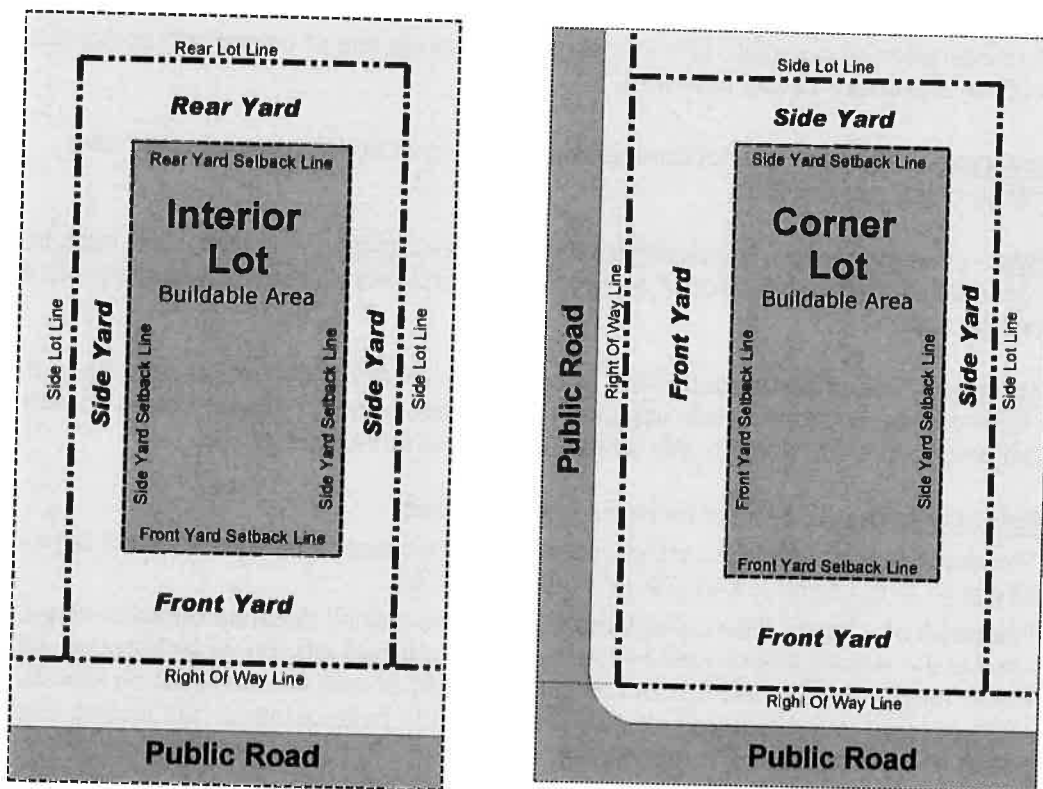


Figure 300.13.1: Lot Types and Measurements

300.13 Letter M

Manufactured Home – A non-self-propelled building unit or assembly of closed construction fabricated in an off-site facility, and constructed in conformance with the federal construction and safety standards established by the Secretary of Housing and Urban development (HUD) pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A 5401, 5403 and that has a permanent label or tag permanently affixed to it as specified in 42 U.S.C.A 5415, certifying compliance with all applicable federal construction and safety standards. A manufactured home is transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis, designed to be used as a dwelling with or without permanent foundation when connected to required utilities. Calculations used to determine the number of square feet in a structure's exterior dimensions are measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. (ORC 4501.01) For the purposes of this Section, chassis means a steel frame specifically designed and constructed with wheels or running gear and towing tongue installed for transportation on public streets or highways and designed without the need for a permanent foundation arriving at the site complete and ready for residential occupancy except for minor and incidental unpacking and assembly operations; location on wheels, jacks, blocks, or other foundation, connection to utilities and the like. (Amd. 10-20-2020)

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

Mobile Home – A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent chassis, is transportable in one or more sections, and does not qualify as a manufactured home as defined in division (C)(4) of Section 3781.06 of the Revised Code or as an industrialized unit as defined in division (C)(3) of Section 3781.06 of the Revised Code. (Amd. 10-20-2020)

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 3 Definitions

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

300.14 Letter N

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

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

Nuisance – As used herein nuisance refers to a building or property that is structurally unsafe, unsanitary, or not provided with adequate safe egress; that constitutes a fire hazard, is otherwise dangerous to human life, or is otherwise no longer fit and habitable; or that, in relation to its existing use, constitutes a hazard to the public health, welfare, or safety by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment. As used herein a nuisance could constitute an offensive activity on a property that reduces the property value of neighboring properties or results in a lessening of normal use and enjoyment to neighboring properties. Examples include, noise, junk, automobile storage, accumulation of rodents and/or insects or mosquitoes, rubbish, refuse, and debris. The above includes those nuisances as identified in the Ohio Revised Code Sections 505.86, 505.87, and 505.871. Additionally, "Nuisance" means any of the following:

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

300.15 Letter O

Office, Corporate – An establishment primarily engaged in providing internal office administration services as opposed to customer service in a single building or a campus setting; for example, the headquarters, regional offices or the administrative offices for a corporation. Generally, the majority of the traffic generated from corporate offices comes

from employees and not the general public.

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

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

Outlot – An individual lot or structure located within a retail center but apart from the main structure, typically located along the right-of-way line of the public street serving the retail center, which may share driveway access, internal circulation, or internal parking with the retail center, and may or may not be under the same ownership. (Amd. 10-20-2020)

300.16 Letter P

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

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

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

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

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

300.17 Letter Q

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

300.18 Letter R

Recreational Vehicle – A vehicle type unit primarily designed as temporary living quarters for recreational, camping, or travel use only, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck

Zoning Resolution

Jerome Township, Union County, Ohio

Article 3 Definitions

camper, motor home, or any similar vehicle as defined by Ohio Revised Code Section 4501.01(Q). (Amd. 12-21-2021)

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

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

Residential Garden – A tract of land that is specifically used by the owner for the purpose of the outdoor cultivation of flowers, fruits, vegetables, or small plants, and is unenclosed by any structure other than a fence.

Retail Business, Convenience Type – A small retail business whose market area is the neighborhood or part of the community, which provides convenience-type goods and personal services for the daily needs of the people within the residential area. Examples of convenience-type businesses are drug stores, food stores, cleaners and barber shops.

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

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

300.19 Letter S

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

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

Setback – See “Yard” (Amd. 12-17-2018)

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

Sign – Any visual communication display, object, device, graphic, structure, or part thereof, situated outdoors, or attached to, painted on, or displayed from or within a structure, in order

Zoning Resolution

Jerome Township, Union County, Ohio

Article 3 Definitions

to direct or attract attention to, or to announce or promote, an object, person, service, product, event, location, organization or the like, by means of letters, words, designs, colors, symbols, fixtures, images or illuminations.

- a) Sign, On-Premises - Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
- b) Sign, Off-Premises - Any sign unrelated to a business or profession conducted or to a commodity or service sold or offered upon the premises where such sign is located.
- c) Banner – Any sign using a flexible or non-rigid substrate to display sign copy, but not including a flag.
- d) Billboard - Any off-premises sign for the purposes of outdoor advertising, which generally consists of one or more sign faces primarily intended to be available for sale, lease or rental for the purpose of promoting any business or other activity which is not situated on the same premises as the billboard or of promoting any product or service which is not primarily available on the same premises as the billboard.
- e) Sign, Illuminated - Any sign illuminated by electricity, gas or other artificial light including reflection or phosphorescent light.
- f) Sign, Lighting Device - Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
- g) Sign Copy - Any combination of letters, numerals, words, symbols, pictures, emblems or other characters that constitute a message in either permanent or removable form.
- h) Changeable Copy, Manual - Any portion of a sign on which characters, letters or illustrations are changed manually in the field without altering the face or surface of the sign, including without limitation, a reader board with changeable letters.
- i) Changeable Copy, Automatic – Any portion of a sign on which characters, letters or illustrations are changed mechanically or electronically in the field without altering the face or surface of the sign, including without limitation, an electronic or mechanical message center.
- j) Sign, Ground - Any freestanding detached sign whose support structure is imbedded in the ground.
- k) Sign, Pole - Any ground sign which is installed on or attached to a pole or poles.
- l) Sign, Portable - Any sign not permanently attached to the ground or to a building or building wall.
- m) Sign, Monument - Any ground sign which is usually low in profile, with a monolithic, base.
- n) Sign, Projecting - Any sign that is mounted on or attached to a building façade, including any sign which is part of or attached to an awning or canopy, and which

extends more than twelve inches from the face of the wall.

- o) Sign, Roof - Any sign which is installed and attached above the roof of the building.
- p) Sign, Temporary - Any sign having a specific limitation provided for by this Resolution as to the length of time it may be displayed.
- q) Sign, Wall - Any sign that is mounted on or attached to the wall of a building including any sign which is part of or attached to an awning or canopy.
- r) Sign, Window - Any sign affixed to the glass on the outside or inside of a window or door, or inside a building within three feet of a window or door so as to be readable from outside the building. (Amd. 10-20-2020, 12-6-2022)

Solar Energy – The following are solar energy related definitions:

- a) Solar Energy, Accessory – A solar collection system consisting of one or more roof/structure mounted and/or ground/pole mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- b) Principal Solar Energy Production Facility - An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. Principal solar energy production facilities consist of one or more freestanding ground/pole, or roof/structure mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. These production facilities primarily produce electricity to be provided off-site.
- c) Solar Energy Equipment - Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter, batteries, mounting brackets, framing and/or foundation used for or intended to be used for the collection of solar energy.
- d) Solar Photovoltaic (PV) - The technology that uses a semiconductor to convert light directly into electricity.
- e) Clear Fall Zone (Solar Energy) - An area surrounding a ground/pole mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the principal lot and will not intrude onto an adjacent lot. (Adopted 12-6-2022)

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

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

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

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

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

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

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

300.20 Letter T

Toxic or Hazardous Material – See definition for Hazardous Wastes.

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 3 Definitions

300.21 Letter U

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

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

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

300.22 Letter V

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

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

300.23 Letter W

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

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

300.24 Letter X

300.25 Letter Y

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

Yard, Front Setback – A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building. (Amd. 10-20-2020, 6-15-2021)

Zoning Resolution

Jerome Township, Union County, Ohio

Article 3 Definitions

Yard, Rear Setback – 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.

Yard, Side Setback – A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

300.26 Letter Z

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

This page intentionally left blank.

Chapter 400 – Adoption of the Zoning District Regulations

400.01 District Regulations Generally

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

Chapter 405 – Interpretation of Regulations

405.001 Interpretation of Regulations Generally

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

405.01 Identification of Uses

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

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

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

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

405.02 Permitted Uses

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

405.03 Accessory Uses and Structures

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

405.04 Conditional Uses

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

405.05 Development Standards

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

Chapter 410 - Zoning Districts Established

410.001 Zoning Districts Established

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

410.01 Agricultural Zoning Districts
AG – Agricultural District

410.02 Residential Zoning Districts
RU – Rural Residential District
LDR – Low Density Residential District
MDR – Medium Density Residential District

410.03 Office and Industrial Zoning Districts
ORM – Office / Research / Medical District
COM – Commerce District

410.04 Commercial Zoning Districts
LR – Local Retail District
RR – Regional Retail District

410.05 Recreation Districts
SRE – Special Recreation District

410.06 Special Zoning Districts
PD – Planned Development District
OS – Open Space District
IPD – Innovation Planned Development District

Chapter 415 - Official Zoning Map

415.001 Official Zoning Map Adopted

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

415.01 Rules for Interpretation of District Boundaries

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

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

415.02 Vacation of Public Ways

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

415.03 Replacement of Official Zoning Map

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

Chapter 420 – Agricultural District (AG)

420.001 Agricultural District Generally

The purpose and intent of the Agricultural District (AG) is to; encourage the continuance of agricultural uses, protect prime farmland and agricultural soils, protect the rights of farmers, preserve rural character, and provide for land which is suitable to be used for agriculture as defined in the Comprehensive Plan. Residential land use in the AG District is related to dwellings owned by the persons farming the property. On-site water and sewer facilities are permitted, provided such facilities comply with all applicable county health regulations. (Amd. 10-20-2020)

420.01 Agricultural Uses Defined

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

420.02 Permitted Uses

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

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

420.03 Accessory Uses and Structures

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

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

420.04 Conditional Uses

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

1. 423820 – Farm Machinery and Equipment Merchant Wholesalers
2. 444220 – Farm Supply Stores
3. 444220 – Feed Stores (except pet)
4. Veterinary Hospital and Clinic
5. 721191 – Bed-and-Breakfast Inns
6. Kennel/Animal Boarding

7. Expanded home occupation subject to the requirements of Chapter 635 of this Resolution.
8. Accessory dwelling units subject to the requirements of Chapter 645 of this Resolution.
9. Small wind projects (less than 5 mw) subject to the requirements of Chapter 650 of this Resolution.
10. Private landing fields for private or agricultural aircraft use.
11. Mining, Commercial Quarries, Sand and Gravel Pits_ (Amd. 10-20-2020, 6-15-2021, 12-6-2022)

420.05 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

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

2. Minimum Lot Width

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

3. Flag Lots

Flag lots are permitted within the AG District provided that the minimum lot width is maintained. (Amd. 10-20-2020)

4. Front Yard Setbacks

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

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

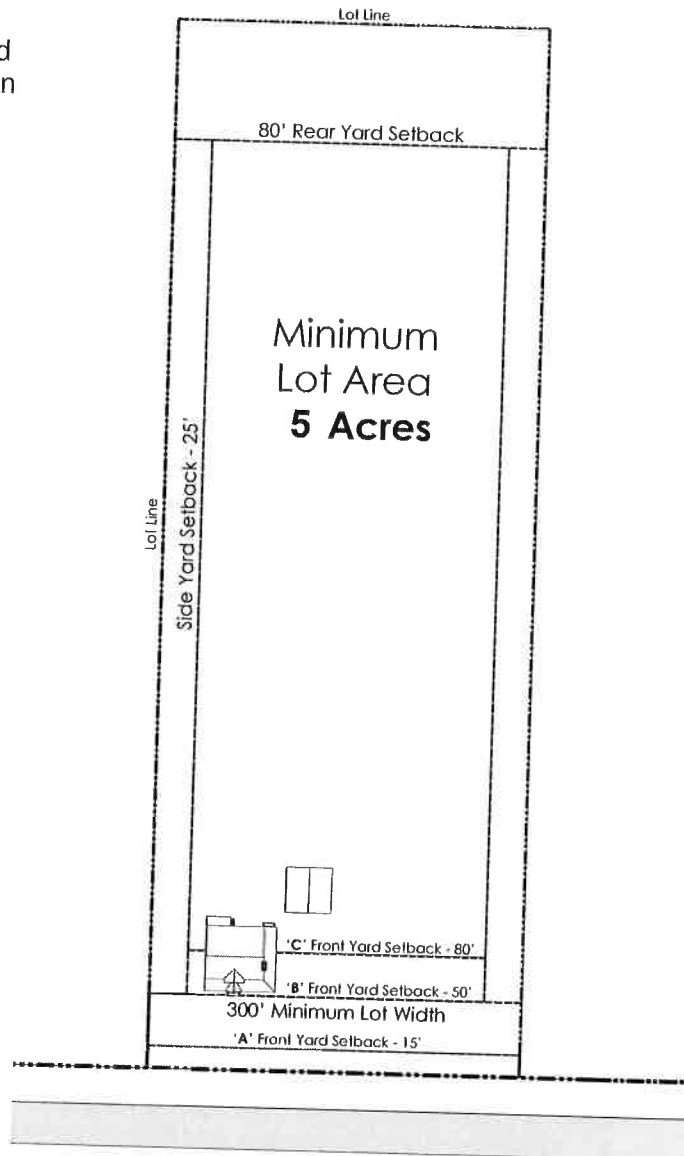


Figure 420.01: Lot area and setback diagram for the AG District

12-21-2021)

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

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

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

420.06 Building and Site Development Standards

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

1. Minimum and Maximum Floor Area

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

2. Maximum Building Height

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

This page intentionally left blank.

Chapter 425 – Rural Residential District (RU)

425.001 Rural Residential District Generally

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

425.01 Permitted Uses

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

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

425.02 Accessory Uses and Structures

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

425.03 Conditional Uses

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

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

425.04 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

The minimum lot area for parcels in the RU District shall be 1.5 acres or as required by the County Board of Health for the provision of on-site water and sanitary systems. In addition, the minimum lot area for all permitted and conditional uses shall be adequate to allow for the development of the lot in accordance with the applicable development standards of the RU District and this Resolution. (Amd. 8-17-2015, 10-20-2020, 6-15-2021)

2. Minimum Lot Width

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

3. Flag Lots

In addition to the lot width requirement above, flag lots shall have a minimum frontage of 150 feet. (Amd. 8-17-2015, 10-20-2020)

4. Front Yard Setbacks

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

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

5. Side Yard Setbacks

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

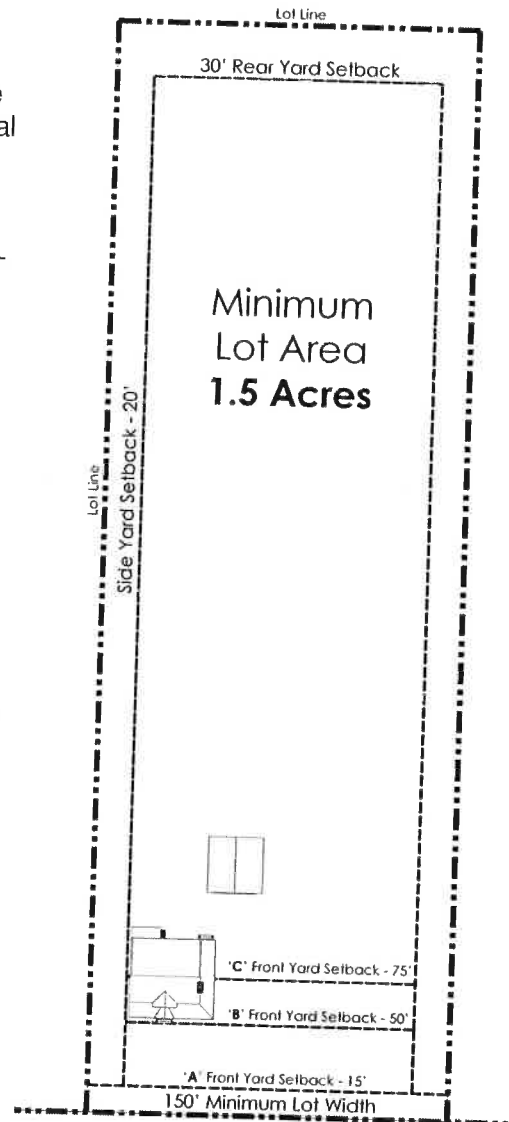


Figure 425.01: Lot area and setback diagram for the RU District

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

6. Rear Yard Setbacks

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

7. Architectural Projections

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

425.05 Building and Site Development Standards

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

1. Minimum and Maximum Floor Area

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

2. Maximum Building Height

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

This page intentionally left blank.

Chapter 430 – Low Density Residential District (LDR)

430.001 Low Density Residential District Generally

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

430.01 Permitted Uses

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

1. One (1) Single-family Dwelling per lot.
2. Limited home occupation subject to the requirements of Chapter 635 of this Resolution.
3. Public Use
4. Quasi-public Use, not including hospital. (Amd. 10-20-2020, 12-6-2022)

430.02 Accessory Uses and Structures

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

430.03 Conditional Uses

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

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

430.04 Lot Area and Yard Setback Standards

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

1. Minimum Lot Area

The minimum lot area for parcels having access to public sewer and water services shall be one half (1/2) acre. Without access to public sewer and water the minimum lot area shall be 1.5 acres, or such larger area as determined necessary by the County Health Department. In addition, the minimum lot area for all permitted and conditional uses shall be adequate to allow for the development of the lot in accordance with the applicable development standards of the LDR District and this Resolution. (Amd. 6-15-2021, 12-21-2021)

2. Minimum Lot Width

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

3. Minimum Lot Frontage

Flag lots are not permitted within the LDR District.

4. Front Yard Setbacks

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

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

5. Side Yard Setbacks

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

5. Rear Yard Setbacks

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

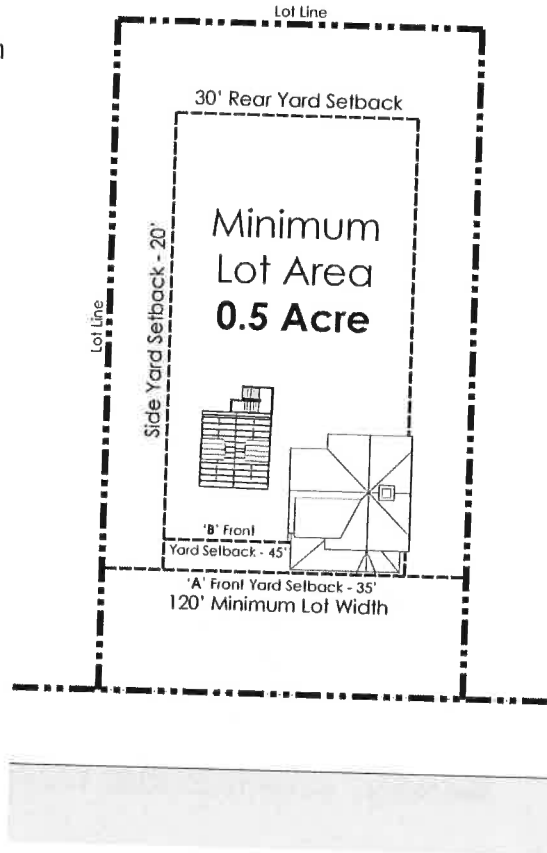


Figure 430.01: Lot area and setback diagram for the LDR District

6. Architectural Projections

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

430.05 Building and Site Development Standards

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

1. Minimum and Maximum Floor Area

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

2. Maximum Building Height

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

This page intentionally left blank.

Chapter 435 – Medium Density Residential District (MDR)

435.001 Medium Density Residential District Generally

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

435.01 Permitted Uses

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

1. One (1) Single-family Dwelling per lot.
2. Limited home occupation subject to the requirements of Chapter 635 of this Resolution.
3. Public Use
4. Quasi-public Use, not including hospital. (Amd. 10-20-2020, 6-15-2021, 12-6-2022)

435.02 Accessory Uses and Structures

1. Accessory buildings or structures normally associated with single-family residential use including detached garages, tool or garden sheds, playhouses and swimming pools subject to the requirements of Chapter 645 of this Resolution. 623110 – Nursing Care Facilities
2. 623312 – Assisted Living Facilities for the Elderly
3. Telecommunications towers subject to the requirements of Chapter 655 of this Resolution.
4. Expanded home occupation subject to the requirements of Chapter 635 of this Resolution.
5. Accessory dwelling units subject to the requirements of Chapter 645 of this Resolution. (Amd. 12-6-2022)

435.03 Conditional Uses

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

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

435.04 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

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

2. Minimum Lot Width

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

3. Flag Lots

Flag Lots are not permitted within the MDR District.

4. Front Yard Setbacks

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

5. Side Yard Setbacks

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

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

6. Rear Yard Setbacks

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

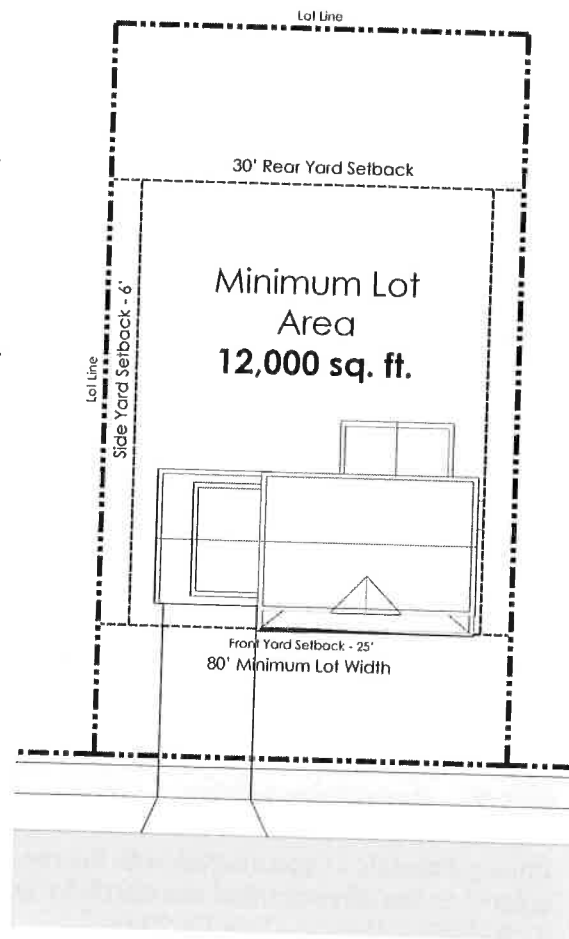


Figure 435.01: Lot area and setback diagram for the MDR District

7. Architectural Projections

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

435.05 Building and Site Development Standards

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

1. Minimum and Maximum Floor Area

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

2. Maximum Building Height

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

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

3. Residential Building Standards

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

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

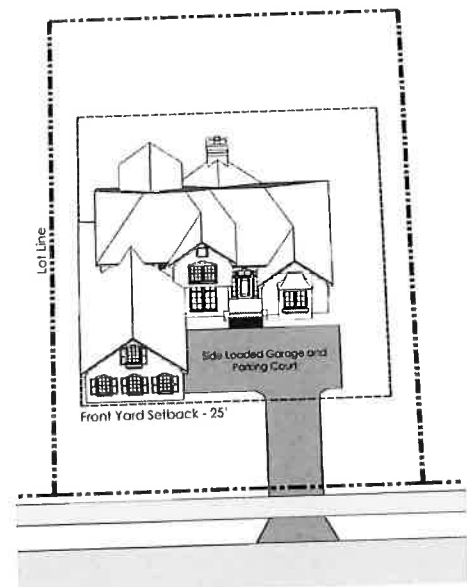


Figure 435.05: Driveway Configuration in the MDR District

4. Platted Residential Subdivisions

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

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

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

440.001 Low Density Residential District Generally

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

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

440.01 Permitted Uses

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

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

440.02 Conditional Uses

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

440.03 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

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

2. Minimum Lot Width

The minimum width for all lots in the ORM District shall be determined based upon the functional classification of the roadway upon which the lot fronts. Functional roadway classifications shall be those determined by the County Engineer. All driveway locations and driveway spacing shall meet the current requirements of the County Engineer at the time of construction. The following minimum lot widths shall apply:

Road / Street Classification	Minimum Lot Width	
	Lots without SDA	Lots with SDA*
Cul-De-Sac or Loop	150 feet	150 feet
Local Road	200 feet	150 feet
Minor Collector Road	300 feet	200 feet
Major Collector Road	400 feet	250 feet
Minor Arterial Road	600 feet	250 feet
Major Arterial Road	No Access	No Access

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

3. Maximum Lot Coverage

The total ground area occupied by all buildings and structures shall not exceed a maximum of 35 percent of the total area of the lot.

4. Front Yard Setbacks

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

Table 440.03.4 Front Setback Requirements for the ORM District		
Road / Street Classification	Minimum Front Setbacks For:	
	All Buildings / Structures	Parking and Circulation
Cul-De-Sac or Loop	40 feet	20 feet
Local Road	40 feet	20 feet
Minor Collector Road	40 feet	20 feet
Major Collector Road	50 feet	30 feet
Minor Arterial Road	60 feet	40 feet
Major Arterial Road	n/a	n/a

5. Side Yard Setbacks

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

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

6. Rear Yard Setbacks

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

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

440.04 Building and Development Standards

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

1. Building Construction

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

2. Temporary Buildings and Structures

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

3. Building Height

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

4. Building Design and Orientation on the Lot

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

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

440.05 Loading, Delivery, and Service Areas

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

440.06 Off-Street Parking

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

1. Number of Parking Spaces Required

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

2. Parking Area Landscaping

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

440.07 Landscaping

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

440.08 Signage

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

440.09 Lighting

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

1. Maximum Height Requirements

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

Chapter 445 – Commerce District (COM)

445.001 Commerce District Generally

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

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

445.01 Permitted Uses

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

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

445.02 Conditional Uses

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

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

Zoning Resolution

Jerome Township, Union County, Ohio

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

445.03 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

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

- a) Lots having access to centralized sewer and water services shall have a minimum lot area of 3/4 acre.
- b) For lots using on-site water and sewer the minimum lot area shall be a minimum of 1 and 1/2 acres, or as required by the County Health Department for the proposed use.
- c) All lots within the COM District shall be adequate in area to allow for the development of the lot in accordance with the applicable development standards of this Resolution and all other state and local requirements. (Amd. 6-17-2021, 12-21-2021)

2. Minimum Lot Width

The minimum width for all lots in the COM District shall be determined based upon the functional classification of the roadway upon which the property fronts. Functional roadway classifications shall be those determined by the County Engineer. All driveway locations and driveway spacing shall meet the current requirements of the County Engineer at the time of construction. The following minimum requirements shall apply:

Road / Street Classification	Minimum Lot Width	
	Lots without CAD*	Lots with CAD*
Loop or cul-de-sac	150 feet	150 feet
Local Road	200 feet	150 feet
Minor Collector Road	300 feet	200 feet
Major Collector Road	400 feet	250 feet
Major Arterial Road	600 feet	250 feet
Major Arterial Road	No Access	No Access

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

(Amd. 12-21-2021)

3. Maximum Lot Coverage

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

4. Front Yard Setbacks

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

Road / Street Classification	Minimum Front Setbacks For:	
	All Buildings / Structures	Parking and Circulation
Cul-De-Sac or Loop	40 feet	20 feet
Local Road	40 feet	20 feet
Minor Collector Road	40 feet	20 feet
Major Collector Road	50 feet	30 feet
Minor Arterial Road	60 feet	40 feet
Major Arterial Road	n/a	n/a

(Amd. 6-15-2021)

5. Side Yard Setbacks

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

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

6. Rear Yard Setbacks

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

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

- (ii) 40 feet for all parking and vehicular circulation areas.
- b) When the rear lot line of any lot in the COM District adjoins any lot in any non-residential district the minimum rear yard setbacks shall be as follows:
 - (i) 30 feet for all buildings and structures, loading and delivery, and outdoor storage areas.
 - (ii) 20 feet for all parking and vehicular circulation areas. (Amd. 6-15-2021)

445.04 Building and Development Standards

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

1. Building Construction

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

2. Temporary Buildings and Structures

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

3. Building Height

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

4. Building Design and Orientation on the Lot

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

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

445.05 Additional Standards for Outdoor Storage Areas

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

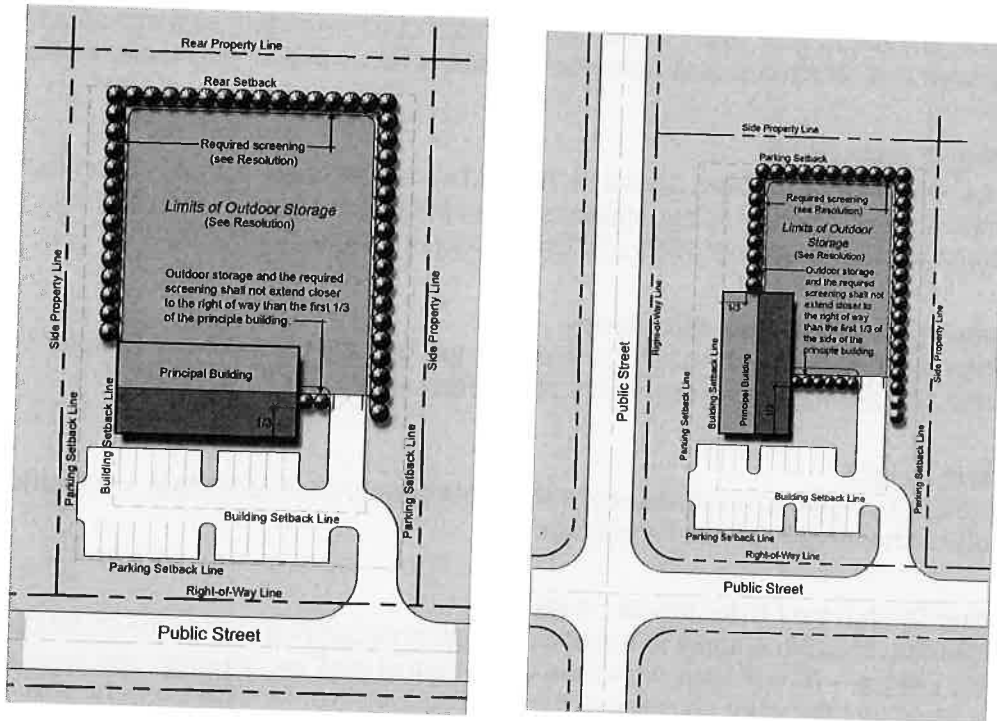
1. Location

Areas used for the outdoor storage of materials, equipment, and merchandise shall not encroach into any required front, side or rear building setback for the COM District.

Outdoor storage and the required perimeter screening shall not be permitted to extend closer to the right-of-way, or both rights-of-ways in the case of corner lots, than the front 1/3 of the side of the primary building perpendicular to the right of way as shown in Appendix 2.

2. Maximum Lot Area

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



445.06 Outdoor Loading, Delivery and Service Areas

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

1. Area Standards

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

2. Screening

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

445.07 Off-Street Parking

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

1. Number of Parking Spaces Required

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

2. Parking Area Landscaping

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

445.08 Landscaping

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

445.09 Signage

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

Chapter 450 – Reserved for Future Use

Chapter 455 – Local Retail District (LR)

455.001 Local Retail District Generally

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

455.01 Permitted Uses

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

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

455.02 Conditional Uses

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

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

455.03 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

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

2. Maximum Floor Area

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

3. Minimum Lot Width

The minimum lot width for all lots in the LR District shall be determined based upon the functional classification of the roadway upon which the property fronts. Functional roadway classifications shall be those determined by the County Engineer. All driveway locations and driveway spacing shall meet the current requirements of the County Engineer at the time of construction. The following minimum lot width shall apply.

Table 455.03.3 Lot Width Requirements for the LR District		
Road / Street Classification	Minimum Lot Width	
	Lots without CAD*	Lots with CAD*
Local Road	200 feet	150 feet
Minor Collector Road	300 feet	200 feet
Major Collector Road	400 feet	250 feet
Minor Arterial Road	600 feet	250 feet
Major Arterial Road	No Access	No Access
* Lots sharing a common access drive (CAD) with (an) adjacent lot(s) shall be permitted to have a reduced width as shown in the above table.		

(Amd. 12-21-2021)

- a) Outlots – Where two or more outlots share a common access drive, or where outlots are accessed from a larger retail center and not the public right-of-way, the minimum lot width of the outlots may be reduced as shown in Table 455.03.3.

4. Front Yard Setbacks

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

Table 455.03.4 Front Setback Requirements for the LR District		
Road / Street Classification	Minimum Front Setbacks For:	
	Principal Buildings / Structures	Parking and Circulation
Local Road	40 feet	20 feet
Minor Collector Road	40 feet	20 feet
Major Collector Road	50 feet	30 feet
Minor Arterial Road	60 feet	40 feet
Major Arterial Road	n/a	n/a

5. Side Yard Setbacks

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

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

6. Rear Yard Setbacks

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

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

455.04 Building and Development Standards

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

1. Building Construction

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

2. Temporary Buildings Structures

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

3. Building Height

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

4. Building Design and Orientation on the Lot

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

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

455.05 Loading, Delivery, and Service Areas

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

455.06 Off-Street Parking

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

1. Number of Parking Spaces Required

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

2. Joint or Combined Parking Area

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

3. Parking Area Landscaping

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

455.07 Landscaping

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

455.08 Signage

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

455.09 Lighting

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

1. Maximum Height Requirements

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

This page intentionally left blank.

Chapter 460 – Regional Retail District (RR)

460.001 Regional Retail District Generally

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

460.01 Permitted Uses

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

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

460.02 Conditional Uses

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

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

460.03 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

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

2. Maximum Floor Area

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

3. Minimum Lot Width

The minimum width for all lots in the RR District shall be determined based upon the functional classification of the roadway upon which the lot fronts. Functional roadway classifications shall be those determined by the County Engineer. All driveway locations and driveway spacing shall meet the current requirements of the County Engineer at the time of construction. The following minimum lot widths shall apply:

Road / Street Classification	Minimum Lot Width	
	Lots without CAD*	Lots with CAD*
Local Road	200 feet	150 feet
Minor Collector Road	300 feet	200 feet
Major Collector Road	400 feet	250 feet
Minor Arterial Road	600 feet	250 feet
Major Arterial Road	No Access	No Access

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

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

- a) **Outlots** – Where three or more outlots share a common access drive, or where outlots are accessed from a larger retail center and not the public right-of-way, the minimum lot width of the outlots may be reduced as shown in Table 460.03.3. (Amd. 6-15-2021, 12-21-2021)

4. Front Yard Setbacks

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

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

5. Side Yard Setbacks

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

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

6. Rear Yard Setbacks

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

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

- b) For all other lots in the RR District the rear yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for all loading, delivery and service areas.
 - (iii) 30 feet for all structures.

460.04 Building and Development Standards

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

1. Building Construction

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

2. Temporary Buildings and Structures

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

3. Building Height

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

4. Building Design and Orientation on the Lot

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

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

460.05 Loading, Delivery and Service Areas

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

460.06 Off-Street Parking

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

1. Number of Parking Spaces Required

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

2. Joint or Combined Parking Areas

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

3. Parking Area Landscaping

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

460.07 Landscaping

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

460.08 Signage

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

460.09 Lighting

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

1. Maximum Height Requirements

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4

Zoning Map and Zoning Districts

This page intentionally left blank.

470 Special Recreation District (SRE)

470.001 Special Recreation District Generally

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

470.01 Permitted Uses

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

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

470.02 Conditional Uses

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

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

470.03 Conditional Use Standards

In addition to the standards defined in Chapter 240 of this Zoning Resolution the following standards shall apply to all conditional uses within the Special Recreation District;

1. Spectator Sports

To be considered for approval as a conditional use in the Special Recreation District, 71121 Spectator Sports, as defined by the NAICS, shall meet the following requirements

- a) Traffic – Prior to the approval of the conditional use permit the applicant shall provide to the Township a study prepared by a registered traffic engineer detailing any potential adverse impacts caused by spectator events and mitigation strategies to deal with those impacts
- b) Noise – Prior to the approval of the conditional use permit the applicant shall provide to the Township a study that demonstrates the impact that noise levels from typical events will have on the nearest residential areas to the proposed venue. The study will present proposed noise levels in the A-Weighted Decibel Scale (dBA) for the noise to be exceeded 10% of the duration of the event, or the L₁₀ noise level. Proposed noise levels documented in the study shall be substantiated by noise levels physically measured at similar events.

2. Shooting Sports

The purpose of the following requirements is to promote and protect the public health, safety and welfare by regulating shooting ranges. These requirements are intended to prevent adverse effects on adjoining properties relating to shot containment and noise mitigation. Each shooting range shall be designed to contain the bullets, shot, and arrows discharged on or within the range facility and minimize noise impacts. This Section does not otherwise apply to the general legal discharge of firearms or bows and arrows in accordance with other applicable laws and regulations. To be approved for a conditional use permit within the Special Recreation District any such facility shall meet the following requirements.

a) Performance

- (i) Shooting range facilities shall be designed to contain all of the bullets, shot, arrows or other projectiles or any other debris on the range facility
- (ii) Noise levels measured at the property line shall not exceed sixty-five (65) dBA when located adjacent to residential or commercial property or (75) dBA when adjacent to industrial property.

b) Development Requirements:

- (i) Technical Advisors – All shooting range facilities shall apply for and have a Range Technical Team Advisor from the National Rifle Association (NRA) or an equivalent organization inspect and evaluate the design and construction of the range according to the guidelines specified by the NRA's Range Source Book: A Guide To Planning and Construction, current addition, and follow the suggestions made by the advisor.
- (ii) Setbacks – All shooting stations and targets in an outdoor facility shall be located a minimum of 300 feet from any property line and the surface danger zone shall be contained within the property boundary line of the range facility.
- (iii) Distance Separation – For all outdoor facilities the distance between the range facility and any occupied residential or non-residential building along any target line shall not be less than ½ mile.

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

- (iv) Warning Signs – Warning signs meeting National Rifle Association (NRA) guidelines for shooting ranges shall be posted at 100 feet intervals along the perimeter of the shooting range facility.
- (v) All other local, state, and federal laws and regulations shall be adhered to in the construction and operation of proposed range facilities. (Amd. 10-20-2020)

470.04 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

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

2. Minimum Lot Width

The minimum width for all lots in the SRE District shall be determined based upon the functional classification of the roadway upon which the property fronts. Functional roadway classifications shall be those determined by the County Engineer. All driveway locations and driveway spacing shall meet the current requirements of the County Engineer at the time of construction. The following minimum lot widths shall apply:

Road / Street Classification	Minimum Lot Width	
	Lots without CAD*	Lots with CAD*
Local Road	200 feet	100 feet
Minor Collector Road	300 feet	150 feet
Major Collector Road	400 feet	200 feet
Minor Arterial Road	600 feet	200 feet
Major Arterial Road	No Access	No Access

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

(Amd. 12-21-2021)

3. Maximum Lot Coverage

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

4. Front Yard Setbacks

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

Road / Street Classification	Minimum Front Setbacks For:		
	Principal Buildings / Structures	Parking and Circulation	Sports Fields
Local Road	40 feet	20 feet	40 feet
Minor Collector Road	40 feet	20 feet	80 feet
Major Collector Road	50 feet	30 feet	100 feet
Minor Arterial Road	60 feet	40 feet	120 feet
Major Arterial Road	n/a	n/a	150 feet

5. Side Yard Setbacks

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

- a) When any lot in the SRE District adjoins any lot zoned in any residential district the minimum side yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 30 feet for any loading, delivery, and service areas.
 - (iii) 50 feet for all buildings and structures.
 - (iv) 50 feet for any outdoor sports field or court including any required outfield areas and perimeter buffers required to prevent stray equipment from entering private residential lots.
- b) When any lot in the SRE District adjoins any lot zoned in any non-residential district the minimum side yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for any loading, delivery, and service areas.
 - (iii) 30 feet for all buildings and structures.
 - (iv) 30 feet for any outdoor sports field or court including any required outfield areas and perimeter buffers required to prevent stray equipment from entering adjacent property.

6. Rear Yard Setbacks

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 4 Zoning Map and Zoning Districts

- (iii) 50 feet for any outdoor sports field or court including any required outfield areas and perimeter buffers required to prevent stray equipment from entering private residential lots.
- b) When the rear lot line of any lot in the SRE District adjoins a lot in any non-residential district the minimum rear yard setbacks shall be as follows
 - (i) 30 feet for all buildings, parking, vehicular circulation and loading, delivery, and service areas.
 - (ii) 30 feet for any outdoor sports field or court including any required outfield areas and perimeter buffers required to prevent stray equipment from entering private residential lots.

470.05 Building and Development Standards

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

1. Building Construction

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

2. Temporary Buildings and Structures

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

3. Building Height

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

4. Building Design and Orientation on the Lot

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

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

470.06 Loading, Delivery and Service Areas

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

470.07 Off-Street Parking

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

1. Number of Parking Spaces Required

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

2. Parking Area Landscaping

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

470.08 Landscaping

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

470.09 Signage

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

470.10 Lighting

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

1. Maximum Height Requirements

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

Chapter 500 – Planned Development District (PD)

500.001 Planned Development District (PD) Generally

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

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

500.01 Residential Development Purpose and Intent

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

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

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

500.02 Commercial and Office Development Purpose and Intent

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

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

500.03 Industrial Development Purpose and Intent

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

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

500.04 General Provisions

1. Preliminary Development Plan and Detailed Development Plan

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

2. Effect of PD District Approval

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

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

3. Subareas

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

4. Type of Action

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

5. Zoning Amendment

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

6. Development Plan

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

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

changes do not reduce the required setbacks, decrease the required open space, or change the required architectural or development standards.

500.05 Previously Approved Planned Developments

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

500.06 General Standards for Planned Developments

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

1. Uses

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

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

2. Densities

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

3. Setbacks and Yard Areas

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

- a) Setbacks within a PD District shall support the goals of the Comprehensive Plan for development that respects the rural character of the Township while promoting efficient use of the land and its resources.

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

4. Public Improvements

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

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

5. Access

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

6. Buildings

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

- a) The physical relationship of buildings and other site improvements to one another and the surrounding area, as created by building mass, floor area, height, shape, location on the site, and setback, shall result in a harmonious development both within the PD District and in relation to its surroundings.
- b) The bulk and height of buildings within the proposed development shall be compatible with the surrounding area.
- c) Buildings, structures, and parking areas shall be designed and located in such a way to

conserve environmentally sensitive or unique natural, historic or cultural features.

- d) The preliminary development plan shall specify for all buildings and residences, at a minimum, the proposed exterior materials, floor area, height, roof shape and pitch.

7. Lighting

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

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

8. Signage

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

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

9. Parking and Loading Areas

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

- a) Off-street parking and loading shall be provided for all non-residential buildings with adequate provisions for ingress and egress.
- b) Parking areas shall be designed to discourage large single expanses of parking and shall encourage smaller defined parking areas within the total parking system. Such parking areas shall be delineated and accentuated by landscaped areas.
- c) The layout of parking areas, service areas and related entrances, exits, signs, lighting,

- noise sources or other potentially adverse influences shall be designed and located to protect the character of the area as well as those areas adjacent to the PD District.
- d) To minimize the environmental impacts of large parking areas shared parking between uses shall be encouraged and supported within the PD District. Where shared parking is desired the applicant shall submit a statement identifying how the parking is to be shared between the uses, and the percentage of parking and hours of parking allocated for each use.
 - e) All service and delivery and loading areas for all uses shall be arranged and located to minimize the impacts and view of such uses throughout the development.

10. Landscaping

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

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

11. Flood Plains and Environmentally Sensitive Areas

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

- a) A riparian buffer, having a width of not less than 50' as measured from the centerline of the stream, shall be provided along the entire length and on both sides of a river or perennial stream channel.
- b) Buffer areas shall be restricted from development and managed to promote the growth

of vegetation indigenous to the stream area capable of maintaining the structural integrity of the stream bank.

- c) A wetlands buffer should be provided for all wetlands required to be retained by the Army Corps of Engineers or the Ohio EPA. The buffer area should have a width of not less than 25' measured from the edge of the designated wetland. The buffer areas should not be disturbed other than necessary to establish and natural landscape and existing trees should be preserved and protected to the extent practicable.

12. Open Space

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

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

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

2. Parking areas, access ways, and driveways;
 3. Required setbacks between buildings, parking areas, and project boundaries;
 4. Required setbacks between buildings and streets;
 5. Easements for overhead power transmission lines unless containing bike paths as part of an overall coordinated trail network;
 6. Minimum spacing between buildings, and between buildings and parking areas;
 7. Private yards;
 8. Areas of fee simple lots to be conveyed for residential dwelling uses;
 9. Other small fragmented or isolated open space areas that have a dimension less than 75 feet in any direction. (Excessive gaps and non-usable spaces between buildings are discouraged, or pedestrian walkways should be established.)
- (viii) Any open space intended to be devoted to active recreational activities should be of usable size and shape for the intended purposes.
- (ix) Any area within the open space that is proposed to be disturbed during construction or otherwise not preserved in its natural state, other than required setback areas, should be noted on the preliminary development plan and the method and timing of any restoration shall be set forth.
- (x) The open space, including any recreational structures and public facilities proposed to be constructed in such space, shall be clearly shown on the preliminary development plan.
- b) Open Space Ownership – Open space may be proposed to be owned by an association, the Township or other governmental entity, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership if appropriately restricted. The ownership of the open space shall be specified in the preliminary development plan and shall be subject to the approval of the Township. The methods of ownership, if approved as part of the preliminary development plan, may be as follows:
- (i) Offer of Dedication – The Board of Township Trustees or other governmental agency may, but shall not be required to, accept conveyance in the form of fee simple ownership of the open space.
 - (ii) Associations – Open space may be held by the individual members of a condominium association as tenants-in-common or may be held in common ownership by a homeowners' association, community association, or other similar legal entity. Documents shall be submitted with the preliminary development plan which will ensure compliance with the following requirements:
 - 1) Membership in the association shall be mandatory for all purchasers of lots in the development or units in the condominium.
 - 2) The association shall be capable of and responsible for maintenance, control, and insurance of common areas, including the open space.
 - 3) The association shall have the right and obligation to impose assessments upon its members, enforceable by liens, in order to ensure that it will have sufficient financial resources to provide for proper care and maintenance of the open space.
 - (iii) Transfer of Easements to a Public Agency or Private Conservation Organization – With the approval of the Board of Township Trustees, an owner may transfer

interest in conservation easements to a public agency or private non-profit organization, among whose purposes it is to conserve open space or natural resources, provided that:

- 1) The organization is acceptable to the Board of Township Trustees, and is public agency or a bona fide conservation organization that exists in perpetuity;
 - 2) The conveyance contains appropriate provisions for the interests to be conveyed to another acceptable public agency or organization, or to revert to an association as provided herein in the event that organization becomes unwilling or unable to continue carrying out its function; and
 - 3) A maintenance agreement approved by the Board of Township Trustees is entered into by the developer and the organization.
- c) Open Space Management and Maintenance – The owner of the open space shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space through annual dues, special assessments, and valid and enforceable collection methods. The owner shall be authorized, under appropriate restrictions and covenants, to place liens on the property of residents within the PD District or any subarea thereof, who fall delinquent in payment of such dues and assessments. In the event that the organization established to own, operate and maintain the open space shall at any time after the establishment of the PD District fail to maintain the open space in reasonable order and condition in accordance with the approved detailed development plans, such failure shall constitute a violation of this Zoning Resolution.
- d) Transfer of Title of Open Space – Title to any open space required within a PD District which is included within any recorded subdivision plat of any section of the land zoned PD District shall be transferred to the entity approved for ownership of the open space prior to the sale of more than 75% of the lots or units within that subdivision section. (Amd. 10-20-2020, 12-6-2022)

500.07 Use-Specific Development Standards

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

1. Low and Medium Density Residential Land Use

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

- a) Calculating Residential Density – While the densities of individual residential areas may vary within a large PD District, the calculation of density for the entire PD District shall be based upon the total number of dwelling units proposed for the total area devoted exclusively to residential use, including open space. Where open space is included within the calculation for residential density, such open space shall permanently remain as open space within the PD District unless specifically included in another duly approved zoning amendment in accordance with the provisions of this Resolution.
- b) Additional Density Considerations – Additional density for residential developments to be serviced by centralized utilities may be permitted in certain unique and special instances such as those where: the open space set-aside far exceeds the minimum recommended ; additional and substantial site amenities are provided; the development incorporates rural design characteristics into the overall design of the site and maintains compatibility with the surrounding or planned land uses; the design of the development preserves, protects and enhances the natural and historic resources located on the site; and storm water and other environmental impacts are minimized and mitigated and natural features are enhanced.
- c) Lower Density Considerations – In addition to the consideration for additional density as mentioned above, lower densities may be required for a residential development in certain unique and special instances such as those where: a large portion of the site is undevelopable due to its physical features such as existing bodies of water, steep slopes and similar characteristics, and where proposed residential development is not compatible with adjacent residential development patterns.

2. Higher Density Residential Land Use

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

3. Agriculture and Rural Residential Land Use

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

4. Residential Conservation Development

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

strategy. Land developed with conversation development principles shall adhere to the following standards:

- a) Uses – PD Districts designed using conversation development principles may be permitted to contain a mix of uses provided that all proposed uses are identified in the preliminary development plan and application as specified in Section 500.08.
- b) Density – The overall residential density of a PD District designed using conversation development principles should conform to the recommendations and intent of the Comprehensive Plan and shall be identified in the preliminary development plan and application per Section 500.08.
- c) Lot Area – The intent of a PD District designed using conversation development principles is to allow smaller lot areas and more compact development patterns in exchange for a higher percentage of dedicated open space and natural lands. To accomplish this goal, lot shall be flexible within a PD District designing using conversation development principles and shall be established by the approved preliminary development plan. All lots less than two acres in area shall be serviced by public sewer and water systems. Proposed lots with an area of 2 acres or more shall be served by either public sewer and water services or on site treatment and well systems subject to the approval of the Union County Engineer and Union County Health Department.
- d) Dedicated Open Space – All PD Districts designed using conversation development principles shall comply with the following minimum requirements regarding open space:
 - (i) The minimum amount of open space to be provided is recommended to be 40% of the total acreage of the property being included in the PD District. Development of smaller parcels may be considered for a reduction in the open space requirements provided that the recommendations of (ii), (iii), and (iv) below still apply.
 - (ii) All PD Districts designed using conversation development principles shall strive to utilize open space to preserve natural features including but not limited to floodplains, waterways, stream buffers, steep slopes, woodlands, wetlands and natural habitats or shall be designed to preserve significant amounts of agricultural lands.
 - (iii) Open space shall meet all other requirements of Section 500.06(12).

5. Commercial and Office Land Use

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

6. Industrial Land Use

Light industry, research and development, and related office uses should be clustered in areas serviced by centralized utilities and adequate highway accessibility. Absent special circumstances, density should not exceed 10,000 square feet per acre. This density calculation will ordinarily be based upon the total floor area proposed for the entire area devoted exclusively to industrial development. However, a lower density may be mandated due to the nature of the project, the physical features of the site or the compatibility of the

project with surrounding or planned land uses. The industrial areas should only develop in conjunction with centralized utilities. These areas should be master planned and well-coordinated, and not developed in a piecemeal (lot by lot) way. Access should be shared. Design standards should be incorporated into the preliminary development plan which will improve the aesthetic quality of this development type. In addition, all industrial uses developed under the PD District shall conform to the following standards:

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

500.08 Procedure for Amending to the PD District

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

1. Pre-application Meeting

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

2. Application

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

- b) Name, address and telephone number of the owner and applicant;
- c) Name, address and telephone number of the urban planner, architect, landscape architect, surveyor and/or engineer assisting in the preparation of the application or preliminary development plan;
- d) Legal description of the property and the address of the property;
- e) Description of existing uses;
- f) Present zoning district;
- g) A vicinity map at a scale approved by the Zoning Commission showing the relationship of the proposed PD District to the adjacent properties, existing roads and public service facilities in the area;
- h) A list of the names and addresses of the owner or owners of the property, the applicant, and all owners of property which are within, contiguous to and directly across the street from the subject property as such addresses appear on the County Auditor's current tax list; and
- i) Any other matter or information deemed necessary or relevant by the Zoning Commission for the proposed amendment.

3. Proposed Preliminary Development Plan

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

- a) A conceptual site plan of the proposed PD District, including any proposed subareas, any proposed buildings other than single-family dwellings or two-family dwellings, any functional use areas, circulation patterns, and their relationship.
- b) Proposed densities, number of lots and dimension parameters, and building intensities.
- c) Proposed parks, playgrounds, schools and other public facilities or open spaces including woodland preservation and natural topography preservation areas with their suggested ownership.
- d) Locations of stream channels, watercourses, wooded areas and buffer areas shall be designated. Existing topography and drainage patterns shall also be shown.
- e) Relation to existing and future land use in surrounding area.
- f) Proposed provision of water, sanitary sewers, surface drainage, and street lighting.
- g) Proposed traffic and pedestrian circulation pattern, indicating both public and private streets and highways, access points to public rights-of-ways, bike paths and trails, sidewalks and any off-site street improvements.
- h) An anticipated schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres in the proposed phase for various uses, the number of housing units proposed by type; building heights; open space; building intensity; parking areas; density and public improvements proposed.
- i) Engineering feasibility studies and schematic plans showing, as necessary, water, sewer and other utility installations, waste disposal facilities, surface drainage, and street improvements.

- j) A preliminary traffic study completed to the requirements of the Union County Engineer or correspondence from the County Engineer's Office or other relevant public agency that a traffic study is not required for the proposed development.
- k) General architectural design criteria for proposed buildings, structures, signs and exterior lighting with proposed control features.
- l) Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of the land, the improvements thereon, including those areas which are to be commonly owned and maintained.
- m) Projected schedule of site development.
- n) Evidence that the applicant has sufficient control over the land to carry out the proposed development.
- o) Regulation text for development in the proposed Planned Development District. That text shall set forth and define the uses to be permitted in the proposed Planned Development District and the development standards applicable to the proposed District. The regulation text is intended to guide all development of the property proposed to be designated as a Planned Development District by the application.
- p) The regulation text provided for in subsection (o), above, shall cover all appropriate zoning regulations for the proposed PD District including, without limitation, the following:
 - (i) All required setbacks including, but not limited to, buildings, service areas, off-street parking lots and signage, including rear, front and side yard areas.
 - (ii) All maximum height and size requirements of buildings, mechanical areas and other structures.
 - (iii) All parking and loading space standards per building square footage or dwelling unit type, including dimensions of all parking stalls, aisles and loading spaces.
 - (iv) All street and road right-of-way and pavement width dimensions, curb cut spacing and other related circulation standards.
 - (v) All pedestrian and bicycle walkway, trail and sidewalk dimensional standards, including rights-of-way and pavement width, and pavement standards.
 - (vi) All screening and landscaping standards, including buffer dimensions, height, landscape material, maintenance standards, and screening standards for off-street parking areas, loading docks, trash receptacles and dumpsters, ground- and roof-mounted mechanical units and adjacent areas.
 - (vii) All proposed signage and graphic standards, including height, setback, square footage, colors, corporate logos and type.
 - (viii) All exterior lighting standards, including light intensity, placement, height and materials for parking lots, walkways, sidewalks and accent lighting.
 - (ix) All exterior architectural design standards, including material, color and styles.
 - (x) A list and description of the precise uses proposed for the development. Listed uses shall be defined by their customary name or identification, except where they are specifically defined or limited elsewhere in the preliminary development plan or this Zoning Resolution. Any listed use may be limited to specific areas delineated in the proposed preliminary development plan;
 - (xi) Frontage requirements, minimum lot area requirements, yard areas, lot coverage restrictions and perimeter setback requirements.
 - (xii) Accessory structure standards and limitations.
 - (xiii) Open space area, uses and structures, including proposed ownership and sample controlling instruments.
 - (xiv) Any other regulatory area or matter deemed necessary or relevant by the Zoning Commission.

- (xv) The regulation text should contain the following provision: All development standards not specifically addressed by the regulation text shall be regulated by those general development standards set forth in the Zoning Resolution.

4. Basis of Approval

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

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

5. Effect of Approval

- a) The action of the Board of Township Trustees in approving an application for amendment to a PD District and a preliminary development plan shall constitute an amendment of the Official Zoning Map for the subject tract to the PD District permitting development and use of said land and any structures thereon in accordance with the development standards contained in the preliminary development plan. However, in a PD District, no use shall be established and no structure shall be constructed or altered on any part of said tract, until there is submitted a detailed development plan for said part of said tract, and until the detailed development plan is approved by the Zoning Commission.
- b) The approval of the preliminary development plan shall be for a period of five (5) years, to allow for the preparation of a required detailed development plan(s). Unless the Board of Township Trustees approves such an extension of this time limit, upon the

expiration of such period, no use shall be established and no building, structure or improvement shall be constructed until an application accompanied by a new preliminary development plan has been filed with and approved by the Board of Township Trustees, and such application for approval shall be subject to the same procedures and conditions as an original application for the preliminary development plan approval. This new application shall comply with the terms of the Zoning Resolution then in effect at the time of filing, including, without limitation, any zoning amendments enacted from and after the date of the initial request to designate the property Planned Development District. In addition, the Board of Township Trustees or Zoning Commission may initiate a zoning amendment to amend the Official Zoning Map for the tract to a previous zoning district or to another similar standard zoning district upon expiration of the preliminary development plan approval period.

6. Extension of Time for Preliminary Development Plan

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

500.09 Detailed Development Plan

1. Application

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

2. Proposed Detailed Development Plan Contents

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

- a) Proposed name of the development and its location;
- b) Names and addresses of owners and developers;
- c) Date, north arrow and plan scale. Scale shall be one-inch equals 100 feet or larger scale;
- d) Boundary lines of the proposed development and the total acreage encompassed therein;
- e) Locations, widths and names of all existing public streets or other public ways, railroad and utility rights of way or easements, parks and other public open spaces, permanent structures, and section and corporation lines within or adjacent to the tract;
- f) Existing sewers, water mains, culverts and other underground facilities within the tract, adjacent to the tract or that will be used in developing the tract, indicating pipe sizes, grades and locations;
- g) The lot lines of adjacent tracts, parcels or lots;

- h) Residential density, dwelling types, nonresidential building intensity and specific uses to be included within the proposed development, specified according to area or specific building location;
- i) Existing ground configuration, drainage channels, wooded areas, watercourses and other significant physical features;
- j) Layout of proposed streets, including their names and rights of way, easements, sewers, water lines, culverts, street lighting and other major improvements;
- k) Layout, numbering and dimensions of lots if more than one;
- l) Anticipated building envelope and general architectural style and character of proposed structures;
- m) Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the condition proposed for such covenant and for the dedications;
- n) Building setback lines with dimensions;
- o) Tentative street grades and sewer size slope;
- p) Traffic circulation, parking areas, curb cuts and pedestrian walks;
- q) Landscaping plans, including site grading and landscape design;
- r) Engineering feasibility studies of any anticipated problems which may arise due to the proposed development as required by the Zoning Commission;
- s) For other than detached single-family structures, provide:
 - (i) Drawings for buildings to be constructed in the current phase, including floor plans, exterior elevations and sections;
 - (ii) Color rendering of buildings(s), complete with a listing of all colors, including Pantone 1999-2000 Reference Numbers or if Pantone is not available, the manufacturer's reference/serial number with sample, and materials, with samples to be used;
 - (iii) Building locations depicting the bulk, height and spatial relationships of building masses with adjacent development;
 - (iv) Intended measures to screen rooftop mechanical equipment from view;
- t) A detailed signage and exterior lighting plan;
- u) Accommodations and access for emergency and firefighting apparatus;
- v) The management plan or mechanism to provide for the perpetual maintenance of all open space, landscaping, buffers and shared parking areas by the ultimate owner and/or user and the controlling instruments;
- w) Location of open space area and designation of intended uses; and
- x) Any additional information as may be required by the Zoning Commission.

3. Zoning Commission Action on Detailed Development Plan

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

4. Commencement of Development

The approval of a detailed development plan shall be effective for a period of five (5) years in order to allow for the preparation and recording of a subdivision plat (if required under applicable law) and the commencement of construction following the issuance of a

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

5. Extension of Time for Detailed Development Plan

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

6. Modification of Detailed Development Plan

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

500.10 Fees

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

reasonable estimates of time to complete the review. Any unused portion of the estimated amount received to cover the professional consulting fees and charges shall be returned to the applicant as soon as practicable following the final disposition of the application, along with a summary of the fees and charges expended for such services. (Amd. 10-20-2020, 12-6-2022)

500.11 Phases

Developments within a Planned Development District may be approved for development in phases. Each phase shall require approval of a detailed development plan for that phase pursuant to the procedures set forth herein. Absent an extension of a preliminary development plan approved by the Board of Township Trustees, all phases shall be submitted for and receive approval of a detailed development plan within the time frame set forth in Section 500.09(4). (Amd. 10-20-2020, 12-6-2022)

Chapter 510 – Open Space District (OS)

510.001 Open Space District (OS) Generally

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

510.01 Permitted Uses

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

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

510.02 Lot Area, Lot Width, and Yard Setback Standards

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

1. Minimum Lot Area

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

2. Minimum Lot Width

The minimum lot width for all lots in the OS District shall be determined based upon the functional classification of the roadway upon which the property fronts. Functional roadway classifications shall be those determined by the County Engineer. All driveway locations and driveway spacing shall meet the current requirements of the County Engineer at the time of construction. The following minimum lot width shall apply:

Zoning Resolution

Jerome Township, Union County, Ohio

Article 5

Special Zoning Districts

Table 510.02.1 Lot Width Requirements for the OS District	
Road / Street Classification	Minimum Lot Width
Local Road	100 feet
Minor Collector Road	100 feet
Major Collector Road	200 feet
Minor Arterial Road	300 feet
Major Arterial Road	No Access

(Amd. 10-20-2020)

3. Maximum Lot Coverage

The total ground area occupied by all buildings and structures shall not exceed a maximum of 15 percent of the total area of the lot or tract.

4. Front Yard Setbacks

All front yard setbacks shall be determined based upon the functional classification of the public roadway upon which the property fronts and shall be measured from the right of way of said public road. The functional roadway classification shall be as determined by the County Engineer. The minimum front yard setbacks for the OS District shall be as follows:

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

(Amd. 10-20-2020)

5. Side Yard Setbacks

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

- a) When any lot in the OS District adjoins any lot less than 5 acres in area zoned in any residential district, or where the side lot line exists within 250 feet of any residential structure, the minimum side yard setbacks shall be:
 - (i) 20 feet for all parking and vehicular circulation areas.
 - (ii) 30 feet for any loading, delivery, and service/maintenance areas.
 - (iii) 50 feet for all buildings and structures.
- b) For all other lots in the OS District the side yard setbacks shall be:
 - (i) 10 feet for all parking and vehicular circulation areas.
 - (ii) 20 feet for any loading, delivery, and service/maintenance areas.
 - (iii) 30 feet for all buildings and structures.

6. Rear Yard Setbacks

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

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

510.03 Building and Development Standards

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

1. Building Construction

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

2. Temporary Buildings and Structures

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

3. Building Height

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

4. Building Design and Orientation on the Lot

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

- a) Main Entries – All buildings within the OS District shall be designed and located on the lot so that the main entrance to the building is visible from the street on which the lot fronts. The main entrance of each building shall be clearly delineated from the rest of the building through the use of architectural projections, a change in architectural design, a change in building materials, awnings, canopies or other such architectural features.

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

510.04 Loading, Delivery and Service Areas

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

510.05 Off-Street Parking

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

1. Number of Parking Spaces Required

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

2. Parking Area Landscaping

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

510.06 Landscaping

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

510.07 Signage

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

510.08 Lighting

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

1. Maximum Height Requirements

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

Chapter 525 – Innovation Planned Development District (IPD)

525.01 Nature of the District

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

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

The IPD is intended to emphasize the development of the Business Park Uses in order to attract quality jobs and quality economic development opportunities to Jerome Township. The IPD provides for limited Residential Uses in support of the Business Park Uses by offering high quality housing to Township residents and persons employed within the Township. Targeted quality developments include, but are not limited to, the following industries:

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

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

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

525.02 Overlay District Area Established

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

Attachment 1 - Planned Development District Map

525.03 Permitted Uses by Subarea

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

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

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

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

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

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

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

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

principal structure.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Warehousing, Principal Use. Requires a conditional use permit.

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

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

Attachment 2 – Innovation Planned Development District Uses Chart

525.04 Permitted Densities by Subarea

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

525.05 Permitted Building Size by Subarea

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

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

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

525.06 General IPD Standards

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

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

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

525.06C Densities. Densities for all Business Park Uses shall be calculated as the total floor area as measured in square feet for all buildings divided by the total gross property land area, including right of way, as measured in acres. Building Density will be expressed in square feet per acre or fraction thereof. Densities for Residential Uses shall be calculated as the total Residential Dwelling Units divided by the total gross land area, including right of way, as measured in acres (Dwelling Units per acre). Each Two-Family or Multi-Family Dwelling Unit, irrespective of the number of bedrooms per Dwelling Unit, is considered to be one

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

Subareas Ic and IIb:

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

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

Subareas IIc and IIe:

Detached Single-Family Dwelling Units: 2 units/gross acre; and up to 170 total Detached Single-Family Dwelling Units

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

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

- i) Public roads shall be designed and constructed to the standards established by the Union County Engineer's Office and/or Ohio law. Public or private roadway and pedestrian interconnectivity shall be permitted and encouraged, but not required, for Subareas Ic, IIa, and IIb to and from, among, and between adjacent properties in Madison and/or Franklin Counties.
- ii) Storm water management facilities shall be provided as required by the Union County Engineer and State of Ohio. The Innovation Planned Development District shall follow applicable Ohio law and "Article 3 Drainage Design Standards" of the Union County Engineer Technical Design Standards. In addition to these standards, it should be noted that agricultural field tiles are for agricultural drainage purposes only and, in general, may not be used as an outlet of any development or stormwater facility except in instances where the field tile is the only available outlet of the site. Field tiles that are discovered or intercepted during construction shall be reconnected or connected into the proposed stormwater conveyance system. Designers preparing plans for development on existing agricultural lands shall, at a minimum, contact the respective County Engineer's Office and local Soil and Water Conservation District or if applicable, the Farm Service Agency to confirm the existence and location of existing tile systems, if any. Any plan information for field tile systems received from these agencies shall be shown on final engineering plans.
- iii) A detailed development plan shall depict site access, including through easement(s), to one or more dedicated and improved public roads. Provisions for future connections to other public roads or adjacent land may be shown, as may apply. In addition, means for safe pedestrian and bicycle access and circulation shall be provided.

525.06F Buildings. The detailed development plan shall specify architecture for all Business Park Uses and residential buildings and shall include at a minimum, the proposed

exterior materials, size, height, roof shape and pitch. Notwithstanding the above, vinyl with 0.044" (nominal) thickness shall be an approved material for residential uses. Buildings shall be designed to be seen from three hundred sixty degrees (360°) and have the same caliber of finish on all elevations. Building additions and accessory structures, whether attached or detached, shall be of similar design, materials, and construction to that of the existing or principal structure. The architectural style and design of buildings shall create harmony and be compatible throughout the site. All materials used to construct buildings within the IPD shall be utilized in such a manner as to be architecturally and aesthetically compatible. Creativity in design is encouraged; however, that creativity shall be consistent with the goals and requirements established for the IPD.

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

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

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

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

vii) For Residential uses, all parking lot areas exclusive of driveways serving garages shall have a maximum light intensity of twenty (20) foot candles and an average light intensity between one half (0.5) foot candle and three (3) foot candles.

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

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

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

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

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

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

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

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

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

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

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

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

1. Ground Mounted Signs – All Business Park Uses shall be permitted one monument sign per street frontage. The setback of such monument signs shall be 10 feet from any right-of-way line. Such signs shall have a maximum height of 8 feet and maximum display area of 64 square feet. All monuments shall be in harmony with the buildings on the site and shall not detract from the appearance of the general neighborhood.

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

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

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

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

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

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

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

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

viii) Temporary Signs, Permit Required

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

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

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

- i) Off-street parking and loading shall be provided for all Non-Residential buildings with adequate provisions for ingress and egress.
- ii) Parking areas may be clustered in larger park fields in order to encourage the smaller the be aggregation and concentration of landscaping and other open space to create.
- iii) The layout of parking areas, service areas and related entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of the area as well as those areas adjacent to the development.
- iv) All service, delivery and loading areas for any use shall be arranged and located to minimize the impacts and view of such uses throughout the development.
- v) Required parking shall apply as set forth in Attachment 4 and may be modified in an approved detailed development plan. Parking requirements may be calculated on a building by building basis or with aggregate considerations, as determined by the Zoning Commission and reflected in the approved detailed development plan.
- vi) Landscape Islands – To reduce the effect of heat absorption and provide improved visual character in off street parking areas landscape islands shall be provided within all parking areas having 10 or more parking spaces in accordance with the following:
 1. Landscape islands shall be a minimum of 8 feet in width and 19 feet in length and shall have a minimum of 2-foot radius at the outside corners.
 2. Islands shall be provided at a rate of 1 island per each 12 parking spaces. Landscape areas located in the corners of parking areas shall count as ½ of a required landscape island.
 3. Within double rows of parking, islands shall be combined end to end and placed at the end of parking rows as a cap or between the sides of parking spaces in a row.
 4. Landscape islands shall be planted with grass and may be planted with trees or shrubs. If trees are provided, minimum size of plant materials at installations shall be as follows:
 - a. Shade Trees: 2" caliper
 - b. Ornamental Trees: 6' height
- vii) Design and Location - All parking and circulation areas shall, at a minimum, be designed to meet the following standards:
 1. Size – All parking spaces shall be a rectangular area not less than 9 feet in width by 18 feet in length with the exception of compact vehicle parking spaces or driveway and/or garage spaces.
 2. Compact Vehicle Parking Spaces – In parking areas where more than 25 parking spaces are required the owner may provide compact vehicle parking spaces in lieu of standard vehicle parking spaces for a maximum of 10 percent of the total number of parking spaces required subject to the following requirements:
 3. Compact vehicle parking spaces shall be a minimum of 8 feet in width and 16 feet in length. Compact vehicle parking spaces shall be clearly marked with an aluminum

sign measuring a minimum of 12 inches by 18 inches and permanently affixed to a building or signpost at the end of each space. Such sign shall be mounted at a minimum of 3 feet and a maximum of 4 feet in height as viewed from the center of the parking space.

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

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

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

viii) Landscape buffer design shall be specified in the detailed development plan with terms for ownership and maintenance. The following landscape buffers shall be required:

1. Within the setback area along Industrial Parkway, in addition to the street trees required in Section 525.06K(vii), additional tree plantings shall be required at a quantity of five (5) trees per one hundred (100) linear feet. Trees may be ornamental, shade or evergreen. Additional features (mounding, fencing, walls etc. or an optional landscape treatment may be presented and approved with the detailed development plan.)
2. Within the setback area along the Houchard Road Extension, in addition to the street trees required in Section 525.06K(vii), additional tree plantings shall be required at a quantity of five (5) trees per one hundred (100) linear feet. Trees may be ornamental, shade or evergreen. In addition to these trees shall be an undulating earthen mound with a minimum height of three (3) feet. Additional features (fencing, walls etc. or an optional landscape treatment may be presented and approved with the detailed development plan.)
3. Within the setback area along the Warner Road, in addition to the street trees required in Section 525.06K(vii), additional tree plantings shall be required at a quantity of three (3) trees per one hundred (100) linear feet. Trees may be ornamental, shade or evergreen trees. In addition to these trees shall be an undulating earthen mound with a minimum height of three (3) feet. Additional features (fencing, walls etc. or an optional landscape treatment may be presented and approved with the detailed development plan.)
4. Adjacent to any property containing an existing residential dwelling, at installation, a fifty (50) foot buffer shall be required to screen the proposed use to a minimum seventy-five percent (75%) year-round opacity with a minimum height of eight (8) feet. Screening may include landscaping, mounding, fencing, walls or any combination thereof in order to achieve the opacity and height requirement. Where necessary to ensure adequate access, roads, driveways, and paths may be permitted within the fifty (50) foot buffer.
 - a. The foregoing notwithstanding, in Subareas Ia, Ib, IIIa, and IIIc, for any property containing an existing residential dwelling and having frontage on Weldon Road, at installation, a one hundred (100) foot buffer shall be required to screen the proposed use to a minimum seventy-five percent (75%) year-round opacity with a minimum height of eight (8) feet. Screening may include landscaping, mounding, fencing, walls or any combination thereof in order to achieve the opacity and height requirement. Where necessary to ensure adequate access, roads, driveways, and paths may be permitted within the one hundred (100) foot buffer.

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

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

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

525.06M Trash and Garbage Control. All trash and garbage for the Business Park Uses shall be stored in container systems (dumpsters or compactors) which are located at the rear of the building or at the side of the building if the side is not oriented towards an existing or planned right-of-way(s) and must be enclosed on all four (4) sides with either a masonry enclosure or wood fencing a minimum of six (6) feet in height.

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

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

525.07 Flood Plains and Environmentally Sensitive Areas

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

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

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

525.08 Open Space and Signature Greenways

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

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

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

Zoning Resolution

Jerome Township, Union County, Ohio

Article 5

Special Zoning Districts

Other Side 10' Multi-Use Path (asphalt)

525.08B. For Business Park Uses, a minimum of 10 percent (10%) of the total gross land area of any development proposed for detailed development plan approval is required for open space. For Residential uses, a minimum of 15 percent (15%) of the total gross land area proposed for detailed development plan approval is required for open space. Open space is intended for common use, preferably and intentionally interconnected with other similar spaces within the IPD or adjacent developments. In accordance with the provisions of Section 525.11, the applicant may request a divergence from the minimum requirements of this Section on the basis that providing said open space would be impractical or that the required open space is provided elsewhere or in another manner, or upon other such similar good showing.

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

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

- (i) Open space, where possible, may be integrated into the overall design of the IPD and shall, absent unique and special circumstances, meet the standards and guidelines contained herein. The types of uses buildings and structures proposed to be permitted in open space shall be specified in the detailed development plan.
- (ii) For the purposes of the IPD, uses may be proposed for active or passive use and may include natural areas and preserves, walkways, pathways/greenways, parks, and/or other recreational areas, public facilities such as public schools, libraries, community centers or private community recreation facilities and clubhouses and amenities associated therewith. Access to all uses shall be specified.
- (iii) In identifying the location of open space, the developer shall consider as priorities existing natural features such as natural woodlands, wetlands, identified species habitat, tree lines, stream and creek corridors, and FEMA-designated 100-year floodplains.
- (iv) Storm water management facilities may be permitted in open space provided such ponds are designed and maintained as natural features that blend into the landscape. A landscape design for each pond or other storm water management facility shall be submitted with the detailed development plan.
- (v) Open space, when practicable, shall be interconnected with open space areas on adjacent parcels, greenbelts and/or landscape buffers, which may be included within the open space.
- (vi) In order to encourage the creation of large areas of contiguous open space, areas that should not be considered as open space include:
 - 1. Required spacing between and around Business Park Uses buildings and parking areas, and
 - 2. Residential lots.

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

(viii) The open space, including any recreational structures ~~De~~.

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

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

525.09 Free Standing Walls and Fences

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

525.09A General Requirements for Walls and Fences.

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

525.09B Prohibited Fence Types.

1. Chain link fences shall not be permitted except for the following instances:
Chain link fences may be used when accessory to outdoor athletic facilities such as tennis courts, basketball courts, baseball or softball diamonds, pickle ball courts, swimming pools, dog parks or other similar outdoor facilities. Chain link installed for such uses must be black coated style and shown on an approved detailed development plan.

2. Chain link fencing shall not be used for Business Park Uses. Decorative, black security fencing (non-chain link) may be used for Business Park Uses, if shown on an approved detailed development plan. (Adopted 10-5-2021, Amd. 12-6-2022)

525.10 Additional Development Standards

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

525.10A Business Park Uses Land Use.

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

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

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

vi) Odors - No use shall be operated so as to produce the continuous, frequent or repetitive emission of odors or odor causing substances in such concentrations as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located. The applicable standards of the Ohio Environmental Protection Agency shall be adhered to. (Adopted 10-5-2021, Amd. 12-6-2022)

525.11 Process For Detailed Development Plan Approval

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

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

525.11B Application.

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

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

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

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

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

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

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

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

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

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

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

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

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

525.12 Fees

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

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

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

525.13 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Floor area, Business Park Uses. A square footage calculation of the floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, display windows and similar areas.

Focused innovation campus. A single location for an organization or company which may include shared facilities, with the aim to actively foster open innovation practices among its residents for its business, industry or other.

Government Services:

General. A facility providing the administration of local, state, or federal government services or functions.

Safety. A facility providing police, fire, or emergency medical services to the surrounding community.

Service. A facility providing government services that includes vehicle and equipment parking and/or service or maintenance yards.

Green Roof. A green roof, or “living roof,” system is an extension of the existing roof which involves a high-quality water proofing and root repellent system, filter cloth, a lightweight growing medium, and plants. Green roofs may be flat or low-slope and serve such purposes as absorbing rainwater, providing insulation, creating a habitat for wildlife, urban agriculture, as well as helping to lower urban air temperatures.

Healthcare Companies, Healthcare Administrative Offices and Business Support Services. See “Office”.

Helipad/Heliports. An aviation accessory devoted to the landing, takeoff and storing of helicopters.

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

Hotel. A building or series of buildings providing accommodations to the traveling public in habitable units for compensation, and includes but is not limited to both short-stay and extended stay facilities. This use includes the provision of related services such as eating and drinking, meeting rooms, and the sale of gifts, and convenience goods.

Information and Technology Uses. Offices and technology for such uses.

Insurance and Financial Services. Offices for such purposes.

Business Park Use. The use of land permitted this IPD and does not include the human inhabitation of a structure or any use incidental or accessory to such inhabitation.

Less-Than-Truckload Shipping. The transportation of small freight or freight that does not require the use of an entire trailer. This shipping method can be used when freight weighs between 150 and 15,000 pounds.

Library, Museum, Gallery. Facilities containing collections of books, manuscripts, and similar materials for study and reading, or exhibiting works of art or objects in one or more of the arts and sciences.

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

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

Manufacturing and Assembly. A facility used for the fabrication, assembly, finishing, packaging or processing of components and/or finished goods.

Nursing and Residential Care Facilities. A home or facility for the reception and care of individuals as defined in ORC 3721.01.

Office.

Call Center. A facility providing customer service or sales requests by telecommunication or other data means.

Flex. A facility including office, research, laboratory, manufacturing, clean assembly, warehousing, or other related activities whose configurations and construction methods allow for easy conversion of interior and exterior space.

General. A facility providing executive, management, administrative, or professional services. This use includes corporate offices, law offices, architectural firms, insurance companies and other executive, management or administrative offices for businesses or corporations. General office uses may include the administration of local, state, or federal government services or functions. This facility does not include medical offices, call centers, or flex offices.

Medical. A facility providing medical, dental, or other health services relating to the diagnosis and treatment of human illnesses, injuries, and physical ailments treated in an office setting. This includes outpatient surgery, rehabilitation, incidental laboratories and other related activities, but does not include overnight patient stays.

Package Delivery or Parcel Delivery. A business, facility or service engaged in the delivery of shipping containers, parcels, high volume, or high value mail as single shipments. The service includes Less-Than-Truckload Shipping carriers.

Parking Structure. A facility used for vehicle parking and where there are a number of floors or levels on which parking takes place, either freestanding or integrated into a building.

Parking Structure, Accessory. A structure that contains parking provided to comply with minimum off-street parking requirements in this chapter for a principal use of the property or a

designated nearby property, and that is provided exclusively to serve occupants of or visitors to a principal and/or accessory use.

Personal, Repair & Rental Services. A facility or establishment that provides services associated with personal grooming, personal instruction or education, the maintenance of fitness, health and well-being, or the rental, servicing, maintenance, or repair of consumer goods. This use includes but is not limited to yoga centers, beauty salons, barbers and hairdressers, meditation centers, massage centers, dry cleaning shops, tailors, shoe repair, and electronics repair shops. This facility does not include motor vehicle, recreational vehicle, or heavy equipment repair or rental.

Public Service Facility. A government regulated public building, power plant, substation, water treatment plant or pump station, sewage disposal plant or pump station, electrical, gas, water and sewerage service and other similar public service structure or facility whether publicly or privately owned; but excluding sanitary landfills and incinerators.

Public Use. A public school, park, administrative, cultural or recreational building, excluding a Public Services Facility.

Renewable Wind and Solar Equipment. Equipment for the collection of wind or solar energy or its conversion to electrical energy or heat for use on the same property or for incidental sale to a utility when that equipment is accessory to a permitted or approved conditional use of the property. Includes both building mounted and ground mounted units. Ground mounted units have a foundation and are not dependent on a building for structural support.

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

Research and Development. A facility or area for conducting scientific research, synthesis, analysis, investigation, testing, or experimentation, and including the fabrication of prototypes, assembly, mixing and preparation of equipment and components incidental or necessary to the conduct of such activities.

Retail, General / Services Retail, General. A facility or area for the retail sale of general merchandise or food to the general public for direct use and not for wholesale. This use includes but is not limited to sale of general merchandise, clothing and other apparel, flowers and household plants, dry goods, convenience and specialty foods, hardware and similar consumer goods.

Residential Use. For purposes of this IPD, any permitted use of land where a dwelling has been constructed with the intent of human habitation of that structure. Residential Use Structures may be Single-Family, Two-Family and/or Multi-Family Housing. Residential Uses also include the uses expressly set forth in this IPD that are incidental to or accessory to the human habitation of a structure.

Dwelling, Detached Single-Family. Detached, individual dwelling units, which accommodate one family, as defined herein, living as one housekeeping unit. The type of construction of such units shall conform to the Residential Code of Ohio, or be classified as an

Industrialized Unit under the Ohio Building Code, or conform to the definition of permanently-sited manufactured home as provided for in ORC 519.212.

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

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

Open Space. Land that shall not be built upon (not including fencing or approved structures/improvements/amenities) and may be classified as either "Common Open Space" or "Natural Green Space" (as herein defined), or a combination of both. It does not include the areas of individual fee simple lots conveyed to homeowners, except where a setback includes a buffer. Open space land shall be owned by a Landowner, Homeowner, Condominium, and/or Planned Community Association.

Vehicle Charging Station. A public or private parking space(s) served by battery charging station equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device in an electric vehicle. Electric vehicle charging station includes battery charging stations. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as a as an accessory use to any principal use.

Warehouse/Warehousing, Wholesale and Distribution Facility. A facility that houses a business that primarily stores, sells, and distributes large quantities of goods or commodities to customers throughout a regional territory. (Adopted 10-5-2021, Amd. 12-6-2022)

Attachment 4 - Required Parking Spaces by Use

Proposed Land Use	Required Minimum Parking Spaces
Single-Family Residential	2 per dwelling unit
All other Residential	2 per dwelling unit
Hotels, Motels, Lodges (without Public meeting facilities)	1 per rental unit plus 1 per employee on the largest shift plus 1 for each 4 seats in the dining room or restaurant area.
Hotels	1 per rental unit plus 1 per each 75 square feet of floor area used for public meeting or assembly purposes plus one per each 4 seats in any restaurant therein.
Public Meeting, Exhibition Halls, and private assembly areas (except churches)	1 for each 3 seats or 1 for each 45 square feet of assembly area, whichever is greater.
Churches or places of public assembly	1 for each 3 seats or 1 for each 45 square feet of assembly area, whichever is greater.
Clinics	1 ½ for each bed or exam room plus 1 for each employee on the largest shift
Nursing Homes	1 for each 2 beds plus 1 for each employee on the largest shift
Museums, libraries, etc.	1 for each 400 square feet of floor area open to public plus 1 for each employee on the largest shift
Child care services (not including home occupations)	1 space for each employee on the largest shift plus 1 space for each 5 children.
Primary or elementary schools	4 for each classroom
Secondary schools, colleges, trade schools, etc.	4 for each classroom plus 1 for each 4 students
Restaurants - fast food with drive thru	1 for each 3 seats plus 1 for each employee on the largest shift.
Restaurants – sit down with no drive thru	1 per each 2 seats plus 1 for each employee on the largest shift
Professional and business offices and multi-tenant offices	1 for each 300 square feet of floor area
Research and testing offices	1 per each 350 square feet of floor area
Funeral Homes	1 for each 25 square feet of floor area open to the public
Retail Stores	1 per 250 square feet of floor area
Personal care services	2 spaces per each Barber, Beautician, or Technician.
Fitness centers	1 per each 175 square feet of floor area
All industrial warehousing	20 plus 1 for each 2 employees plus 1 for each vehicle maintained on the premises.
Industrial manufacturing	1 space for every employee on the maximum shift plus 1 per each 10,000 square feet of floor area.
Golf courses	6 per hole

Zoning Resolution

Jerome Township, Union County, Ohio

Article 5

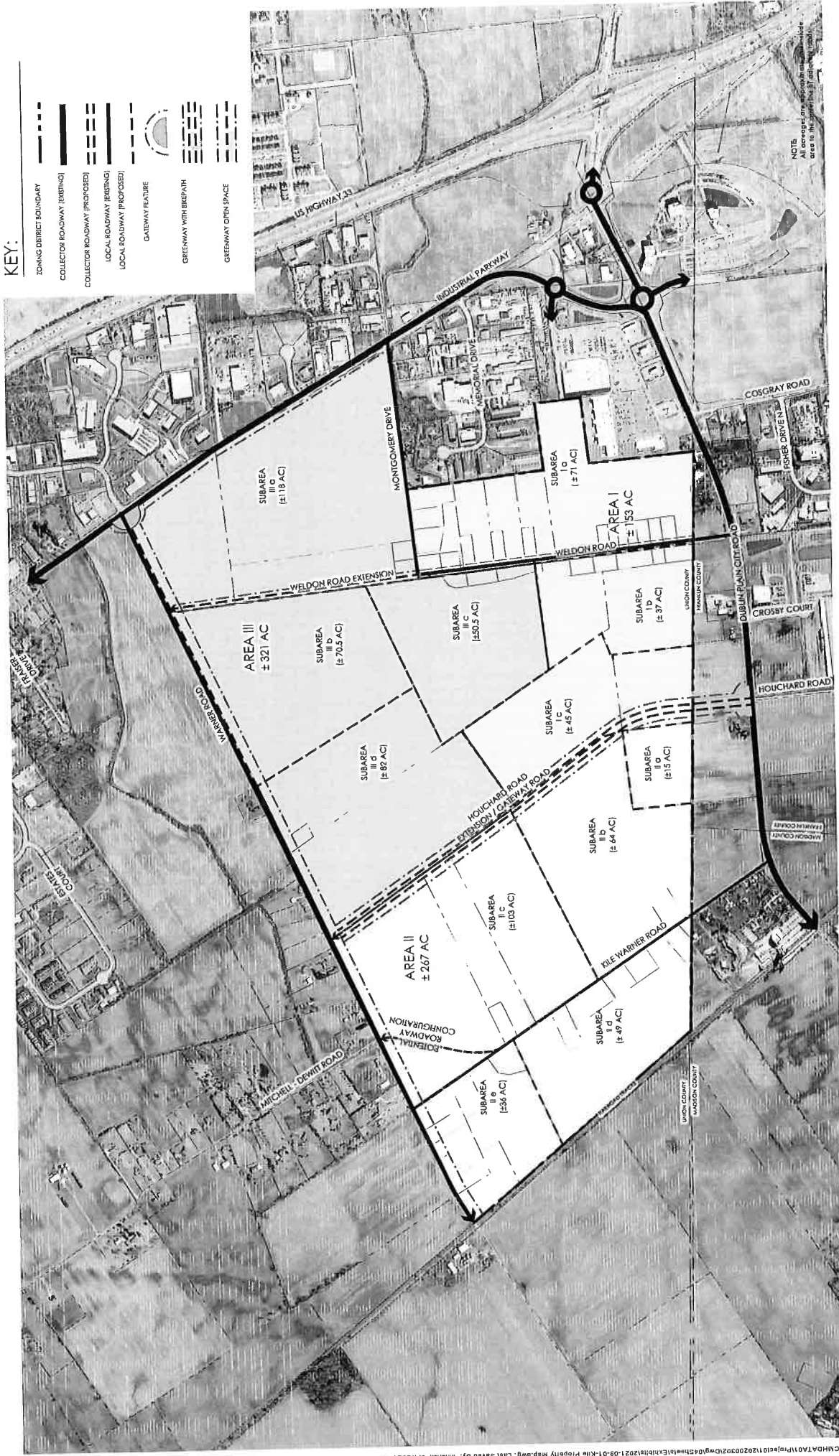
Special Zoning Districts

Athletic fields	12 spaces per field
Miniature golf	2 spaces per hole
Tennis courts / Clubs	4 spaces per court
Bowling alleys	3 spaces per lane
Driving range	1.5 spaces per tee
Riding stables	1 space per stall
Spectator sports	1 space per each 2 seats
Recreational camp	1 space per each 2 campers plus 1 space per counselor or staff
Picnic grounds	2 spaces per each picnic table plus 10 spaces per each open shelter

(b) The parking space requirements for any use not specifically mentioned in Attachment 4 shall match those required for uses of a similar nature provided in Attachment 4.
(Adopted 10-5-2021, Amd. 12-6-2022)

KEY:

- ZONING DISTRICT BOUNDARY
- COLLECTOR ROADWAY (EXISTING)
- COLLECTOR ROADWAY (PROPOSED)
- LOCAL ROADWAY (EXISTING)
- LOCAL ROADWAY (PROPOSED)
- GATEWAY FEATURE
- GREENWAY WITH BIKEPATH
- GREENWAY OPEN SPACE



**INNOVATION
PLANNED DEVELOPMENT DISTRICT MAP**
JEROME TOWNSHIP
UNION COUNTY, OHIO

AUGUST 30, 2021



Innovation Planned Development District Uses

The following table identifies permitted and conditional uses within the Areas and Subareas, IA, IB, IC, II-A, II-B, II-C, II-D, II-E, III-A, III-B, III-C, III-D identified on the Innovation Planned Development District Map. In all cases, blank spaces or uses not included indicate that the uses are not permitted.

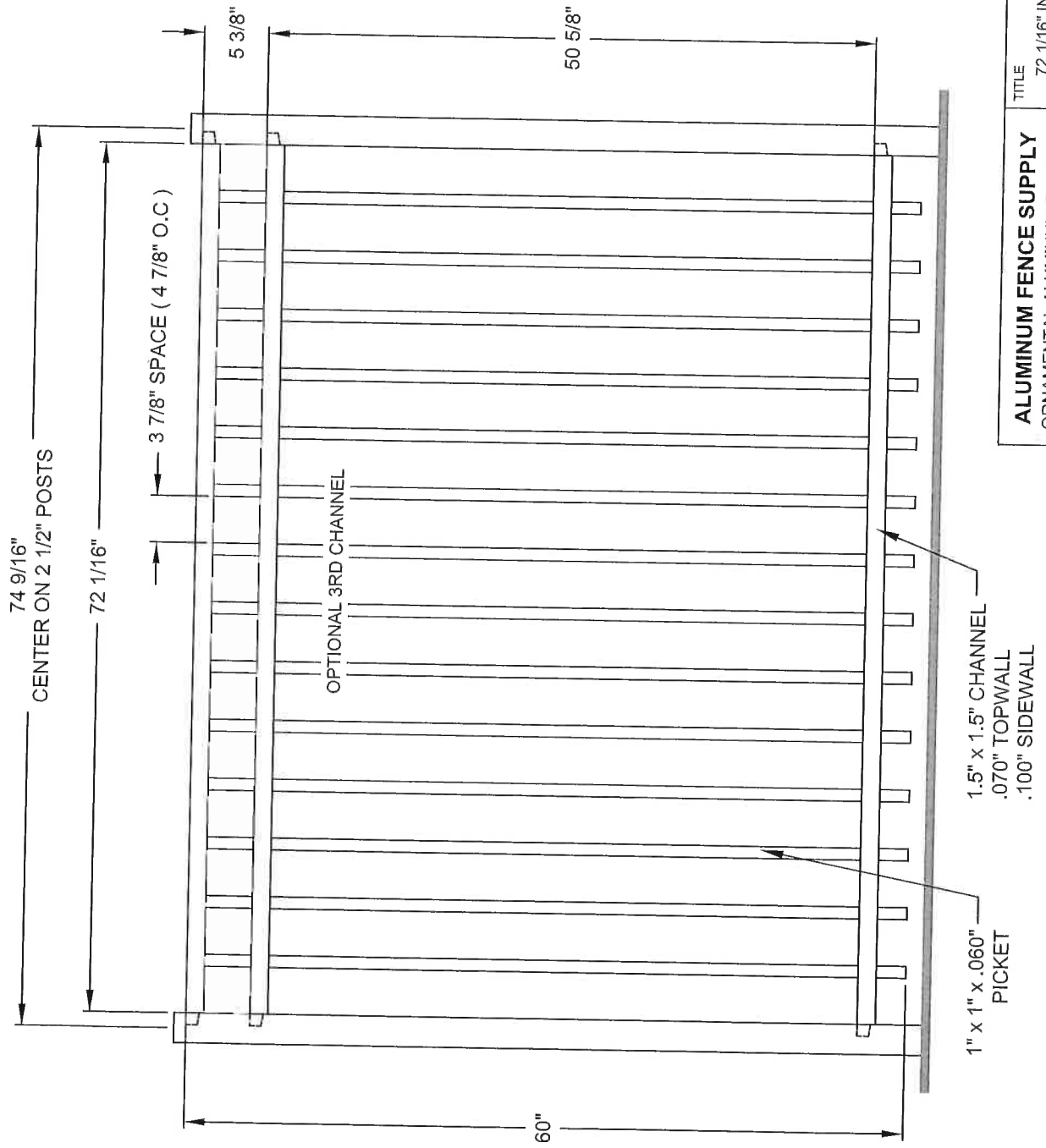
	Area I			Area II				Area III				
	I-A	I-B	I-C	II-A	II-B	II-C	II-D	II-E	III-A	III-B	III-C	III-D
A. Principal Business Park Uses												
1 Adult Care Facilities												
2 Advanced Manufacturing; Clean Manufacturing; Manufacturing and Assembly	P	P	P	P	P	P	P					
3 Ambulatory Healthcare Services	P	P	P	P	P	P	P		P	P	P	P
4 Conference Center	P	P	P	P	P	P	P		P	P	P	P
5 Corporate Headquarters / R&D	P	P	P	P	P	P	P		P	P	P	P
6 Data Center	P	P	P	P	P	P	P		P	P	P	P
7 Eating and Drinking Establishments			P	P	P	P	P		P	P	P	P
8 Educational Facilities		P	P	P	P	P	P		P	P	P	P
9 Entertainment / Recreation Outdoor / Recreation Indoor	P	P	P	P	P	P	P		P	P	P	P
10 Exercise and Fitness	P	P	P	P	P	P	P		P	P	P	P
11 Focused Innovation Campus	P	P	P	P	P	P	P					
12 Government Services - Safety	P	P	P	P	P	P	P		P	P	P	P
13 Health Care Companies and Education	P	P	P	P	P	P	P		P	P	P	P
14 Healthcare Administrative and Support Services	P	P	P	P	P	P	P		P	P	P	P
15 Hotel			P	P	P	P	P		P	P	P	P
16 Information and Technology Uses			P	P	P	P	P					
17 Insurance and Financial Services	P	P	P	P	P	P	P		P	P	P	P
18 Library, Museum, or Gallery	P	P	P	P	P	P	P		P	P	P	P
19 Nursing and Residential Care Facilities			P	P	P	P	P					
20 Office - Call Centers	P	P	P	P	P	P	P				P	P
21 Office - Flex	P	P	P	P	P	P	P		P	P	P	P
22 Office - Medical	P	P	P	P	P	P	P		P	P	P	P
23 Offices - General	P	P	P	P	P	P	P		P	P	P	P
24 Parking Structures	P	P	P	P	P	P	P		P	P	P	P
25 Parks and Open Space	C	C	C	C	C	C	C		C	C	C	C
26 Personal Services, Repair and Rental	P	P	P	P	P	P	P		P	P	P	P
27 Public Service Facilities	C	C	C	C	C	C	C		C	C	C	C
28 Public Use	P	P	P	P	P	P	P		P	P	P	P
29 Renewable Wind and Solar Equipment	P	P	P	P	P	P	P		P	P	P	P
30 Research and Development; Research Activities	C	C	C	C	C	C	C		C	C	C	C
31 Retail, General / Services Retail, General	P	P	P	P	P	P	P		P	P	P	P
32 Services for Elderly and Disabilities	P	P	P	P	P	P	P					
33 Renewable Energy Facility	P	P	P	P	P	P	P		P	P	P	P
34 Wireless Communications	C	C	C	C	C	C	C		C	C	C	C
35 Vehicle Charging Stations	P	P	P	P	P	P	P		C	C	C	C
36 Warehousing	P	P	P	P	P	P	P		P	P	P	P
B. Accessory Business Park Uses												
37 Bicycle Facilities												
38 Child Day Care	P	P	P	P	P	P	P					
39 Corporate Residences	P	P	P	P	P	P	P		P	P	P	P
40 Drive-In / Drive-Thru (for Eating and Drinking)	C	C	C	C	C	C	C		P	P	P	P
41 Eating and Drinking, Accessory			P	P	P	P	P					
42 Library, Museum, or Gallery	P	P	P	P	P	P	P		P	P	P	P
43 Helipad / Heliport	P	P	P	P	P	P	P		P	P	P	P
44 Outdoor Display/ Seasonal Sales	C	C	C	C	C	C	C		C	C	C	C
45 Entertainment / Recreation Outdoor / Recreation Indoor	C	C	C	C	C	C	C		C	C	C	C
46 Temporary Construction Trailer / Office	P	P	P	P	P	P	P		P	P	P	P
47 Vehicle Charging Stations	P	P	P	P	P	P	P		P	P	P	P
48 Warehousing	C	C	C	C	C	C	C		P	P	P	P
49 Wholesaling and Distribution Showroom	P	P	P	P	P	P	P		P	P	P	P
A. Principal Residential Uses												
50 Dwelling, Multi-Family												
51 Dwelling, Detached Single-Family												
52 Dwelling, Two-Family												
B. Accessory Residential Uses												
53 Rental or Sales Office												
54 Clubhouse*, Recreation and Entertainment Facilities			P		P		P					
55 Home Occupation			P		P		P					
56 Sheds			P		P		P					
57 Play Structures			P		P		P					
58 Pools and Pool Fencing			P		P		P					
59 Private Garages			P		P		P					
60 Exercise and Fitness Facilities*			P		P		P					
61 Model Homes			P		P		P					
62 Mail / Trash Collection Facilities			P		P		P					
63 Bicycle Storage Facilities*			P		P		P					
64 Temporary Construction Trailer / Office			P		P		P					

*Not an Accessory use for any individual Detached Housing dwelling unit or lot. ** Residential Uses prohibited for parcel ID 1500300130000.
 P - Permitted
 C - Conditional

Attachment 3		AREA I				AREA II				AREA III			
SUBAREA		I-A	I-B	I-C	II-A	II-B	II-C	II-D	II-E	III-A	III-B	III-C	III-D
SETBACKS - Note: Streets are permitted within setbacks.													
Industrial Parkway Setback (Building & Parking)		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	50' from ROW	N/A	N/A	N/A
Warner Road Setback (Building & Parking)		N/A	N/A	N/A	N/A	N/A	50' from ROW	N/A	50' from ROW	50' from ROW	50' from ROW	N/A	50' from ROW
Kile Road Setback (Building & Parking)		N/A	N/A	N/A	N/A	50' from ROW	50' from ROW	N/A	50' from ROW	N/A	N/A	N/A	N/A
Weldon Road Setback (Building & Parking)		50' from ROW	50' from ROW	N/A	N/A	N/A	N/A	N/A	N/A	50' from ROW	50' from ROW	50' from ROW	N/A
Houchard Road Setback (Building and Parking)		N/A	N/A	50' from ROW	50' from ROW	50' from ROW	50' from ROW	N/A	N/A	N/A	N/A	N/A	50' from ROW
Perimeter Building and Parking Setback Adjacent to Existing Residential Use, not including streets or drives, aisles		30'	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'	30'
Perimeter Building and Parking Setback Adjacent to Existing Non-Residential or Undeveloped Property (not including streets or drive aisles)		20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'
Internal Public Roads (Building and Parking)		20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'	20'
Minimum Building Separation		10'	10'	10'	10'	10'	10'	10'	10'	10'	10'	10'	10'
BUSINESS PARK USES													
Minimum Lot Size (Acres)		10	10	10	10	10	10	10	N/A	10	10	10	10
Minimum Lot Width		100'	100'	100'	100'	100'	100'	100'	N/A	100'	100'	100'	100'
Minimum Front Yard Setback (Building & Parking)		30'	30'	30'	30'	30'	30'	30'	N/A	30'	30'	30'	30'
Minimum Side Yard Setback (Building & Parking)		10'	10'	10'	10'	10'	10'	10'	N/A	10'	10'	10'	10'
Minimum Rear Yard Setback (Building & Parking)		25'	25'	25'	25'	25'	25'	25'	N/A	25'	25'	25'	25'
Maximum Gross Floor Area (square feet)		300,000	300,000	300,000	300,000	300,000	300,000	300,000	N/A	300,000	300,000	300,000	300,000
TWO FAMILY/MULTI-FAMILY RESIDENTIAL STANDARDS * and **													
Minimum Lot Width (at Front Setback)		N/A	N/A	15'	N/A	15'	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Front Yard Setback (From ROW or Edge of Pavement)		N/A	N/A	20'	N/A	20'	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Side Yard Setback (per side)**		N/A	N/A	5' or zero	N/A	5' or zero	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Rear Yard Setback (or Perimeter setback if greater)		N/A	N/A	10'	N/A	10'	N/A	N/A	N/A	N/A	N/A	N/A	N/A
SINGLE FAMILY HOUSING LOT STANDARDS													
Minimum Lot Width (at Front Setback)		N/A	N/A	40'	N/A	40'	N/A	40'	N/A	N/A	N/A	N/A	N/A
Minimum Front Yard Setback		N/A	N/A	20'	N/A	20'	N/A	20'	N/A	N/A	N/A	N/A	N/A
Minimum Side Yard Setback (per side)*		N/A	N/A	5'	N/A	5'	N/A	5'	N/A	N/A	N/A	N/A	N/A
Minimum Rear Yard Setback (or Perimeter setback if greater)		N/A	N/A	20'	N/A	20'	N/A	20'	N/A	N/A	N/A	N/A	N/A

* may allow up to 2 feet of encroachments for eaves, mansard roofs, bay windows

** Two Family and Multi-Family Dwelling Units may have zero internal side yard setbacks.



ALUMINUM FENCE SUPPLY
ORNAMENTAL ALUMINUM FENCING

TITLE
72 1/16" INDUSTRIAL SERIES-A 60"

DATE: 6/5/13	SCALE: NTS	DRAWING NO	SHEET	REV
DRAWN BY: —	CHKD BY: —	A-16A603S	XX	—

Chapter 600 – General Regulation of the Arrangement and Development of Land and Structures

600.001 Applicability

Regulations are hereby established and adopted pertaining generally and uniformly to the arrangement of land and structures. It is the purpose of these development standards to set forth certain rules to be adhered to regardless of the type or classification of development. If a conflict arises between these standards and the more specific standards prescribed in any individual zoning district then the specific provisions of the zoning district shall prevail. The standards set forth herein are to be considered minimum standards to be augmented by standards set forth elsewhere in this Resolution or prescribed or agreed to by the land owner in any zoning amendment, approved conditional use permit or approved variance. (Amd. 10-20-2020, 6-15-2021)

600.01 Supplemental Yard and Height Regulations

In addition to all yard and setback regulations specified in Article 4, provided for within an approved Planned Development District, and provided for in other sections of this Resolution, the provisions of Section 600.02-600.04, inclusive, shall be used for interpretation and clarification. (Adopted 6-15-2021)

600.02 Special Requirements for Front Yard Setbacks

The following regulations shall be used for interpretation and clarification of front yard setbacks on lots with the following special circumstances:

- a) In the case of through lots a front yard of the required depth shall be provided on all road frontages.
- b) In the case of corner lots, a front yard of the required depth shall be provided on both road frontages.
- c) In the case of existing flag lots, the front yard setback shall be measured from the front property line established where the lot widens to the normal required lot width.
- d) With the exception of existing flag lots, all required front yard setbacks shall be measured from the right-of-way of the public road on which the property fronts. Where a right-of-way has not been established, the front yard setback shall be measured from the assumed right-of-way based upon the Functional Roadway Classification as defined by the County Engineer. Where no right-of-way has been established, the front yard setback shall be measured from the centerline of the existing road and shall include the required front yard setback as established in this Zoning Resolution, plus half of the distance of the assumed right-of-way as detailed in the following chart:

Table 600.02.1 Assumed Right-of-Way Width		
Road / Street Classification	Total assumed Right-of-Way	Distance from the centerline to the assumed Right-of-Way Line
Local Road	60 feet	30 feet
Minor Collector Road	80 feet	40 feet

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

Major Collector Road	100 feet	50 feet
Minor Arterial Road	120 feet	60 feet

(Adopted 6-15-2021)

600.03 Visibility at Intersections

a) On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between the height of two and one-half (2 ½) and ten (10) feet above the centerline grades of the intersecting roads in the area bounded by the right-of-way lines of such corner lots and a line joining points along said right-of-way lines thirty (30) feet from the point of intersection.

b) Wherever an alley intersects a public roadway, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between the height of two and one-half (2 ½) and ten (10) feet above the centerline grades of the intersecting road and alley in the area bounded by the right-of-way lines of such lot and a line joining points along said right-of-way lines ten (10) feet from the point of intersection. (Adopted 6-15-2021, Amd. 12-21-2021)

600.04 Architectural Projections

a) The space in any required yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, eaves, chimneys, and other similar architectural features; however, such features shall not project more than two (2) feet into any required yard.

b) Open structures such as porches, canopies, balconies, attached decks and platforms, attached carports, covered or roofed patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard setback.

c) Accessible Ramps. A ramp or similar structure designed to provide a continuous ADA accessible or barrier free route to the front entrance of a building may be permitted in a required front yard setback. Such ramp or similar structure shall have the least encroachment into a required front yard setback necessary to meet the minimum State or Federal design requirements for that specific facility. (Adopted 6-15-2021)

600.05 General Height Regulations

a) Except as provided for elsewhere in this Resolution, the height regulations for any zoning district, as provided for in Article 4, provided within an approved Planned Development District, or as otherwise provided for by this Resolution do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

b) Whenever there exists a residential zoning district or any area within a Planned Development District where single-family dwellings or two-family dwellings are permitted uses for which no other maximum height is prescribed by this Resolution, the maximum height for buildings and structures shall be thirty-five (35) feet.

c) Wherever there exists a non-residential zoning district or any area within a Planned

Development District which permits uses other than single-family dwellings and two-family dwellings for which no other maximum height is prescribed by this Resolution, the maximum height for buildings and structures shall be fifty (50) feet. (Adopted 6-15-2021)

600.06 General Regulations for Outdoor Storage

- a) The accumulation or storage of junk, inoperable vehicles, disabled or inoperative machinery or equipment, vehicles or machinery parts, rags, or any other discarded objects or debris defined as junk by this Resolution shall be prohibited on the exterior areas of any lot, outside of an approved junk yard as provided herein.
- b) The accumulation or storage of building supplies, steel supplies, coal, industrial machinery or equipment, and similar goods shall be prohibited on the exterior areas of any lot except within an approved supply yard or outdoor storage area. Such yards and areas shall be screened in accordance with the applicable provisions of the zoning district, or of Chapter 620.
- c) Unless otherwise provided for by this Resolution, no exterior storage in conjunction with a permitted junk yard, supply yard, or other outdoor storage, shall be conducted within the front, side, or rear yard setback of the zoning district.
- d) Unless otherwise provided for by this Resolution, outdoor storage areas shall only be permitted as an accessory use in the Commerce District. Nothing in this Section shall be interpreted as permitting any junk yard, supply yard, or similar use on any lot except where specifically provided for by the applicable regulations of the zoning district. (Adopted 12-21-2021)

600.07 General Regulations for Temporary Buildings and Structures

The use of a mobile home, recreational vehicle, boat, tractor trailer, box car, or other similar type trailer, portable building, container or portable storage unit, or similar structure shall not be permitted as a dwelling unit, office or business structure, storage building or sign structure except as may otherwise be provided for in Chapter 640 or elsewhere by this Resolution. (Adopted 12-21-2021)

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

This page intentionally left blank.

Chapter 605 – Agriculture

605.001 Agriculture Defined

For the purposes of this Resolution the definition of agriculture shall be that prescribed by Section 519.01 of the Ohio Revised Code. As used herein, agriculture generally includes farming; ranching; algaculture meaning the farming of algae; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; and the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production. (Amd. 10-20-2020)

605.01 Agriculture Exempted Herein

Agriculture shall not be prohibited on lots greater than five acres. The use of any land for agricultural purposes or the construction or use of building or structure incidental to the use for agricultural purposes of the land on which such buildings or structures are located shall not be prohibited on lots greater than five (5) acres and no zoning certificate shall be required for any such building or structure. (Ohio Revised Code 519.21) (Amd. 10-20-2020)

605.02 Agriculture Subject to Regulation

In any platted subdivision approved under Section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate:, agriculture shall be regulated as follows:

1. Agriculture is prohibited on lots of one (1) acre or less. This does not prohibit gardening related to a residence.
2. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one (1) acre but not greater than five (5) acres shall conform to setbacks, size and height requirements for the zoning district.
3. Dairying and animal and poultry husbandry are permitted on lots greater than 1 acre but not greater than 5 acres until 35% of the lots in the subdivision are developed with at least 1 building, structure or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under Section 4503.06 of the Ohio Revised Code. After 35% of the lots in the subdivision are so developed, ongoing dairying and animal and poultry husbandry shall be considered a non-conforming use pursuant to Section 519.19 of the Ohio Revised Code. No new dairying, animal or poultry husbandry shall commence on such lots after 35% of the lots are developed with structures. (Amd. 10-20-2020)

605.03 Farm Markets

In accordance with Section 519.21 of the Ohio Revised Code farm markets which derive at least fifty percent (50%) of their gross income from produce raised on farms owned or

operated by the market owner in a normal crop year shall be permitted in any zoning district, subject to the following regulations:

1. Buildings less than one hundred and forty-four (144) square feet of floor area shall be placed at least fifteen (15) feet outside the road right-of-way so as to safely allow for adequate customer off street parking. Seasonal farm markets may use grassed areas for parking. Permanent farm markets shall provide paved or graveled parking.
2. For buildings larger than one hundred and forty-four (144) square feet of floor area, off-street parking shall be provided at the ratio of 1 parking space for each 250 square feet of farm market. Seasonal parking may be grassed areas, but permanent parking shall be graveled or paved and provided egress in accordance with the recommendation of the County Engineer. Setbacks shall be the same as for any structure in the underlying zoning district. (Amd. 6-15-2021)

605.04 Agritourism

In accordance with 519.21 of the Ohio Revised Code, agritourism uses shall be a permitted use in all zoning districts. However, in order to protect the public health and safety, the following additional regulations shall apply:

1. A farm on which an agritourism operation is proposed shall be ten (10) acres or more in area. If such farm is less than ten (10) acres, evidence shall be provided that such farm is currently enrolled in the Current Agricultural Use Value (CAUV) program or produces an average yearly gross income of at least twenty-five hundred dollars (\$2,500) from agricultural production.
2. All buildings, structures and parking areas utilized primarily for agritourism shall adhere to the minimum front, side, and rear yard setbacks established for the zoning district in which it is located.
3. The maximum height for buildings and structures utilized primarily for agritourism shall not exceed the maximum height of the zoning district.
4. All buildings utilized primarily for agritourism shall not exceed the maximum lot coverage requirements established for the zoning district in which it is located.
5. All parking demands shall be met by off-street parking areas located on the lot.
6. Safe and adequate ingress and egress shall be maintained at all times and appropriate arrangements for emergency access shall be provided.
7. In addition to the requirements of Chapter 220, and in order to determine compliance with any of the provisions of this Section, the Zoning Inspector may require such additional information as may be necessary. That shall include, but not be limited to estimates of peak parking demand, information related to proposed hours and seasons of operations, and evidence of compliance with the regulations and recommendations of other relevant public agencies, as applicable. (Adopted 6-15-2021)

Chapter 610 – Off-Street Parking and Loading

610.001 Off-Street Parking and Loading Generally

Wherever off-street vehicular parking areas are to be provided as required by the provisions of this Zoning Resolution the requirements of the zoning districts and the following standards shall apply.

610.01 Application

1. The off-street parking and loading requirements of this Resolution shall apply to the following:
 - a) All new buildings and uses constructed after the effective date of this Resolution.
 - b) Whenever a use, existing prior to the effective date of this Resolution, is changed or enlarged in floor area, seating capacity, or otherwise, to create a need for an increase of 10 percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a use, existing prior to the effective date of this Resolution, is enlarged to the extent of 50 percent or more in floor area, said use shall then and thereafter comply with all of the parking requirements set forth herein.
2. Whenever the number of off-street parking spaces required is to be determined from the floor area of a specified use, it shall mean the floor area of such use as defined in Chapter 300.
3. Whenever the calculations regarding the requirement for off street parking spaces yield a fractional number the required number of parking spaces shall be increased to the next whole number. (Amd. 10-20-2020)

610.02 Required Off-Street Parking Spaces

(a) The user of any lot or tract shall provide off-street parking for all residents, employees, customers, visitors, and invitees. The following table shall specify the minimum number of parking spaces to be provided:

Table 610.02 – Required Parking Spaces by Use

Proposed Land Use	Required Parking Spaces
Single-family Dwelling	2 per dwelling unit
All other residential	2 per dwelling unit
Hotels, Motels, Lodges (without Public meeting facilities)	1 per rental unit plus 1 per employee on the largest shift plus 1 for each 4 seats in the dining room or restaurant area.
Hotels, Motels, Lodges (with public meeting facilities)	1 per rental unit plus 1 per each 75 square feet of floor area used for public meeting or assembly purposes plus one per each 4 seats in any restaurant therein.
Public Meeting, Exhibition Halls, and private assembly areas (except churches)	1 for each 3 seats or 1 for each 45 square feet of assembly area whichever is greater.
Churches or places of public assembly	1 for each 3 seats or 1 for each 45 square feet of assembly area whichever is greater.

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

Hospitals and clinics	1 ½ for each bed or exam room plus 1 for each employee on the largest shift
Nursing Homes	1 for each 2 beds plus 1 for each employee on the largest shift
Museums, libraries, etc.	1 for each 400 square feet of floor area open to public plus 1 for each employee on the largest shift
Child care services (not including home occupations)	1 space for each employee on the largest shift plus 1 space for each 5 children.
Primary or elementary schools	4 for each classroom
Secondary schools, colleges, trade schools, etc.	4 for each classroom plus 1 for each 4 students
Restaurants - fast food with drive thru	1 for each 3 seats plus 1 for each employee on the largest shift.
Restaurants – sit down with no drive thru	1 per each 2 seats plus 1 for each employee on the largest shift
Professional and business offices and multi-tenant offices	1 for each 300 square feet of floor area
Research and testing offices	1 per each 350 square feet of floor area
Funeral Homes	1 for each 25 square feet of floor area open to the public
Retail Stores	1 per 250 square feet of floor area
Personal care services	2 spaces per each Barber, Beautician, or Technician.
Fitness centers	1 per each 175 square feet of floor area
All industrial warehousing	20 plus 1 for each 2 employees plus 1 for each vehicle maintained on the premises.
Industrial manufacturing	1 space for every employee on the maximum shift plus 1 per each 10,000 square feet of floor area.
Golf courses	6 per hole
Athletic fields	12 spaces per field
Miniature golf	2 spaces per hole
Tennis courts / Clubs	4 spaces per court
Bowling alleys	3 spaces per lane
Driving range	1.5 spaces per tee
Riding stables	1 space per stall
Spectator sports	1 space per each 2 seats
Recreational camp	1 space per each 2 campers plus 1 space per counselor or staff

Picnic grounds	2 spaces per each picnic table plus 10 spaces per each open shelter
----------------	---

(b) The parking space requirements for any use not specifically mentioned in Table 610.02 shall match those required for uses of a similar nature provided in Table 610.02. (Amd. 10-20-2020)

610.03 Design and Location

All parking and circulation areas shall, at a minimum, be designed to meet the following standards:

1. **Size** – All parking spaces shall be a rectangular area not less than 9 feet in width by 19 feet in length with the exception of compact vehicle parking spaces.
2. **Compact Vehicle Parking Spaces** – In parking areas where more than 25 parking spaces are required the owner may provide compact vehicle parking spaces in lieu of standard vehicle parking spaces for a maximum of 10 percent of the total number of parking spaces required subject to the following requirements:
 - a) Compact vehicle parking spaces shall be a minimum of 8 feet in width and 16 feet in length.
 - b) Compact vehicle parking spaces shall be clearly marked with an aluminum sign measuring a minimum of 12 inches by 18 inches and permanently affixed to a building or sign post at the end of each space. Such sign shall be mounted at a minimum of 3 feet and a maximum of 4 feet in height as viewed from the center of the parking space.
3. **Location** – Required off-street parking facilities shall be located on the same lot as the structure or use served, except where joint or combined parking areas are permitted elsewhere by this Resolution.
4. **Joint or Combined Parking Area** – Joint or combined parking areas are defined as a condition where two or more abutting lots or outlots, or individual tenants in a multi-tenant retail center, share areas of parking and circulation. Where joint or combined parking between lots or uses is permitted a cross access agreement / easement shall be executed and recorded between the individual lots. Joint or combined parking areas shall be permitted in any non-residential zoning district, and in such circumstances, the setbacks from side and rear lot lines for parking areas and circulation aisles shall not apply to lot lines common to both lots and provided for in the agreements noted above. (Amd. 12-21-2021, 12-6-2022)
5. **Construction** – All parking and loading spaces, together with driveways, aisles, and other circulation areas shall be improved with such material as to provide a durable and dust-free surface.
 - a) Exception: A gravel driveway may be permitted in the AG, RU, and LDR Districts in conjunction with a single-family dwelling or a two-family dwelling, provided the area of the lot is greater than 1.5 acres. In such circumstances, pavement as required above shall be required for a distance of at least 50 feet from the right-of-way line. This exception shall not apply whenever two or more lots have a common access drive in accordance with this Section. (Amd. 10-20-2020, 12-21-2021)

6. **Striping** – All parking spaces for uses other than single-family dwellings and two-family dwellings shall be clearly marked and striped. (Amd. 12-21-2021)
7. **Curb or Wheel Stops** - For uses other than single-family dwellings and two-family dwellings, continuous curbs or wheel stops shall be provided in all parking areas, where adjacent to landscape areas, to prevent vehicles from driving into the landscape areas. Wheel stops, if provided, shall be made of concrete, cut stone, recycled rubber or polymer in white, black or grey, or other similar material and maintained in good condition. (Amd. 12-21-2021)
8. **Landscape Islands and Parking Area Trees** – To reduce the effect of heat absorption and provide improved visual character in off street parking areas landscape islands shall be provided within all parking areas having 10 or more parking spaces in accordance with the following:
 - a) Landscape islands shall be a minimum of 8 feet in width and 19 feet in length and shall have a minimum of 2 foot radius at the outside corners.
 - b) Islands shall be provided at a rate of 1 island per each 10 parking spaces. Landscape areas located in the corners of parking areas shall count as ½ of a required landscape island.
 - c) Within double rows of parking, islands shall be combined end to end and placed at the end of parking rows as a cap or between the sides of parking spaces in a row.
 - d) Landscape islands shall be planted with trees or shrubs in accordance with the following standards:
 - (i) Parking Area Trees – Deciduous shade trees shall be provided at a rate of 1 tree for every 20 spaces for uses is commercial zoning districts, and 1 tree for every 10 spaces for all other uses. Said trees must be installed at the center of any required landscape island.
 - (ii) Whenever no deciduous tree is proposed for a required landscape island, at least 4 shrubs shall be planted per island. (Amd. 10-20-2020, 12-21-2021)
9. **Headlight Screening** – Wherever parking areas or circulation aisles for any use other than a single-family dwelling or two-family dwelling front to a public right-of-way or to any residential use, headlight screening shall be provided accordance with the following:
 - a) Headlight screening shall be in the form of a continuous evergreen hedge planting, earthen mound, or a combination of the two and shall provide a continuous screen from the ground up to a minimum of 3 feet 6 inches in height above the surface of the parking area.
 - b) Headlight screening shall be installed parallel and adjacent to the parking area and circulation aisles being screened.
 - c) Shrubs used for the purposes of headlight screening shall be installed a minimum of 2 feet from the back of curb or wheel stop of head in parking spaces to avoid damage from the overhang of vehicles. (Amd. 12-21-2021)
10. **Driveways and Circulation** – All parking areas for 5 or more vehicles shall be served by a driveway or circulation aisle of not less than 22 feet to permit access to all required parking spaces. All other driveway or aisle widths shall be as provided for by the applicable regulations of the County Engineer or the applicable fire regulations, if any.

(Amd. 12-21-2021)

- 11. Access** – All driveway access to a public right of way shall meet the access management standards, minimum visibility standards, and all other applicable standards of the County Engineer's Office or other relevant public agency. (Amd. 10-20-2020)
- 12. Setbacks** – All driveway access, parking areas, and circulation aisles, exclusive of curb returns, shall meet the standards of the zoning district for pavement setback from the front, side, and rear lot lines.
- a) Where no specific setback for driveways, parking areas, or circulation aisles is provided by the zoning district, no driveway, parking area, or circulation aisle shall be located within the side yard or rear yard setback provided for in the zoning district.
 - b) Where no specific setback is provided by the zoning district, parking areas and circulation aisles for any use other than a single-family dwelling or two-family dwelling shall be setback at least 10 feet from any front lot line.
 - c) For any single-family dwelling or two-family dwelling, no required parking spaces shall be located within the front yard setback provided for in the zoning district. (Amd. 10-20-2020, 12-21-2021)
- 13. Compliance with other Regulations** – All off-street parking and loading areas shall meet all applicable requirements of the County Engineer's Office and shall comply with the requirements of any applicable fire regulations. (Amd. 10-20-2020, 12-21-2021)
- 14. Provision for Disabled Persons** – All off-street parking areas, other than for single-family dwellings and two-family dwellings, shall meet the requirements of the applicable building codes or regulations and the Americans with Disabilities Act for the provision of parking spaces for the physically disabled and shall include all necessary markings, striping and signage. (Amd. 10-20-2020, 12-21-2021)
- 15. Walkways** – All uses other than single-family dwellings or two-family dwellings shall provide a minimum 4' walkway or otherwise paved access from the main and secondary building entries to the parking areas. (Amd. 12-21-2021)
- 16. Common Access Drives** – When abutting lots are required by the County Engineer to have a common access drive, the setback requirements from side and rear lot lines shall not apply. A driveway permitted under this Subsection shall have a minimum width of twelve (12) feet, and be subject to all other applicable County development standards and regulations for common access driveways not otherwise addressed or exceeded by this Zoning Resolution. Address signage shall be posted in accordance with the applicable building or fire regulations. No more than two (2) lots developed with a single-family dwelling or two-family dwelling shall share any common access drive unless otherwise required by the County Engineer. (Adopted 12-21-2021, Amd. 12-6-2022)

610.04 Minimum Distance and Setbacks

The setback of parking and circulation areas from adjacent streets and properties shall be as defined by the standards of the zoning district in which they are provided. In no event shall any parking or circulation area for more than 10 vehicles be closer than 20 feet to any

dwelling unit, school, hospital, or other institution for human care located on an abutting lot, unless separated by an acceptably designed screen. (Amd. 12-6-2022)

610.05 Buffering from Adjacent Residential Land Uses

All parking and circulation areas for any use in a non-residential zoning district shall be buffered from any adjacent residential land use or zoning district in accordance with the provisions of Section 620.07 (Amd. 10-20-2020, 6-15-2021, 12-21-2021)

610.06 Off-Street Loading and Delivery

Where any use or building in any district requires the receipt or distribution of material or merchandise by vehicle, there shall be provided and maintained, on the same lot with such use or building, a minimum of one off-street loading space. The size and circulation area of loading spaces shall be adequately designed to accommodate the maximum size vehicle to be used in the delivery or distribution, and shall be located in such a way that a parked delivery vehicle shall not project into, or interfere with, any circulation area, alley, or public right-of-way. Screening for loading and delivery areas shall be as provided for in Chapter 620. (Amd. 12-21-2021)

610.07 Limitations on Parking and Storage of Certain Vehicles

The following provisions and requirements shall pertain to the parking and storage of certain vehicles:

1. **Commercial Vehicles and Construction Equipment** - Commercial vehicles including vehicles and equipment used for construction shall be regulated as follows.
 - a) Not more than 1 commercial truck, limited to a two-axle, four-tired pickup or light truck typically classified as Class 1, or 2 by the Federal Highway Administration Vehicle Inventory and Use Survey, and which has operating characteristics similar to those of a passenger car, shall be allowed per 1 dwelling unit in any residential zoning district, or any residential component within a Planned Development District. This Section shall not apply to the personal ownership and use of more than one light truck or passenger van provided said vehicle does not bear any advertisements and is registered as a non-commercial vehicle. (Amd. 10-20-2020, 12-21-2021)
 - b) Trucks having dual tires on 1 or more axles, or having more than 2 axles, typically classified as Class 3, 4, 5, 6, 7, or 8 by the Federal Highway Administration Vehicle Inventory and Use Survey, designed for the transportation of cargo and including tractor-trucks, trailers, and semitrailers shall not be allowed to be parked or stored on lots in any residential zoning district or any Planned Development District where residential uses are permitted. Commercial vehicles making temporary visits to provided services or deliveries shall not be prohibited under the terms of this Section. (Amd. 10-20-2020, 12-21-2021)
 - c) The parking or storage of commercial motor vehicles, as defined above in Section 610.07(1)(a), including those vehicles having commercial signage, commercial equipment, or structures for commercial equipment attached to the motor vehicle permanently or temporarily, shall not be permitted within any residential district, except when parked or stored in an enclosed garage. Commercial vehicles making temporary house calls or deliveries shall not be prohibited under the terms of this Subection. (Amd. 10-20-2020)
 - d) Backhoes, road graders, bulldozers, trailers used to haul commercial vehicles or goods, well rigs, tractors, and such similar vehicles and equipment used for

construction or commercial purposes are prohibited from being stored outside of a permitted or accessory structure in any residential zoning district, or any residential component within a Planned Development District. Construction equipment temporarily used for construction upon a site shall not be prohibited under the terms of this Section. (Amd. 10-20-2020)

2. **Parking of Recreational Vehicles, Boats, or other Trailers** - No recreational vehicle, boat, or other similar vehicle or trailer shall be stored or parked in any residential zoning district, or any residential component within a Planned Development District, unless completely enclosed within a permitted principal or accessory building, except as follows:
 - a) Such vehicle may be stored on the unenclosed portion any lot within the Agriculture District, Rural Residential District, and Low Density Residential District provided that such vehicle is not located within the required front, side, or rear yard setback, and is stored only on an improved surface such as gravel, concrete or asphalt that encompasses the entire vehicle. Storage of such vehicles on an unenclosed portion of a lot as provided for in this Subsection shall be limited to no more than one (1) boat and one (1) recreational vehicle or other trailer per lot. (Amd. 10-20-2020, 12-21-2021)

3. **Use of Recreational Vehicles, Boats, or other Trailers** - No recreational vehicle, boat, or other similar vehicle may be occupied or used as a dwelling unit or for any other use except as may be provided for elsewhere in this Resolution. (Amd. 10-20-2020, 12-21-2021)

4. **Inoperable Automobiles and/or other Inoperable Vehicles** – Parking or storage of inoperable vehicles and vehicle parts shall be prohibited in accordance with the provisions of Section 600.06 of this Resolution. (Amd. 10-20-2020, 12-21-2021)

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

This page intentionally left blank.

Chapter 615 – Signs and Advertising

615.001 Purposes of Sign Regulations Generally

The purpose of this Chapter is to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare, by regulating existing and proposed outdoor advertising, outdoor advertising signs, and other signs as defined in this Resolution. It is intended to protect property values, create a more visually attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising clutter, distraction, and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights-of-way, provide more open space, curb the deterioration of the natural environment, and enhance community development by permitting signs which are compatible with their surroundings. Where permitted within this Resolution, all signs shall comply with the requirements of the underlying zoning district, the Planned Development District standards for an applicable Planned Development District, and the provisions of this Chapter. (Amd. 10-20-2020, 12-6-2022)

615.002 Noncommercial Signs and Messages

Any sign authorized to be displayed by this Resolution may contain a noncommercial message. (Adopted 12-6-2022)

615.01 Signage Definitions

The words and terms used in this Chapter shall, when defined in Chapter 300, have the meanings provided by that Chapter. (Amd. 10-20-2020, 12-6-2022)

615.02 Sign Permit

Unless otherwise provided for in Section 615.04, signs shall only be installed or modified subsequent to and in conformance with this Zoning Resolution and an approved sign permit. A sign permit as provided for in this Chapter shall have the same effect as a zoning certificate in certifying a sign in conformance with Chapter 615 and any other requirement of this Resolution related to signs. Sign permits shall be subject to the general procedures for zoning certificates provided for in Chapter 220 and any additional provisions of this Chapter. In addition to the requirements for zoning certificate applications provided for in Section 220.01, an application for a sign permit shall include the following additional plans and information:

1. An elevation drawing, drawn to scale, of each proposed sign, indicating the display area, sign height, and proposed materials;
2. For wall signs, a building elevation, drawn to scale, indicating the location of the proposed wall sign and all applicable dimensions;
3. For ground signs, a landscaping plan, if applicable; and,
4. Such other plans and materials as may be necessary to show compliance with the sign regulations of the zoning district, or of this Chapter. (Amd., 10-20-202, 12-6-2022)

615.03 Prohibited Signs

The following signs shall be prohibited:

1. Any sign encroaching on or overhanging a public right-of-way. No sign shall be attached to any utility pole, light standard, street tree, or any other public facility located within the public right-of-way except as may be provided for by the relevant public agency.

2. Any sign located in such a manner as to obstruct or otherwise interfere with an official traffic sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic.
3. Any sign which by color, location, or design resembles or conflicts with traffic control signs or signals.
4. Any sign that does not comply with the visibility area regulations contained in Section 600.03.
5. Any illuminated sign or lighting device not installed or maintained in accordance with this Chapter.
6. Any sign attached to, painted on or placed on a motor vehicle, trailer, or other licensed or unlicensed vehicle located on private property and readable from any public right-of-way, and which serves the purpose of advertising or identifying any product, service or the like, and is used as, in lieu of, or in addition to a portable sign, trailer sign, or ground sign.
7. Any sign which utilizes changeable copy except as specifically provided by this Resolution.
8. Any sign which employs any part or element which revolves, rotates, whirls, spins, is animated, or otherwise makes use of motion to attract attention, except as specifically permitted by the Resolution for signs using automatic changeable copy,
9. Any outdoor advertising sign on a bench, trash receptacle, bus shelter, or similar structure, when visible from the public right-of-way.
10. Any sign placed, inscribed, or supported upon a roof or upon any structure which extends above the roof of any building.
11. Any sign attached to a tree or painted or drawn upon rocks or other natural features.
12. Any portable sign except as may otherwise be specifically permitted by this Resolution.
13. Any revolving light, strobe light, moving or stationary beacon, string of lights, or a windblown, inflated or air-activated device including, but not limited to, a string of pennants, string of banners, streamer, spinner, or balloon. Lights may not be attached in rows, strings, patterns, or designs that outline any portion of a building or structure, including windows. This prohibition does not apply to seasonal light displays, or lights that are an integral part of any sign permitted by this Resolution.
14. Any sign not specifically authorized by this Resolution, abandoned sign, or any sign not installed and maintained in accordance with the provisions provided herein. (Amd. 10-20-202, 12-6-2022)

615.04 Signs – Exempt or Not Requiring a Permit

1. The following signs shall be exempt from the regulations contained in this Resolution for signs:
 - a) Any traffic or similar regulatory devices, legal notices, or other warning signs or graphics installed or maintained by a public agency.
 - b) Any sign installed by a public utility or railroad when accessory to its operations as provided for by Section 519.211 of the Ohio Revised Code.
 - c) Any on-premises sign for any agricultural use except as may be provided for by Chapter 605.
 - d) Any sign or other graphic exempted by applicable law.
2. The following signs shall be permitted in all zoning districts without the requirement for a sign permit as provided in this Chapter:

- a) A wall sign displaying a street address, not larger than ten (10) square feet. Where such sign is larger than ten (10) square feet, it shall be regulated in accordance with the regulations for wall signs contained herein.
- b) Signs in the form of a cornerstones, commemorative tablet, or historical signs, not to exceed ten (10) square feet in display area.
- c) One (1) portable sign, with a display area that does not exceed nine (9) square feet.
- d) Permanent or removable window signs with a display area not to exceed 25% of the area of the window on which they are attached or in which they are displayed. (Amd. 10-20-2020, 12-6-2022)

615.05 Permanent Signs

Permanent signs shall be those permitted in areas clearly designated herein and subject to the regulations of the zoning district and this Chapter. Permanent signs requiring a sign permit are as follows:

1. Ground Signs

All non-residential uses shall be permitted ground signs in accordance with the following regulations:

- a) Number of Signs Permitted - All lots developed with a non-residential use shall be permitted one (1) permanent on-premises ground sign. Whenever a lot developed with a non-residential use fronts upon two (2) or more public roads other than a limited access highway such use shall be permitted (1) additional permanent on-premises ground sign for each frontage.
- b) Type - Unless otherwise provided for by this Resolution, all permanent on-premises ground signs accessory to any use in a commercial zoning district or office and industrial zoning district shall be monument signs.
- c) Height - The maximum height of any permanent on-premises ground sign shall be as provided for in Table 615.08.
- d) Setback - A permanent on-premises ground sign shall be setback from front, side, and rear lot lines in accordance with the provisions of Section 615.07 and Table 615.08.
- e) Display Area - The maximum allowable display area for a permanent on-premises ground sign shall be as provided for in Table 615.08 or as may be provided for elsewhere by this Resolution.

2. Wall Signs

Wall signs shall be permitted in compliance with the following regulations:

- a) Number of Signs Permitted - Every non-residential use shall be permitted one (1) permanent on-premises wall sign. Whenever the exterior walls of a building enclosing a use front upon two (2) or more public roads, one (1) additional permanent on-premises ground sign shall be permitted for each frontage.
- b) Location - A permanent on-premises wall sign shall be located on or along the wall of a building which faces a public right-of-way or parking lot and shall not project above the eaves of a sloped roof or the parapets of a flat roof. When a building on a corner lot is permitted to have two (2) or more permanent on-premises wall signs, each sign shall be mounted on a separate building wall facing a public right-of-way or parking lot as applicable. A permanent on-premises wall sign shall only be attached to an exterior wall enclosing a space occupied by the use to which the sign is accessory.
- c) Display Area - The maximum display area of a permanent on-premises wall sign shall be one (1) square foot of display area for each linear foot of building wall measured

- along the wall of the building on the which the wall sign is proposed to be mounted. However, in no case may such display area exceed the maximum display area for a permanent on-premises wall sign provided for in Table 615.08 of this Resolution.
- d) Additional Regulations - Wall signs shall be installed parallel to and may not extend further than twelve (12) inches from the wall to which they are attached.
3. **Joint Identification Signs** – Where permitted within this Resolution, all joint identification signs shall comply with the requirements of the underlying zoning district, or the Planned Development District standards adopted for each use.
4. **On-premises Signs for Public Uses & Quasi-public Uses** – Approved public and quasi-public uses shall be permitted on-premises signs in conformance with the regulations for the applicable zoning district. However, such uses shall be permitted to utilize changeable copy as a portion of the sign copy on such signs subject to the following regulations:
- a) The display area used for changeable copy of such signs may not exceed seventy-five (75%) of the maximum display area of the sign.
- b) The use of automatic changeable copy shall be limited to ground signs, and the display area used for automatic changeable copy of such ground signs may not exceed fifty percent (50%) of the maximum display area of the ground sign.
5. **Drive-thru Menu Boards** – Where drive-thru businesses or windows are permitted by this Resolution, such uses shall be permitted to install drive-thru menu boards with changeable copy, subject to the following conditions:
- a) The drive-thru menu board shall be located on the lot to which it refers.
- b) The sign is oriented solely for the use of patrons utilizing the drive-thru business or window.
- c) The sign is not intended to be visible from adjacent property or right-of-way.
- d) No more than two (2) drive thru menu boards shall be permitted per drive-thru lane.
6. **Residential Development Entry Signs** – In any residential zoning district or residential portion of a Planned Development District, residential developments shall be permitted one ground sign at each vehicular entry to the development subject to the following requirements:
- a) Minimum size of development – For a residential development entry sign to be permitted the residential development shall contain a minimum of 10 platted lots constituting one development.
- b) Copy – The sign shall be permitted to advertise the name of the development only and shall include no other sign copy or advertisement.
- c) Conformance – Such signs shall conform to all of the requirements of Section 615.07 and shall be set back a minimum of 15 feet from any right-of-way.
- d) Height and Display Area – Residential development entry signs shall not exceed a total of 32 square feet in display area as defined in Section 615.07 and shall not exceed 5 feet in height.

- 7. Outdoor Advertising or Billboards** – For the purposes of this Resolution and as required by applicable law, billboards for the purposes of outdoor advertising shall be classified as a business use and shall be permitted in all non-residential districts. In addition, regulation of such signs along primary highways shall conform to the requirements of Chapter 5516 of the Ohio Revised Code, any regulations adopted pursuant thereto, and be subject to the requirements of Section 615.07 and following regulations:
- a) No billboard shall exceed three hundred (300) square feet of advertising area per side nor have more than two sides.
 - b) No billboard shall exceed fifteen (15) feet in height above the average grade nor have a length in excess of four times the height of the sign face.
 - c) The billboard use shall comply with the general regulations set forth in other provisions of this Resolution for signs and other uses, as applicable.
 - d) All billboards shall be located in compliance with all local, state and federal regulations controlling the same. Billboards shall be licensed or permitted as may be required by any other public agency.
 - e) All billboards shall be located behind the building setback lines established for the district in which the sign is located and shall be at least one thousand (1,000) feet from any dwelling, church, school, or similar use.
 - f) No billboard or outdoor advertising sign shall be located nearer than twenty-five (25) feet to any side lot line.
 - g) Spacing Requirements – Each billboard site location shall be separated from every other billboard site location in accordance with the following:
 - (i) Spacing requirements shall be measured along the curb line of the street that the billboard is oriented to and the measurement shall apply to both sides of the street.
 - (ii) Spacing requirements shall be measured from existing billboards regardless of the political jurisdiction within which any other billboard may be located.
 - (iii) Measurement of the spacing between billboard locations shall begin at a point nearest to the proposed billboard site location from an existing billboard site location and extending to a point nearest to the existing billboard site location from the proposed billboard site location.
 - (iv) No new billboard sign be located closer than 1250 feet from any existing or approved billboard.
- 8. Off-Premises Signs other than Billboards** – No off-premises sign other than a billboard shall be installed or modified unless or until a conditional use permit is issued by the Board of Zoning Appeals for such sign. In addition to the requirements and standards for all conditional use permits provided for in Chapter 240, no conditional use permit for such sign shall be issued by the Board unless or until the Board determines that the sign:
- a) Is necessary to proper wayfinding to a particular premises from public highways;
 - b) Will not increase the number of permitted signs on any lot as provided for by this Chapter or by the applicable regulations of the zoning district; and
 - c) Will otherwise comply with the setback, height, and display area regulations for on-premises signs in the zoning district and the applicable regulations of this Chapter.
(Amd. 10-20-2020, 12-6-2022)

615.06 Temporary Signs

Temporary signs shall include signs indicating or promoting the sale or development of land, facilities or structures. Such signs shall comply with the provisions of Section 615.07 with the exception that temporary signs shall not be illuminated. Application shall be made to the Zoning Inspector and, upon approval, a sign permit issued for such temporary signs as are provided herein. Approval shall be for a period not to exceed those provided below and may be renewed upon application. The following requirements shall govern temporary signs:

1. **Construction / Development Signs** – Signs advertising the construction or development of a property currently under construction shall be permitted as a temporary sign. The maximum display area of such signs shall be thirty-two (32) square feet and the maximum height shall be eight (8) feet. The minimum setback for such signs shall be ten (10) feet. Permits granted for such signs shall be valid for a period of twelve (12) months and shall be limited to one (1) sign per frontage for non-residential uses. Signs of this type may only be located on the premises which is under construction.
2. **Residential Construction Signs** – Signs advertising builders or construction companies during the construction or modification of a dwelling on an individual lot shall be permitted as a temporary sign. The maximum display area of such signs shall be nine (9) square feet and the maximum height shall be four (4) feet. The minimum setback for such signs shall be five (5) feet. Permits granted for such signs shall be valid for a period of twelve (12) months and shall be limited to one (1) sign per lot or dwelling. Signs of this type may only be located on the lot one which a dwelling is being constructed or modified.
3. **Signs Advertising the Sale of Undeveloped Land** – Signs advertising the sale or lease of land available for development shall be permitted as a temporary sign. The maximum display area of such signs shall be thirty-two (32) square feet and the maximum height shall be eight (8) feet. The minimum setback for such signs shall be ten (10) feet. Permits granted for such signs shall be valid for a period of twelve (12) months and shall be limited to one (1) sign per road frontage.
4. **Signs for Model Homes and Temporary Real Estate Sales Offices** – Signs advertising a model home or temporary real estate sales office shall be permitted subject to the following requirements:
 - a) Construction – Signs of this shall be ground signs and shall not be illuminated.
 - b) Height and Display Area – Signs shall not exceed sixteen (16) square feet in display area and shall not exceed six (6) feet in height.
 - c) Location – Signs shall be limited to one (1) sign per lot, shall be located on the same lot as the model home or temporary sales office, shall be set-back a minimum of five (5) feet from any lot line or right-of-way.
 - d) Removal – Signs shall be removed from the lot upon discontinuance of the model home or temporary real estate sales office use or conversion to dwelling use. (Amd. 10-10-2020, 615-2021, 12-6-2022)

615.07 General Requirements for All Signs

1. **Sign Height** – The height of a sign shall be measured as the distance from the average grade surrounding the sign to the top of the highest attached component of the sign. The height of a sign may not be artificially increased beyond the permitted height by placement

of the sign on an earthen mound. Where no other maximum height is provided by this Resolution for a ground sign requiring a permit, the maximum height shall be six (6) feet.

2. **Sign Setbacks** – The setback of all signs from the public right-of-way shall be as provided for in this Chapter or elsewhere by this Resolution. Where no other regulation is provided herein, signs requiring a permit shall be setback from side and rear lot lines in conformance with side and rear yard setbacks of the principal building. Where no other minimum setback from a public right-of-way is provided by this Resolution for a ground sign requiring a permit, the minimum setback shall be ten (10) feet.
3. **Display Area** – The display area of a sign shall be computed by means of a continuous perimeter forming a basic geometric shape which encloses the sign copy and is differentiated from the wall or supporting structure on which it is placed in addition to the following:
 - a) **Two or More Faces** – Where a sign has two or more faces, the area of all faces shall be used in determining the display area of the sign unless the two sign faces are parallel to each other and not more than 24 inches apart or form a V-angle of less than 45 degrees.
 - b) **Supporting Structures** – Supporting structures or uprights on which a sign may be attached are excluded from the display area if they contain no sign copy and are clearly incidental to the display itself.
 - c) **Wall Signs** – For wall signs which consist of individually mounted letters, numbers, or other symbols on a wall or fascia, the display area of the sign shall be the area of a rectangle circumscribed around the letters, numbers, or other symbols.
 - d) **Awning Signs** – For awning signs, the display area of the sign shall include only the sign copy on the surface of the awning and not the entire area of the awning face.
 - e) Where no other maximum display area is provided for any permanent sign by this Resolution, the maximum display area shall be twenty-five (25) square feet.
4. **Illumination and Special Effects** – The level of illumination emitted or reflected from a sign shall not be so intense as to constitute a safety hazard to vehicular movement on any road from which the sign may be viewed, as determined by an average person. Illuminated signs shall be constructed and maintained so that the source of illumination is shielded or otherwise prevented from beaming directly onto adjacent lots or roads.
 - a) If illuminated, signs shall be illuminated in accordance with the following regulations:
 - (i) By a white, steady, stationary light of reasonable intensity, directed solely at the sign and shielded or otherwise prevented from beaming directly onto adjacent properties or lots or public rights-of-way.
 - (ii) By white interior light of reasonable intensity with sign copy silhouetted on an opaque background. No additional background lighting shall be permitted.
 - (iii) Ground mounted light fixtures used to illuminate signs shall be screened from view by site grading or evergreen shrubs.
 - b) Signs utilizing automatic changeable copy as permitted by this Chapter or elsewhere by this Resolution shall adhere to the following regulations:

- (i) A sign utilizing a copy change procedure shall display each individual message a minimum of eight (8) seconds.
 - (ii) The images and messages displayed must be static, and the transition from one static display to another must be instantaneous to the human eye without any transition effects. Transition effects include, but shall not be limited to, wipes, fades, or other special effects.
 - (iii) Each automatic changeable copy sign shall be equipped with a light sensing device that automatically adjusts the brightness of the sign as ambient light conditions change.
 - (iv) Each automatic changeable copy sign shall be operated with monitoring and methods in place that shall either turn off the display, or show a full black image on the display, in the event of a malfunction that affects more than fifty (50) percent of the sign face.
 - (v) No automatic changeable copy sign shall exceed a brightness level of 0.3 foot-candles above ambient light as measured using a foot-candle (Lux) meter at a pre-set distance in accordance with the following procedure:
 - a. At least 30 minutes past sunset, record the ambient light while the sign is off or displaying all black copy, or with the sign's illumination blocked.
 - b. The light meter shall be held five (5) feet above the finished grade in front of the sign face.
 - c. The meter shall be aimed toward the center of the automatic changeable copy sign.
 - d. From the same location, a second reading shall be recorded while the sign is on and not blocked.
 - (vi) If the difference between the measurements is 0.3 foot candles or less, the brightness is properly adjusted; otherwise, the sign must be adjusted to comply with the brightness adjustment standard set forth above.
- 5. Installation and Attachment** – All sign types permitted under this Chapter or elsewhere by this Resolution shall comply with the follow regulations, if applicable:
- a) No sign shall be installed or attached in any manner to a fire escape or to any door or window giving access to a fire escape.
 - b) No sign shall be installed or attached in any manner that obstructs any doorway or egress window.
 - c) No sign shall be installed or attached in such manner that it may interfere with any required ventilation openings.
 - d) No sign of any type shall be installed or attached in any manner to another sign except as specifically permitted by this Resolution.
- 6. Abandoned Signs or Sign Faces** – A sign or sign face shall be considered abandoned when one or more of the following exist:
- a) The sign or sign face remains after the discontinuance of a use. For the purposes of this Chapter a use is considered to be discontinued if the equipment and furnishings of the use of the premises identified by the sign copy have been removed from the premises and have not been replaced by similar equipment within six (6) months after

such removal, or the use has been closed to the public for a continuous period of at least six (6) months.

- b) The sign or sign face is not installed or attached in accordance with the provisions of this Resolution and the owner of the sign or sign face has not complied with the written notices issued under the authority provided herein to maintain the reasonable and proper appearance and condition of the sign or sign face.

- 7. Enforcement of Sign Regulations** – If any sign or sign face is abandoned as provided herein, or is not installed or attached in accordance with the provisions of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof of the action necessary to comply with this Resolution. Failure to comply with the provisions of this Chapter or of any regulations related to signs provided for elsewhere by this Resolution shall be deemed a violation of this Zoning Resolution and subject to the penalties provided for in Chapter 260. (Amd. 10-10-2020, 12-6-2022)

615.08 Table of Maximum Sign Setback, Height, and Display Area

The following table provides the minimum setback, maximum height, and maximum display area for allowable wall and ground signs for the various zoning districts and uses. The maximum display area for wall signs may be further limited by the system of display area calculation provided for in Section 615.05 of this Resolution, but in no case shall the display area of such signs exceed the maximum display area provided by herein.

ZONING DISTRICT OR USE TYPE	WALL SIGNS	GROUND SIGNS		
	MAXIMUM DISPLAY AREA (SF)	MAXIMUM DISPLAY AREA (SF)	MAXIMUM HEIGHT (FT)	MINIMUM SETBACK (FT)
ORM	125	32	6	10
COM	125	32	8	10
LR	125	32	6	10
RR	125	32	6	10
SRE	100	48	8	15
OS	25	32	8	15
Public Use, Quasi- public Use, or other permitted Non- residential Use in a Residential District	25	32	8	10

(Adopted 12-6-2022)

Chapter 620 – Landscaping, Screening, and Buffering

620.001 Purposes of Landscaping, Screening, and Buffering Generally Requirements

The purpose of this Chapter is as follows:

- a) To promote and protect the interest of the public convenience, comfort, prosperity, or general welfare in accordance with Article 1 of this Resolution;
- b) To require buffering between non-compatible land uses to protect, preserve, and promote the character of the surrounding area; and
- c) To require reasonable landscaping that is beneficial to the orderly development of the community. (Amd. 10-20-2020, 12-21-2021)

620.01 Applicability and Interpretation of Landscaping, Screening, and Buffering Requirements

1. Unless otherwise noted, the following landscaping standards shall apply to all uses except for single-family dwellings and two-family dwellings.
2. In addition to any applicable requirements of the zoning district, all delivery areas, loading docks, service areas, supply yards, and other outdoor storage areas shall be screened in accordance with the provisions of this Chapter.
3. Any off-street parking area with 5 or more spaces shall be screened as required by the zoning district regulations and as required by this Chapter.
4. Within all zoning districts, any portion of any lot that is not covered with structures, paving, crop production, or forest canopy shall be landscaped at a minimum with turf grass, as defined in Section 620.04, to prevent wind and soil erosion and the nuisance of excessive wind-blown dirt and dust on adjacent lots.
5. Whenever overlapping screening, buffering, or landscape areas are required by this Chapter, or elsewhere by this Resolution, the more stringent buffer shall be required for such overlapping area.
6. Whenever multiple options are provided by this Resolution for a type of screening or buffering, such screening and buffering may be accomplished by any combination of the options provided that the minimum opacity, if any, is maintained.
7. Any references to buffer types provided herein shall refer to the diagrams provided in Chapter 705 of this Resolution.
8. Any landscaping or buffering as required by this Resolution shall be indicated on the plans submitted in conjunction with the requirements of Chapter 220 of this Resolution. (Amd. 10-20-2020, 12-21-2021)

620.02 General Regulations for Landscaping, Screening, and Buffering

All screening and landscaping shall be provided in accordance with the requirements of the individual zoning districts and with the following general regulations:

1. No landscaping, screening, and buffering shall be installed in a manner that creates a hazard to the public.
2. No landscape plantings or materials shall be located so as to adversely affect the vision of drivers, or obstruct the view within a required visibility area as provided for in Chapter 600.
3. Whenever any combination of required screening or buffering is proposed to be accomplished with a fence, said fence shall also meet the applicable requirements of Chapter 625. (Amd. 10-20-2020, 12-21-2021)

620.03 General Requirements for Required Landscaping Materials

The following general standards shall apply to all required landscaping, screening and buffering.

1. All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. (Amd. 10-20-2020)
2. The owner of the lot shall be responsible for the continued maintenance of all landscaping materials and shall keep them in a proper, trimmed, neat, and orderly appearance free from weeds, junk, and debris at all times.
3. All landscape beds shall be maintained with defined edges and mulched on a yearly basis with natural hardwood mulch.
4. All plantings required by this Resolution which become unhealthy or dead shall be replaced within one year, or by the next planting season, whichever comes first with a plant of comparable species and size of the original plant at the time of initial planting.
5. Where required screening is to be accomplished by landscaping, the landscape materials shall achieve the required standard for height and opacity within a period of 5 years or less. (Amd. 12-21-2021)

620.04 Minimum Planting Requirements for Required Landscaping Materials

At the time of planting, all required landscaping material shall comply with the following standards:

1. **Industry Standards** -- All required plant material shall comply with the latest edition of the "American Standards for Nursery Stock" as published by the American Nursery and Landscape Association.
2. **Deciduous Shade Trees** -- Deciduous shade trees, where required by this Resolution, shall be installed balled and burlapped or from a container when planted. All shade trees shall have a minimum caliper of at least 2 inches at the time of planting unless specified otherwise in this Resolution.
3. **Evergreen Trees** -- Evergreen trees, where required by this Resolution, shall be installed balled and burlapped or from a container when planted. Evergreen trees shall be a minimum height of 6 feet at the time of planting unless specified otherwise in this Resolution.
4. **Ornamental Trees** -- Ornamental trees, where required by this Resolution, shall be installed balled and burlapped or from a container when planted. Ornamental trees shall have a minimum height of 6 feet or a minimum caliper of 1.5 inches at the time of planting unless specified otherwise in this Resolution.
5. **Shrubs and Hedges** -- Shrubs and hedges, where required by this Resolution, may be installed balled and burlapped or from a container at the time of planting. Shrubs and hedges used for screening shall be at least 24 inches in height at the time of planting and shall be sized and spaced in order to achieve the required screening within 3 years of the time of planting unless specified otherwise in this Resolution.

- 6. Turf Grass** – Grass of the family Fescue (Gramineae), Perennial Ryegrass (Lolium Perenne), Bluegrass (Poaceae), or any combination thereof shall be planted in species normally grown as permanent lawns in Central Ohio, and may be sodded or seeded; except in swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used, provided that turf-grass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Sod shall be clean and free of weeds and noxious pests or diseases.

620.05 Screening and Buffering of Roof and Ground-mounted Equipment

1. For any use other than a single-family dwelling or two-family dwelling, all heating, ventilating, air conditioning and other building mechanical systems and equipment or other utility hardware on the roof of a building shall be screened to the height of the equipment to prevent the equipment from being visible from any adjacent public road or adjacent residential district. This regulation shall not apply to solar panels that are flush mounted to the roof of a building.
2. Screening of Dumpsters, Storage Tanks, and Ground-mounted Mechanical Equipment – For any use other than a single-family dwelling or two-family dwelling, all dumpsters, compactors, trash receptacles, storage and fuel tanks, generators, heating and cooling equipment, and all other similar building service and mechanical equipment shall be screened from view on all sides by the proposed structure and/or free-standing walls or fences to no less than 100% opacity. Free standing walls or fences shall be at a minimum height necessary to screen the proposed use and shall meet the requirements of Chapter 625. (Amd. 10-20-2020, 12-21-2021)

620.06 Screening and Buffering of Loading, Delivery, and Service Areas

All loading, delivery, and service areas for any use in a shall be screened from view in accordance with the following standards:

1. Screening and Buffering from Non-Residential Uses
 - a. In any commercial zoning district, service and delivery areas, overhead doors, and loading docks shall be screened from view of adjacent non-residential uses by a combination of a 2' mound and a continuous planting of evergreen trees similar to Buffer Type 'C' in Appendix 1. Evergreen trees shall be a minimum of 6 feet tall at time of planting and shall be planted in such a way as to provide a minimum of 75 percent opacity screen between the service areas and/or loading docks and the adjacent use at the time of planting. Walls and fences may be used for the purposes of screening service areas and/or loading docks similar to Buffer Type 'A' in Appendix 1 and shall meet the requirements of Chapter 625.
 - b. In all other non-residential zoning districts, service and delivery areas, overhead doors, and loading docks, if required, shall be buffered from adjacent non-residential uses by a combination of a 2' mound and the installation of evergreen trees and/or shrubbery of a type and variety normally achieving a minimum of 5 feet in height. Evergreen trees and/or shrubbery shall be planted in such a way as to provide a minimum of a 75 percent opacity screen between the service area and/or loading dock and the adjacent use similar to Buffer Type 'F' in Appendix 1. Walls and fences may be used for the purposes of buffering service areas and/or

loading docks provided that such walls and fences meet the requirements of Chapter 625.

2. Screening and Buffering from Adjacent Residential Uses, US Highway 33, US Highway 42 and Industrial Parkway
 - a. In any commercial district, all sides of any service areas and/or loading docks that are visible to adjacent residential uses, US Highway 33, US Highway 42 or Industrial Parkway shall be entirely screened from view through the use of the following:
 - i. A combination of a 3' high mound and completely opaque walls or fences, in accordance with Chapter 625 of this Resolution, to a height necessary for screening the proposed use but not less than 6 feet and not exceeding 10 feet in height similar to Buffer Type 'A' in Appendix 1.
 - ii. Loading docks may be screened from view by an extension of building walls provided that the wall is constructed of materials similar to and harmonious with the design of the principal structure.
 - iii. A combination of a minimum 3' high mound and a continuous planting of evergreen trees, a minimum of 6 feet in height at the time of planting. Evergreen trees shall be planted on top of the mound and staggered or spaced to achieve one-hundred percent (100%) opacity screening of the area within 5 years of planting similar to Buffer Type 'B' in Appendix 1.
 - b. In all other non-residential zoning districts, all sides of any service areas and/or loading docks that are visible to adjacent residential uses or lots, Industrial Parkway, US Highway 42, and US Highway 33 shall be entirely screened from view through the use of one of the following:
 - i. A combination of a 2' mound and completely opaque walls or fences, in accordance with Chapter 625 of this Resolution, to a height necessary for screening the proposed use but not less than 6 feet and not exceeding 12 feet in height similar to Buffer Type 'A' in Appendix 1.
 - ii. Loading docks may be screened from view by an extension of a building wall provided that the wall is constructed of materials similar to and harmonious with the design of the principal structure.
 - iii. A combination of a 3' mound and evergreen shrubbery to obtain 100 percent screening of the area, to a minimum of 6 feet in height similar to Buffer Type 'E' in Appendix 1.
 - iv. A continuous planting of evergreen trees, a minimum of 6 feet in height at the time of planting, and staggered or spaced to achieve one-hundred percent (100%) opacity screening of the area similar to Buffer Type 'B' in Appendix 1.
3. Screening and Buffering of Non-residential Uses in Residential Districts
 - a. For any use in a residential district other than a single-family dwelling or two-family dwelling, all of sides any service areas and/or loading docks that are visible from any public right-of-way or from any adjacent or abutting parcel shall be screened with any combination of continuous wall, fence, mound or landscaping to a height of at least six (6) feet, and an opacity of no less than

75%. (Adopted 12-21-2021)

620.07 Screening and Buffering of Residential Districts and Uses

The following screening and buffering regulations shall apply to uses other than single-family dwellings and two-family dwellings:

1. Wherever any use in a non-residential district abuts any single-family dwelling or two-family dwelling, a landscape buffer, for the purpose of buffering the side or rear of such use or building from view of the residential use, shall be required in accordance with the following requirements:
 - a) There shall be installed, for the length of such abutting lot line, a landscape buffer consisting of a combination of a minimum 3' high mound and a continuous planting of a combination of evergreen trees and deciduous shade trees. Evergreen trees shall be a minimum of 6' in height at the time of planting and shall be staggered or spaced to achieve a minimum opacity of 75% similar to Buffer Type 'C' in Appendix 1. Deciduous shade trees shall be planted at not less than 40' on center for the entire length of the landscape buffer.
2. Wherever a parking or circulation area for any use in a non-residential zoning district abuts the side or rear lot line of any residential zoning district or any parcel zoned AG District, it shall be buffered from said adjacent residential zoning district through the use of either landscaping, or a 6' privacy fence, or any combination thereof. Said landscape buffer shall consist of a minimum of 6' height evergreen trees planted at 15' on center and shall screen the parking area at no less than one-hundred percent (100%) opacity.
(Adopted 12-21-2021)

620.08 Screening and Buffering of Supply Yards, Junk Yards, and Outdoor Storage Areas

In addition to any applicable requirements of the zoning district, supply yards, junk yards, and other outdoor storage areas, when permitted, shall be subject to the following regulations:

1. Materials, equipment and merchandise being stored outdoors shall not exceed a maximum height of 14' from the existing grade to the top of the materials being stored. For the purposes of this definition existing grade shall be defined as the general grade of the lot or area where the materials are being stored and shall not be construed to permit a total of 14' or storage from the top of a mound, ramp or other structure within that lot or area.
2. Supply yards, junk yards, and other outdoor storage areas shall be entirely screened from view on all sides through the use of any combination of the following:
 - a. A combination of a continuous minimum 3 foot high earthen mound and completely opaque masonry walls, in accordance with Chapter 625 of this Resolution and deciduous shade trees planted at no less than 40' on center similar to Buffer Type 'A' shown in Appendix 1. Said walls shall be a minimum of 7 feet in height and not exceed 12 feet in height, as measured from the top of mound to the top of wall.
 - b. A combination of a continuous minimum 3 foot high earthen mound and a continuous planting of evergreen trees and deciduous shade trees planted on top of the mound and staggered or spaced to achieve one-hundred percent (100%) opacity screening of the outdoor storage similar to Buffer Type 'B' shown in Appendix 1. (Adopted 12-21-2021)
 - c.

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

This page intentionally left blank.

Chapter 625 - Free Standing Walls, Fences, and Hedges

625.001 Free Standing Walls, Fences, and Hedges Generally

1. No wall or fence, used for any purpose, shall be erected, constructed, relocated or rebuilt without the issuance of a zoning certificate. In addition to the requirements of Chapter 220, applications for a zoning certificate to erect a fence or wall shall include plans and drawings showing the boundary and dimensions of the lot upon which the fence, or wall is to be erected; the exact height, location, length, type of material and type of construction of the proposed fence or wall; the location of the buildings on the lot; or any such other information as deemed necessary for such certificate.

2. The height of a wall or fence shall be measured from the established grade line to the highest point of the wall, fence, or hedge. Any light fixture placed on a pier or post may not exceed a height of 24" above the height of the pier. The height of a wall, fence or hedge may not be artificially increased by the use of mounding unless otherwise required by this Resolution for screening and buffering purposes. (Amd. 10-20-2020, 6-15-2021)

625.01 General Requirements for Walls, Fences or Hedges

1. No wall or fence, shall be located within the visibility area provided for in Chapter 600.
2. No wall fence shall obscure, fire hydrants, street address numbering, or other security or emergency service equipment, controls or components.
3. All walls and fences shall be structurally sound, safe, and properly finished at all times. Privacy fences shall be designed, constructed, and finished so the supporting beams and members thereof shall not be visible from any neighboring lot or right-of-way. All walls and fences shall be properly maintained and shall be kept free from damage, rot and disrepair. Walls shall be free from damage or deterioration and fences shall be kept painted or stained.
4. Fences and walls may exceed the height and location standards of this Chapter if specifically required to achieve screening and buffering of objectionable uses as required elsewhere in this Resolution.
5. In addition to the regulations of this Chapter, fences and walls within a Planned Development District shall be in conformance with an approved detailed development plan, if applicable. (Amd. 6-15-2021)

625.02 Fence Height and Location Regulations

Fences and walls shall be permitted subject to the following location and height regulations:

1. A fence or wall shall be permitted on any part of a lot located behind the front wall of the principal building. The maximum height for such fences shall be six (6) feet for fences accessory to single and two-family dwellings, and eight (8) feet for all other uses unless otherwise provided for by this Chapter or Resolution. Whenever there is no principal building, a fence of this type shall be located no closer to the right-of-way of a road than the front yard setback provided for in the zoning district.
2. A fence may be permitted between the front wall of a principal building and the right-of-way subject to the following regulations:
 - a) The fence shall be no taller than five (5) feet.
 - b) No part of said fence shall exceed twenty-five percent (25%) opacity.
3. Fences for security purposes in any non-residential zoning district may be installed to a maximum height of ten (10) feet provided that the fence is either decorative in style or materials, or fully screened from any public right-of-way and any surrounding lots by

landscaping that meets or exceeds the height of the fence within five (5) years of planting with an opacity of 100%, and is located no closer to the right-of-way of a road than the front yard setback of the zoning district. (Amd. 6-15-2021, 12-6-2022)

625.03 Fence Material Regulations

The following types of fencing materials shall not be permitted in any zoning district:

1. Walls, fences or other landscaping equipped with, or having barbed wire, spikes, sharp points, or any similar device shall be prohibited with the exception of fences installed for the purposes of security within the Commerce District that are completely screened from view as required by Section 445.05(5).
2. Fencing or walls designed to emit an electric charge sufficient to cause a shock more severe than that typically found in standard livestock fencing shall be prohibited.
3. The use of chicken wire, poultry wire, or hex netting fence consisting of a plain, galvanized or PVC coated material shall be prohibited.
 - a) Exception: Vinyl coated metal mesh (square or rectangle mesh) may be used as an attachment to the interior of fencing and shall be brown or black in color.
 - b) Exception: Nothing in this Resolution shall be construed to prevent the use of such material for gardening purposes on any residential lot provided it is located no closer to the right-of-way of any road than the front wall of the principal building.
4. Chain link fences shall not be permitted except for the following instances:
 - a) Chain link fences may be used when accessory to outdoor athletic facilities such as tennis courts, basketball courts, baseball or softball diamonds, or swimming pools.
 - b) In any non-residential zoning district, chain link fence may be used for security purposes subject to the follow regulations:
 - (i) The chain link fence shall be coated black or brown.
 - (ii) The chain link fence shall be located behind the front wall of the principal building. Whenever there is no principal building, a fence of this type shall be located no closer to the right-of-way of a road than the front yard setback provided for in the zoning district.
 - (iii) The chain link fence shall be located inside of the required screening, if any. Whenever there is no required screening, said chain link fence shall be fully screened from any public right-of-way and any surrounding lots by landscaping that meets or exceeds the height of the fence within five (5) years of planting with an opacity of 100%.
 - c) In the Rural Residential District and Low Density Residential District, chain link fence may be used as a fence material provided such fencing is located no closer to the right-of-way of a road than the front wall of the principal building. (Amd. 10-20-2020, 6-15-2021, 12-6-2022)

Chapter 630 – Exterior Lighting Standards**630.001 Exterior Lighting Generally**

The purpose of this Chapter is to regulate outdoor lighting in order to reduce or prevent light pollution and to minimize lighting impacts on surrounding properties. This means to the extent reasonably possible the reduction or prevention of glare and light trespass, and promotion of safety and security. The regulations of this Section shall apply to all lighting that illuminates the exterior of a building, structure, open space, parking and loading areas, or other features of a lot with the exception of temporary lighting for the purposes of illuminating construction sites. Such temporary lighting shall be subject to a temporary use permit. (Amd. 10-20-2020)

630.01 Applicable Zoning Districts

Exterior lighting requirements shall apply to all office, commercial, and industrial zoning districts, and any commercial, industrial, or multi-family component of a Planned Development District. Lighting plans shall be submitted for approval with all applications for a zoning certificate. (Amd. 10-20-2020)

630.02 Submittal Required

An exterior lighting plan demonstrating compliance with the lighting standards shall be submitted and approved by the Zoning Inspector prior to the issuance of a zoning certificate. The exterior lighting plan shall contain the following information:

1. Scaled site plans with property boundaries shown, building plans, and all building locations, building entrances, and building elevations. The plan should include layouts of the parking lot(s), driveway(s), pedestrian pathway(s), adjacent right-of-way(s), a north arrow, an address or legal description.
2. Cut-sheet(s) (profiles or specifications) for all proposed exterior light fixtures and poles.
3. Scaled ISO foot-candle plots and/or point-by-point foot-candles layouts defining compliance.
4. All changes during the construction process made after issuance of a zoning certificate shall be *reviewed* and *approved* prior to installation and final acceptance.
5. All developments with 10 or more parking spaces are required to provide exterior lighting for all exterior doorways, pedestrian pathways and vehicular use areas.
6. All developments with less than 10 parking spaces may provide exterior lighting at all exterior doorways.
7. The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site. (Amd. 10-20-2020)

630.03 Exterior Lighting Standards and Requirements

The following standards shall apply to all exterior illumination of exterior grounds and surfaces of a site:

1. Adverse impact in the form of light pollution resulting in a public nuisance shall be prohibited. Light pollution is defined as any measurable, artificial illumination that strays beyond a site boundary both horizontally and vertically.
2. No outdoor lighting shall be of such an intensity or color distortion as to cause glare or to impair the vision of drivers or pedestrians.
3. Lighting uniformity shall not exceed a 10:1 maximum to minimum light level and a 4:1 average to minimum light level.

4. The overall height of pole-mounted luminaries shall be measured from finished grade to top of fixture unless otherwise limited and shall not exceed the maximum height as required by the individual zoning district or the requirements of the Planned Development District.
5. Lighting mounted on a building or structure shall not exceed the height of the building or structure.
6. No blinking, flashing, fluttering lights, search lights or other illuminated device that has a changing light intensity, brightness or color is permitted in any zoning district, except for temporary holiday displays.
7. All outdoor recreational / sport facility lighting will be reviewed for compliance with regard to the intent of these regulations to minimize the impact of light trespass and glare on all adjacent lots and public rights-of-way.
8. All exterior lighting used to light vehicular use areas and pedestrian pathways shall be a "Total Cut-Off Type", as defined by the latest Illuminating Engineering Society of North America's IESNA standard. All other exterior lighting including, but not limited to, doorways, architectural, accent, landscape signage, decorative, security, floodlighting or area lighting shall be "Total Cut-Off Type." No portion of the lamp, reflector, lens or refracting system may extend beyond the housing or shield so as to create or allow glare to be visible from offsite, with the following exceptions:
 - a) Lighting required by the applicable building or fire regulations for emergency egress when operating in emergency conditions.
 - b) Light sources which DO NOT exceed 2300 initial lumens or 4000 main beam candlepower. Roughly equal to the lighting output of one 100 watt incandescent light bulb.
9. Light originating on a site shall not be permitted to exceed the following values when measured at grade 10 feet beyond the lot line for the following adjacent land uses:

Table 630.03 Maximum Light Trespass on Adjacent Lots

Land Use	Maximum Light Trespass on Adjacent Property
Residential	0.3 foot-candle
Multi-family	0.5 foot-candle
Office / Commercial	1.0 foot-candle
Industrial / Warehouse	1.5 foot-candle
Outdoor Sports Facility	See ** note above

10. All other luminance not addressed shall not exceed IESNA recommendations as published in their Lighting Handbook, Lighting for Exterior Environments, Recommended Practice for Lighting Merchandising Areas, or other applicable IES publications, as these publications are amended. (Amd. 12-6-2022)

Chapter 635 – Home Occupations

635.001 Home Occupations Generally

Home occupations are essential to creating a diverse economy, reducing long commuting times and supporting a sense of community. All permitted home occupations shall conform to the requirements of the individual zoning district and the following requirements. Nothing in this Chapter or Zoning Resolution shall prevent or restrict a resident from having a home office or working from home as a "satellite" employee when such home office has no additional employees, has no regular in-home meetings or appointments, requires no signage or identification, and all of the work functions are contained entirely within the principal dwelling. (Amd. 10-20-2020)

635.01 Limited Home Occupation

A Limited Home Occupation shall be defined as a home occupation carried on entirely within the principal dwelling in accordance with the following standards:

1. The limited home occupation shall be clearly incidental and secondary to the use of the dwelling for residential occupancy and there shall be no substantial indication of the non-residential use of the premises which is visible or apparent as viewed from off the premises.
2. No person, other than those residing on the premises, shall own or operate such home occupation. Not more than 1 non-resident employee shall be employed at any one time in a limited home occupation.
3. There shall be no change in the outside appearance of the building or premises and no signage shall be permitted for a limited home occupation.
4. No limited home occupation shall be conducted in any accessory building or structure.
5. The exterior access to the space devoted to the limited home occupation shall not be used exclusively for such use.
6. No equipment or process shall be used in such limited home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment and/or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
7. No noise associated with a limited home occupation, including musical instruction, shall be detectable off of the lot or premises or shall cause a nuisance to adjacent property owners.
8. No commercial vehicles, having dual axles, designed for the transportation of cargo including tractor-trailers shall be used for the delivery of materials to or from the premises in conjunction with the conduct of a limited home occupation.
9. No traffic shall be generated by such limited home occupation in greater volumes than would normally be expected in a residential neighborhood.
10. There shall be no exterior storage of equipment used in a limited home occupation. (Amd. 12-6-2022)

635.02 Expanded Home Occupation

An expanded home occupation may be allowed as a conditional use of a residential dwelling unit or approved accessory structure for a legitimate business, profession, trade, service or vocation, whether or not for profit, carried on within an enclosed dwelling or approved accessory structure by the occupants residing therein in accordance with the following standards:

1. The expanded home occupation shall be clearly incidental and secondary to the use of the dwelling for residential occupancy and the expanded home occupation shall occupy no more than 25% of the floor area of the dwelling.
2. No person, other than those residing on the premises, shall own or operate such occupation. Not more than 2 non-resident employees shall be employed on premises at any one time in an expanded home occupation.
3. The exterior access to the space devoted to the expanded home occupation shall not be used exclusively for such use.
4. No equipment or process shall be used on premises in such expanded home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference that shall create a nuisance to adjacent properties. In the case of electrical interference, no equipment and/or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
5. Delivery of materials, equipment or supplies to an expanded home occupation shall be limited to commercial vehicles or light trucks falling under the Federal Highway Administration Vehicle Inventory and Use Survey Class 1, 2,3,4,5,or 6. In no case shall a heavy duty vehicle of Class 7 or 8 requiring a Class B license to operate be used in a delivery to or from an expanded home occupation. Not more than 2 deliveries of materials, equipment or supplies shall be received per day in conjunction with an expanded home occupation, and such deliveries shall be limited to normal business hours.
6. If permitted, an expanded home occupation engaged in the repair or refurbishment of motor vehicles may operate in an approved accessory structure with the following requirements:
 - a) The approved accessory structure shall not be constructed on the lot in front of the principle residential structure.
 - b) In no case shall "junk" or "parts" vehicles or vehicles without a current vehicle registration, be stored outdoors anywhere on the lot or premises.
 - c) The storing or stacking of customer vehicles outside of the approved accessory structure shall not be permitted.
7. No traffic shall be generated by such extended home occupation in greater volumes than would normally be expected in a residential neighborhood.
8. All storage related to the expanded home occupation use shall be contained within an enclosed building. (Amd. 12-6-2022)

635.03 Zoning Certificate Required to Conduct Home Occupation

All persons proposing to conduct a home occupation shall obtain a zoning certificate. (Amd. 12-6-2022)

Chapter 640 – Temporary Uses, Events, and Sales

640.001 Temporary Uses, Events, and Sales Generally

Due to the special characteristics and non-permanent nature of temporary uses, events, and sales, this Chapter establishes the requirements necessary to properly locate and control the activities of these uses in order to secure the public health, safety and general welfare. (Amd. 10-20-2020, 12-21-2021)

640.01 Temporary Use, Permit Required

When required by this Chapter, no temporary use, event or sale shall commence until a temporary use permit shall has been issued by the Zoning Inspector. Temporary use permits shall be subject to the general procedures for zoning certificates provided for in Chapter 220 and any additional provisions of this Chapter. (Amd. 10-20-2020, 12-21-2021)

640.02 Application Required

In addition to the applicable requirements provided for in Section 220.01, an application for a temporary use permit shall be filed at least ten (10) days prior to the commencement of the proposed temporary use, event, or sale. Each application for a temporary use permit shall contain a site plan or sketch which illustrates the following:

1. The lot or lots where the event or sale will occur.
2. The size and location of all existing and proposed buildings and structures on the lot, whether they are principal or accessory, or temporary or permanent structures.
3. The existing use and intended temporary use of all parts of the land, buildings, and structures, whether permanent or temporary.
4. Existing zoning district of all adjacent lots.
5. Location of existing and/or proposed parking spaces, traffic flow, wheel stops, access drives, building and parking setbacks, yard requirements, and existing and proposed sanitary facilities.
6. Existing and proposed signs and billboards, including lighting and size detail.
7. Written permission from the owner of the lot, if not the applicant.

Such other information with regard to the temporary use, lot, and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Resolution. (Amd. 10-20-2020, 12-21-2021)

640.03 Prohibited Temporary Uses, Events, and Sales

Any temporary use, event, or sale not listed in this Chapter or provided for elsewhere in this Resolution shall be considered prohibited. Should a temporary use permitted under this Chapter be conducted in a manner inconsistent with the regulations provided herein, such temporary use, event, or sale shall also be considered prohibited. (Amd. 10-20-2020, 12-21-2-21)

640.04 Temporary Use/Activities Not Requiring a Temporary Use Permit

The following temporary uses, events or sales are deemed to be permitted temporary uses, events or sales not requiring a temporary use permit provided they are conducted in conformance with the standards of this Section:

1. **Garage, Porch, Yard, or Similar Sales** – Garage, porch, yard, or similar sales shall be limited to not more than 2 consecutive days and only 4 such sales may be conducted during any 1 calendar year. The term "Garage, Porch, Yard, or Similar Sales" shall be defined as a sale of personal property to the general public conducted inside or outside a dwelling unit on any lot within a residential zoning district. A garage, porch, yard or similar

sale does not include the casual sale of motor vehicles, boats, trailers, motorcycles, recreational vehicles, and other similar types of vehicles, which shall be regulated in accordance with the provisions of Section 640.03(3). In addition, the following regulations shall apply to garage, porch, yard, or similar sales:

- a) Such sales shall not be conducted on consecutive weekends nor exceed three (3) consecutive days in length.
- b) No sale of this type shall commence before the hour of 8:00 a.m. nor extend later than 8:00 p.m.
- c) Personal property offered for sale shall not be displayed closer than 20 feet of a public roadway or within the public right-of-way.
- d) Signs for sales shall adhere to Chapter 615 of this Zoning Resolution.
- e) No sale of this type conducted within a dwelling unit shall occupy more than 200 square feet of floor area of such dwelling unit.
- f) No person shall sell or offer for sale at such sales any merchandise that has been purchased, consigned or otherwise acquired for purposes of resale. No person shall sell or offer for sale at such home sale any personal property except such property that has been owned, maintained and used for personal household use by such person or members of his family on or in connection with the premises on which such sale is held. Nothing in this provision is intended to prohibit a shared or community garage sale.

2. Foreclosure or Estate Sales – Foreclosure or estate sales involving the complete liquidation of all personal property located within the entire dwelling unit shall be limited to not more than 2 consecutive days and only 1 such sale may be conducted by the owner or occupant of such dwelling unit.

3. Casual Sales of Motorcycles and Motor Vehicles, including Boats, but not including Trailers, Recreational Vehicle and Other Similar Vehicles – A casual sale of a motor vehicle, motorcycle or boat may be conducted on any parcel in a residential zoning district provided the following criteria are met:

- a) No person shall sell or offer for sale any such vehicle that has been purchased, consigned or otherwise acquired for purposes of resale. The offering of a new vehicle for sale shall be prima facie evidence that such vehicle was acquired for purposes of resale.
- b) No person shall sell or offer to sell any such vehicles, except such vehicles as have been owned, maintained and used for personal household use by such person or members of his/her family on or in connection with the premises on which the vehicle is being sold.
- c) No more than 3 such vehicles may be sold or offered for sale in any 1 calendar year.
- d) No more than 1 such vehicle shall be displayed for sale on or from any lot at any time. Such displayed vehicle shall be located upon an approved driveway or parking area and be parked no nearer to the right-of-way than 15 feet. (Amd. 12-21-2021)

640.05 Temporary Use/Activities Requiring a Temporary Use Permit

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

- 1. Temporary Sales and Services** – Temporary sales, such as sales of plants, flowers, arts and crafts, produce, or similar items may be permitted within the parking area of any use

within any non-residential district or of any public or quasi-public use. No such sale may exceed 45 days in length nor occupy more than 25% of the required parking. Such sales shall be limited to no more than twice within any calendar year for lots with an established use, and no more than once for any lot with no permanent tenant or established use.

- 2. Temporary Real Estate Sales Offices and Model Homes** – Temporary real estate sales offices within a dwelling or model homes may be permitted for any new development within a residential zoning district or any residential component of a Planned Development District that contains 10 or more platted lots. Sales activities shall be limited to that development only and shall not involve sale or lease of lots or dwellings not contained with the development. A dwelling used as a temporary real estate sales office may not be simultaneously occupied or used as a dwelling. Such temporary office or model home use shall cease upon completion of the sales of lots within the development. A zoning certificate shall be required to re-establish the dwelling use and the dwelling shall meet all applicable building regulations. (Amd. 10-20-2020)
- 3. Temporary Additional Dwelling** – Any lot in an Agricultural, Rural Residential, or Low Density Residential zoning district may be permitted a temporary additional single-family dwelling subject to the following regulations:
 - a) If the existing dwelling on such a lot has been damaged or destroyed by fire or other disaster, the owner of the lot may be permitted to live on-site in a temporary dwelling during the re-construction of the existing dwelling. Such temporary dwelling shall be permitted only for the duration of the active re-construction of the existing dwelling and shall be removed within 30 days of receiving a certificate of occupancy for the principal dwelling.
 - b) The owner of such a lot may be permitted to live in an existing dwelling on the lot during construction of a new dwelling on the same lot provided that the existing dwelling shall be demolished within 30 days of having received a certificate of occupancy for the new dwelling. A permit issued for such a purpose shall be valid for a period not to exceed 12 months and shall be eligible, upon application to the zoning inspector, for (1) additional 6 month period. The existing dwelling shall be demolished within 30 days of the expiration of such permit.
 - c) For the purposes of Section 640.05(3)(a), said temporary dwelling may consist of a manufactured home, mobile home, recreational vehicle, or similar trailer arranged as a single dwelling unit. Nothing in this Subsection shall be interpreted as otherwise modifying the permitted uses in any zoning district, or as allowing storage of such vehicles or trailers on any lot except as provided for in Chapter 610 or elsewhere in this Resolution. (Amd. 10-20-2020, 12-21-2021)
- 4. Temporary Buildings and Storage Facilities at Construction Sites** – Temporary buildings, offices, and equipment and storage facilities required in conjunction with construction activity may be permitted within any district for a period of one year, except that six-month extensions may be granted if construction is substantially underway. Such uses shall be removed immediately upon completion of the construction, or upon expiration of the temporary use permit, whichever occurs first. (Amd. 12-21-2021)
- 5. Temporary Public Events** – Temporary public events sponsored by a public or non-profit organization may be permitted within any non-residential zoning district or on any lot with a public or quasi-public use, provided adequate off-street parking, sanitary facilities, lighting, and security are provided. Temporary public events shall be limited to not more than 7 consecutive days and only 2 such events may be conducted on any single lot in

any 1 calendar year. Temporary public events include, but are not limited to, temporary uses such as tent meetings, bazaars, festivals, art shows, and other similar public events not intended to attract more than 500 persons on any single day. (Amd. 10-20-2020, 12-21-2021)

- 6. Portable Storage Units** – Portable storage units in accordance with the provisions of Sections 640.06 and 640.07.

640.06 Portable Storage Units

Portable storage units may be permitted as a temporary use in any zoning district only in conjunction with the following activities:

1. Temporary use for construction sites as accessory to and in association with an on-going commercial or industrial construction project. Such storage unit shall be removed upon substantial completion of the project.
2. Temporary use when the occupant of the lot on which the portable storage unit is located is relocating. Portable storage unit shall not be located on the lot for a period exceeding 7 consecutive days or for a period of 14 total days in any 180 consecutive day period.
3. Temporary use to facilitate temporary activities not described above for a period not to exceed 7 consecutive days or for a period of 14 total days in any 180 consecutive day period. (Amd. 12-21-2021)

640.07 Portable Storage Unit Regulations

Portable storage units shall be subject to the following requirements:

1. A portable storage unit placed on any residential lot in any district shall not exceed 170 square feet in size (total floor area) and 8 feet in height.
2. Portable storage units used for the purpose of storing tools, materials and equipment for commercial and industrial lots under construction may exceed 170 square feet. Such storage units may only be permitted on property currently under construction and shall be removed immediately upon substantial completion of the construction work. On properties where construction work has halted for a period greater than 4 consecutive weeks all storage units and storage trailers shall be removed.
3. Not more than 1 portable storage unit shall be permitted on any lot at any time, with the exception of commercial or industrial lots currently under construction.
4. No portable storage unit shall be located in a public right-of-way.
5. Portable storage units shall be located no closer to any lot line than 10 feet, or the required minimum side or rear yard setback for accessory buildings in the district in which the unit is located, whichever is greater.
6. Portable storage units, except those used for the storage of tools, materials and equipment on commercial or industrial properties under construction, shall only be used for the storage of personal property and for no other purpose whatsoever.
7. The placement of portable storage units shall be in such manner as not to create a public nuisance. (Amd. 10-20-2020, 12-21-2021)

Chapter 645 – Accessory Uses and Accessory Structures

645.001 Accessory Uses and Accessory Structures Generally

Accessory uses and accessory structures shall meet the standards and requirements of the applicable zoning district, if any, and the requirements of this Chapter. An accessory use or accessory structure shall be permitted in any district provided that:

1. It is incidental to and customarily found in connection with the principal use or principal structure permitted in the district;
2. It is subordinate to and serves the principal use or principal structure;
3. It is located on the same lot as the principal use or principal structure which it serves; and,
4. It contributes to the comfort, convenience, or necessity of occupants, business, or industry of the principal use or principal structure served.
5. In addition to the requirements above, the following generally regulations shall apply to accessory uses and structures:
 - a. Except as otherwise provided by this Zoning Resolution, a use or structure which is interpreted by the Zoning Inspector or Board of Zoning Appeals to be an accessory use or accessory structure may only be established or constructed on a lot having an approved existing principal use or principal structure.
 - b. Fences and walls shall be considered permitted accessory structures subject to the requirements of this Section and of Chapter 625. (Amd. 6-25-2018, 10-20-2020, 6-15-2021)

645.01 Uses, Structures, and Buildings Accessory to Uses other than Single-family Dwellings and Two-family Dwellings

Except as otherwise provided by this Resolution, uses, structures, and buildings accessory to uses other than single-family dwellings and two-family dwellings shall be subject to the following regulations:

1. Accessory buildings, detached open roofed structures, detached decks, and other accessory structures requiring a building permit shall not be located in any front, side, or rear yard setback. This regulation shall not apply to fences that are otherwise in compliance with the provisions of this Resolution, including Chapter 625.
2. Accessory buildings shall be located no closer than ten (10) feet to the principal building and no closer than five (5) feet to any other accessory building. (Amd. 12-17-2018, 10-20-2020, 6-15-2021, 12-6-2022)

645.02 Uses, Structures, and Buildings Accessory to Single-family Dwellings and Two-family Dwellings

Except as otherwise provided by this Resolution, uses, structures, and buildings accessory to single-family dwellings and two-family dwellings shall be subject to the following regulations:

1. Accessory buildings, detached unenclosed roofed structures, detached decks and other accessory structures requiring a building permit shall not be located within any front yard setback as provided for in the zoning district, and shall not be located closer to the right-of-way of any road than the principal building.
 - a) Exception: On any lot in the Agricultural District or Rural Residential District which has a lot area of 2 acres or more, accessory buildings, detached unenclosed roofed structures, and accessory structures requiring a building permit may be located closer to the right-of-way of a road than the principal building.

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

2. Accessory buildings, detached unenclosed roofed structures, detached decks, and other accessory structures requiring a building permit shall not be located closer to any side or rear lot line than provided for in Table 645.02.
 - a) Exception: Whenever an accessory building or structure is located based on the provisions of Subsection (1)(a) of this Section, the side yard setback for the principal building shall apply.
3. Accessory buildings and detached unenclosed roofed structures shall be located no closer than ten (10) feet to the principal building and no closer than five (5) feet to any other accessory building.
4. The maximum floor area, maximum height, and setbacks from lot lines for accessory buildings and detached unenclosed roofed structures shall be as provided for in Table 645.02.
(Amd. 12-17-2018, 10-20-2020, 6-15-2021)

Table 645.02 Accessory to Single-family Dwellings and Two-family Dwellings

Lot Area	Total Maximum Permitted Floor Area of Accessory Building(s)	Maximum Height	Setback from Side Lot Line	Setback from Rear Lot Line
Less than .50 acre	484 square feet	15 feet	10 feet	10 feet
Equal to or greater than .50 acre but less than one (1) acre	720 square feet	15 feet	10 feet	10 feet
Equal to or greater than one (1) acre but less than two (2) acres	1200 square feet	20 feet or the height of the principal structure, whichever is less.	10 feet	15 feet
Equal to or greater than two (2) acres but less than three (3) acres	2000 square feet	20 feet or the height of the principal structure, whichever is less.	Per the zoning district regs.	Per the zoning district regs.

Equal to or greater than three (3) acres but less than four (4) acres	2560 square feet	Per the zoning district regs. or the height of the principal structure, whichever is less.	Per the zoning district regs.	Per the zoning district regs.
Equal to or greater than four (4) acres but less than five (5) acres	3000 square feet	Per the zoning district regs.	Per the zoning district regs.	Per the zoning district regs.
Five (5) or more acres	4000 square feet	Per the zoning district regs.	Per the zoning district regs.	Per the zoning district regs.

(Amd. 12-17-2018, 6-15-2021, 6-15-2021)

645.03 Swimming Pools as Accessory Uses or Structures

When not otherwise permitted as a primary use, swimming pools shall be permitted as accessory uses in accordance with the following regulations:

1. **Private Residential Swimming Pools** – In all zoning districts where single-family and two-family dwellings are permitted uses, the following regulations for accessory swimming pools shall apply:
 - a) The swimming pool is intended and is to be used solely for the enjoyment of the occupants of the dwelling unit of the lot on which it is located.
 - b) A private residential swimming pool permitted under this Section shall not be located within any front yard setback as provided for in the zoning district and shall not be located closer to the right-of-way of any road than the front wall of the principal building. A private residential swimming pool shall be located no closer to a rear lot line than ten (10) feet and no closer to any side lot line than the side yard setback of the zoning district or ten (10) feet, whichever is less. (Amd. 10-20-2020, 6-15-2021, 12-6-2022)
2. **Residential Development Swimming Pools** – A pool that is accessory to and located within a development of single-family, two-family, multi-family dwellings or any combination thereof shall be a residential development swimming pool. A residential development swimming pool shall be subject to the same yard setback requirements as listed for principal buildings and structures in that zoning district. (Amd. 10-20-2020, 6-15-2021)
3. **Community or Club Swimming Pools** – Where permitted by the appropriate zoning district, a community or club swimming pool shall be subject to the following requirements:

- a) The pool is intended for the use and enjoyment of the members and families, and guests of members of the association or club under whose jurisdiction the pool is operated.
- b) The pool and all accessory structures to include decks or areas used by bathers shall not be closer than fifty (50) feet to any lot line. (Amd. 10-20-2020, 6-15-2021, 12-6-2022)

- 4. General Regulations for Pools** – In addition to the regulations of this Section for specific pool types, all pools or the entire lot upon which any pool is located, shall be walled or fenced in such a manner as to prevent uncontrolled access. Said fence or wall shall meet all the requirements of this Resolution as to fence type and location, the applicable building and health regulations, and any other applicable regulatory requirements but in no case shall such fence or wall be less than four (4) feet in height. Said fence wall or wall shall be maintained in good condition with a gate and lock. (Adopted 6-15-2021)

645.04 Special Regulations for Patios as Accessory Structures

Except as otherwise provided by this Resolution, patios accessory to single-family dwellings and two-family dwellings, or other uses shall be subject to the following regulations:

1. When accessory to a single-family dwelling or two-family dwelling, patios shall not be located within any front yard setback. When accessory to any use other than a single-family dwelling or two-family dwelling, a patio may be located within a front yard setback, but shall not be located within any side or rear yard setback.
2. On any lot developed with a single-family dwelling or two-family dwelling, patios shall be located no closer to any side lot line than the side yard setback of the zoning district or ten (10) feet, whichever is less.
 - a) Exception: On any lot with a width of fifty-five (55) feet or less, the above setback from a side lot line shall not apply and there shall be no required setback from a side lot line for a patio.
3. On any lot developed with a single-family or two-family dwelling, patios shall not be located closer to any rear lot line than the rear yard setback or ten (10) feet, whichever is less. (Adopted 6-15-2021, Amd. 12-6-2022)

645.05 Accessory Dwelling Units

Where specified within residential zoning districts, accessory dwelling units may be permitted as a conditional use in association with a principal single or two-family dwelling provided that the following standards are met:

1. The property owner shall live on-site, and the accessory dwelling unit shall be subservient to the principal use of the property as a dwelling.
2. Size of accessory dwelling unit or handicapped accessible suite: 600 square feet of floor area minimum, 816 square feet of floor area maximum.
3. Shall maintain a single-family residential appearance that blends with the principal structure and the neighborhood. An architectural rendering and floor plan shall be provided to and approved by the Board of Zoning Appeals in conjunction with review of a conditional use permit.
4. Central water and sewer shall be provided, or the lot shall be adequately sized for, and systems approved for water supply and wastewater disposal to serve both the principal residence and the accessory dwelling unit.

5. Off-street parking shall be provided for both the principal dwelling and the proposed accessory dwelling unit.
6. If the accessory dwelling unit is proposed to be above or within an approved accessory building, the maximum height of the accessory building shall conform to the maximum height for accessory buildings provided for in Table 645.02. All structures shall meet the standards of the applicable building regulations. (Amd. 10-20-2020, 6-15-2021, 12-6-2022)

645.06 Private Towers, Antennas, and Similar Structures

The private ownership (not of a public utility or similar organization) of radio and T.V. towers, antennas, satellite earth stations (dish antennas in excess of 24" diameter), solar collectors, and similar structures may be permitted in association with a principal use or structure provided that the following standards are met:

1. All towers, antennas and similar accessory structures shall be located no closer to the right-of-way of a road than the front yard setback of the zoning district and no such structure shall be permitted to encroach upon the minimum required side yard and rear yard setback.
2. No such structure shall be permitted to exceed 35 feet in total height, inclusive of the height of any building or base upon which said structure is erected, except upon issuance of a conditional use permit in accordance with Chapter 240 of this Resolution.
3. Any guy anchorage or similar device shall be at least ten (10) feet from any lot line.
4. No structure shall be in excess of a height equal to the distance from the base of the structure to the nearest overhead electrical power line or phone line less 5 feet, excluding lines which serve only the lot on which said structure is placed.
5. No structure shall be closer to any property line than an amount equal to the height of the structure plus 20 feet.
6. Suitable fencing and/or landscaping or other treatment is provided to effectively prevent unauthorized climbing of the structure.
7. The structure or activity for which the structure is used shall not interfere with radio and television reception on nearby properties.
8. Proposed solar collectors (including roof mounted facilities) shall be sited and screened as necessary to prevent glare from impacting any public road.
9. Prior to issuance of any zoning certificate for a tower or similar structure as described in this Section, the applicant shall submit an application for a zoning certificate in accordance with Chapter 220. In addition to the requirements of that Chapter, said application shall include the following additional information:
 - a) Proposed location and height of proposed structure, support systems, and distances to the nearest phone, electric lines and lot lines.
 - b) Type of structure and construction materials, and, if requested by the Zoning Inspector, a structural engineering analysis.
 - c) Documentation of any maintenance program which may be necessary.
 - d) Proof that a building permit can be obtained or is not necessary for the proposed structure.
 - e) Proof that any license which may be required has been or will be obtained.
 - f) All fencing, landscaping or other treatment which may be required.

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

- g) Other information as may be requested by the Zoning Inspector. (Amd. 10-20-2020, 6-15-2021)

Chapter 650 – Small Wind Projects

650.001 Small Wind Projects Structures Generally

The purpose of this Section is to accommodate small wind projects, or wind energy systems, under 5 megawatts in size in appropriate locations, while minimizing adverse visual, safety and environmental impacts of the system. In addition, this Section provides a permitting process for small wind projects to ensure compliance with the provisions of the requirements and standards established herein. (Amd. 12-17-2018, 10-20-2020)

650.01 Definitions

As used in this Chapter, the follow definitions shall apply:

1. **Anemometer** – A temporary wind speed indicator constructed for the purpose of analyzing the potential for utilizing a wind energy system at a given site. This includes the tower, base plate, anchors, cables and hardware, wind direction vanes, booms to hold equipment, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.
2. **Fall Zone** – The potential fall area for a tower-mounted wind energy system. It is measured by using 110% of the total height as the radius around the center point of the base of the tower.
3. **Structure Mounted Wind Energy System** – A wind energy system mounted on a structure roof, walls, or other elevated surface that includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system. A structure mounted wind energy system shall project no more than 15 feet above the highest point of the roof excluding chimneys, antennae, and other similar protuberances.
4. **Net Metering** – The process by which surplus energy generated by a customer, as measured by the difference between the electricity supplied by an electric service provider and the electricity generated by a customer in an applicable billing period, is fed back to the electric service provider with customer compensation.
5. **Power Grid** – The transmission system created to balance the supply and demand of electricity for consumers in Ohio.
6. **Shadow Flicker** – Shadow flicker occurs when the blades of the turbine rotor cast shadows that move across the ground and nearby structures.
7. **Tower Mounted Wind Energy System** – A wind energy system mounted on a tower that includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system.
8. **Tower** – The monopole or guyed monopole constructed to support a wind energy system.
9. **Total Height** – The vertical distance measured from the ground level at the base of the tower to the uppermost vertical extension of any blade, or the maximum height reached by any part of the wind energy system.
10. **Tower Height** – The height above grade of the fixed portion of the tower, excluding the wind energy system.
11. **Wind Energy System** – A system that converts the kinetic energy of the wind into electricity available for use beyond that used by the system. (Amd. 10-20-2020)

650.02 Applicability

1. Small wind projects may be permitted as a conditional use in certain zoning districts pursuant to Chapter 240 of this Resolution.
2. No wind energy system shall be erected, constructed, installed or modified, except as permitted in 650.03, without first receiving a conditional use permit pursuant to Chapter 240 of this Resolution.
3. No wind energy system shall be erected, constructed, installed or modified, except as permitted in Section 650.03, without first receiving a zoning certificate pursuant to Chapter 220 of this Resolution.
4. No wind energy system shall be erected, constructed, installed or modified without first receiving a building permit from the appropriate approving agency. (Amd. 10-20-2020)

650.03 Development Standards

Wind energy systems shall be evaluated for compliance to the following standards:

1. **Fall Zone** – Tower mounted wind energy systems shall provide a safe fall zone in accordance with the following:
 - a) A tower mounted wind energy system shall have a fall zone at least 110% of the total height from:
 - (i) Any public road right-of-way, unless written permission is granted by the governmental entity with jurisdiction over the road.
 - (ii) Any future road right-of-way pursuant to the Union County Thoroughfare Plan or thoroughfare plan of adjacent jurisdictions, where appropriate.
 - (iii) All overhead utility lines.
 - (iv) All property lines, unless the affected land owner provides written permission through a recorded easement allowing the wind energy system's fall zone to overlap with the abutting property.
 - (v) Any principal structure.
 - b) Guy wires used to support the tower of a tower mounted wind energy system are exempt from the wind energy system fall zone requirements.
2. **Tower** – The tower of a tower-mounted wind energy system shall not exceed a height necessary to comply with the required fall zone, or a maximum height of 100 feet, whichever is less. The applicant shall provide evidence that the proposed tower height of a tower mounted wind energy system does not exceed the height recommended by the manufacturer of the wind energy system.
3. **Sound Level** – Operation of wind energy systems shall not exceed 55 decibels, except during short-term events such as severe wind storms and utility outages. This information shall be obtained from the manufacturer of the wind energy system, and all readings, if necessary, shall be taken from the nearest neighboring property line.
4. **Shadow Flicker** – Wind energy systems shall be sited in a manner that does not result in shadow flicker impacts. The applicant has the burden of proving that their wind energy system does not have an impact on neighboring or adjacent uses either through siting or mitigation.
5. **Signs** – All signs, both temporary and permanent, are prohibited on wind energy systems, except as follows:
 - a) Manufacturer's or installer's identification on the wind energy system.
 - b) Appropriate warning signs and placards.
6. **Code Compliance** – Wind energy systems shall comply with all applicable Sections of the Ohio Building Code.
7. **Aviation** – Wind energy systems shall be built to comply with all applicable Federal Aviation Administration regulations. Evidence of compliance or non-applicability shall be submitted with the conditional use permit application.

- 8. Visual Impacts** – It is inherent that wind energy systems may pose some visual impacts due to the total height needed to access the wind resources. The purpose of this Section is to reduce the visual impacts, without restricting the owner's access to wind resources, in accordance with the following.
- The applicant shall demonstrate through project site planning and proposed mitigation that a wind energy system's visual impacts will be minimized for surrounding neighbors and the community. This may include, but not be limited to information regarding site selection, wind energy system design or appearance, buffering, and screening of ground mounted electrical and control equipment.
 - The color of wind energy systems shall be painted with a non-reflective, unobtrusive color that blends in with the surrounding environment.
 - Wind energy systems shall not be artificially lit unless such lighting is required by the Federal Aviation Administration. If lighting is required, the applicant shall provide a copy of the Federal Aviation Administration determination to establish the required markings and/or lights for the wind energy system.
- 9. Utility Connection** – Wind energy systems proposed to be connected to the power grid through net metering shall adhere to Ohio Revised Code Section 4928.67 or any future corresponding statutory provision.
- 10. Access:**
- All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
 - The tower of a tower mounted wind energy system shall be designed and installed so as not to provide step bolts or a ladder readily accessible to the public for a minimum height of 10 feet above the ground.
- 11. Clearing** – Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of wind energy systems and as otherwise prescribed by applicable laws and regulations.
- 12. Wiring and electrical apparatuses** – All wires and electrical apparatuses associated with the operation of a tower-mounted wind energy system, except guy wires, shall be located underground.
- 13. Maintenance:**
- All wind energy systems shall be maintained in good working order.
 - Any physical modification to the wind energy system that alters the mechanical load, mechanical load path, or major electrical components shall require reapplication for conditional use under this Section. Like kind replacements shall not require re-application.
- 14. Multiple Wind Energy Systems** – Multiple wind energy systems are allowed on a single lot so long as the owner/operator complies with all regulations set forth in this Chapter.
- 15. Historic Sites**
- No wind energy system shall be located within 1,000 feet of any registered historic site or historic district.
 - Written proof of compliance with this requirement shall be provided by the Ohio Historic Preservation Office and be submitted with the conditional use application.
- 16. Controls and Brakes** – All wind energy systems shall be equipped with a redundant braking system which shall include:
- Aerodynamic over-speed controls which include variable pitch, tip and other similar systems and;
 - Mechanical brakes which shall be operated in fail-safe mode.
 - Stall regulation shall not be considered a sufficient braking system for over-speed protection. (Amd. 10-20-2020)

650.04 Procedure for Review

The following Items shall be required prior to the construction of any small wind projects within Jerome Township:

1. **Conditional Use Permit** – In accordance with Chapter 240 a wind energy system shall be subject to receiving a conditional use permit prior to installation or modification thereof. The following items shall be submitted along with the application for a conditional use permit and all items required by Chapter 240:
 - a) **Site Plan** – A site plan shall be submitted for review. The following items shall be the minimum requirements for a complete application. The site plan shall include the following:
 - (i) Property lines and physical dimensions of the applicant's property.
 - (ii) Location, dimensions and types of existing structures on the property.
 - (iii) Location of the proposed wind energy system, foundations, guy wires and associated equipment.
 - (iv) Fall Zone depicted as a radius around the center of the tower for a tower mounted wind energy system.
 - (v) The right-of-way or future right-of-way according to the Union County Thoroughfare Plan of any public road that is contiguous with the property.
 - (vi) Two (2) foot contours of the applicant's property and properties contiguous to the subject property.
 - (vii) All overhead utility lines.
 - (viii) The site plan shall be prepared and stamped by a professional engineer or surveyor licensed to practice in the State of Ohio.
 - b) Wind energy system specifications, including manufacturer, model, rotor diameter in addition to tower height and tower type, if tower mounted, for small wind energy systems.
 - c) Documentation shall be provided regarding the notification of the intent with the utility regarding the applicant's installation of a wind energy system if the wind energy system will be connected to the power grid.
 - d) Tower foundation blueprints or drawings for tower mounted wind energy systems.
 - e) Tower blueprints or drawings for tower mounted wind energy systems.
 - f) Sound level analysis prepared by the wind energy system manufacturer or qualified engineer.
 - g) Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code (typically provided by the manufacturer).
 - h) Evidence of compliance or non-applicability with Federal Aviation Administration requirements.
 - i) Evidence of compliance with all development standards as outlined in Section 650.03 of this Resolution.
2. **Zoning Certificate** – A zoning certificate shall be obtained in accordance with Chapter 220 of this Resolution.
3. **Building Permit** – A building permit shall be obtained from the appropriate approving agency. (Amd. 10-20-2020)

650.05 Decommission

The following requirements shall apply when the small wind project is to be removed or abandoned:

1. At such time that a wind energy system is scheduled to be decommissioned or discontinued, the applicant will notify the Zoning Inspector by certified U.S. mail of the proposed date of discontinuation of operations.
2. Upon decommission or discontinuation of use, the owner shall physically remove the wind energy system within 90 days from the date of decommission or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the Zoning Inspector. "Physically remove" shall include, but not be limited to:
 - a) Removal of the wind energy system.
 - b) Removal of any tower and other related above ground structure.
 - c) Restoration of the location of the wind energy system to its natural condition, except that any landscaping, grading or below-grade foundation may remain in the after-conditions.
3. In the event that an applicant fails to give such notice, the system shall be considered decommissioned or discontinued if the system is out of service for a continuous 2 year period. After 2 years of inoperability, the Zoning Inspector may issue a Notice of Decommission to the owner of the wind energy system. The owner shall have the right to respond to the Notice of Decommission within 30 days from the date of receipt. The Zoning Inspector shall withdraw the Notice of Decommission and notify the owner that the Notice has been withdrawn if the owner provides information that demonstrates the wind energy system has not been decommissioned.
4. If the owner fails to respond to the Notice of Decommission or if after review by the Zoning Inspector it is determined that the wind energy system has been decommissioned or discontinued, the owner of the wind energy system shall remove the wind energy system, tower and other related above-ground structures at the owner's sole expense within 3 months of receipt of the Notice of Decommission.

650.06 Anemometer

The construction of an anemometer tower for the purpose of collecting data to develop a wind energy system, shall abide with the following requirements:

1. Anemometer towers shall adhere to the wind energy system standards as described in Section 650.02
2. Anemometer towers shall be installed on a temporary basis not to exceed 18 months.
3. Anemometers shall meet all applicable requirements of Section 650.03. (Amd. 10-20-2020)

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

This page intentionally left blank.

Chapter 655 – Telecommunications Towers

655.001 Telecommunications Towers Generally

As provided for in Section 519.211 of the Ohio Revised Code, public utilities or other functionally equivalent providers may site a telecommunications tower in conformance with the requirements of this Chapter.

655.01 Towers Proposed Within Commercial, Industrial, or Exclusively Agricultural Areas

Public utilities or other functionally equivalent telecommunications providers may site a telecommunications tower as a permitted use in any zoning district except those expressly zoned for residential use. The areas zoned for residential use are deemed to be all land located within the Rural Residential, Low Density Residential, and Medium Density Residential Districts, as well as any residential component of an approved Planned Development District.

1. Local zoning authority shall not extend to the regulation of maintenance or use of such a tower or to any change or alteration that would not substantially increase the tower's height.
2. The local zoning authority over proposed telecommunications towers shall apply only to a particular tower, only upon provision of a notice of objection to that particular tower. No blanket zoning authority exists over telecommunications towers in residential districts unless and until a written notice of objection has been timely filed.

655.02 Towers Proposed Within Areas Zoned for Residential Use

Telecommunications towers may be regulated in areas zoned for residential use upon receipt of an objection pursuant to the regulations of ORC 519.211(B)(2). The provisions of this Resolution concerning telecommunications towers are not intended to replace or modify ORC 519.211, but instead are intended only to incorporate ORC 519.211 and its terms into this Resolution.

1. **Notice** – Notice shall comply with ORC 519.211(B)(3).
2. **Procedure if Objections are Filed** – Upon the timely receipt by the Board of Township Trustees of an objection to a proposed telecommunications tower, the Board shall proceed as provided in ORC 519.211(B)(4)(a).
3. **Procedure if No Objections are Filed** – Telecommunications towers shall be permitted as a use exempt from any local zoning authority in residential districts if no objections are timely filed as provided in Section ORC 519.211(B)(4)(b). (Amd. 10-20-2020)

655.03 Local Zoning Authority

If objections are timely filed for a proposed telecommunications tower in a residential zoning district then the telecommunications tower may only be permitted as a conditional use by the Board of Zoning Appeals, provided all of the following conditions of this Section are met:

1. **Conditional Use Application** – Consistent with the procedures set forth in Chapter 240 of this Resolution, an application for a conditional use permit shall be filed with the Board of Zoning Appeals. The application shall include:
 - a) A locator map which shall contain the following:
 - (i) The location of all the applicant's existing facilities within a radius of one (1) mile of the proposed location of the telecommunications tower.
 - (ii) The general location of planned future facilities within a radius of one (1) mile of the proposed location of the telecommunications tower.

- (iii) For each location of the applicant's existing facilities within a radius of one (1) mile of the proposed location of the telecommunications tower, there shall be listed:
 - a The type and size of tower at each location;
 - b The type of equipment located or proposed on each tower;
 - c The space available on the tower for additional equipment; and
 - d A site plan showing the parcel on which any existing or proposed tower, antenna or equipment is located.
- b) A scaled and dimensioned site plan for the facility that is being proposed, containing the following:
 - (i) The location, type and size of existing and proposed towers, antennas and equipment located or to be located at the site;
 - (ii) The location of existing and proposed buildings and structures, access drives, circulation and parking areas;
 - (iii) Detailed drawings of the landscape screening plan and related design standards;
 - (iv) On-site land uses, structures and zoning district, and adjacent land uses, structures and zoning districts;
 - (v) Setbacks from property lines and dwellings within 600 feet of the proposed tower;
 - (vi) A legal description of the lot on which the tower is to be sited; and
 - (vii) Any other information necessary to assess compliance with this Section.
- c) A written certification from a professional engineer stipulating:
 - (i) That the tower's design is structurally sound and in compliance with all applicable federal, state and local building codes;
 - (ii) That the equipment placed on the tower and at the site complies with all current FCC regulations.
 - (iii) That the tower will, to the extent possible, accommodate co-location of additional wireless communication antennas for future use, with a statement as to the number of antennas capable of being accommodated and the ultimate height needed for the stated co-location capacity; or, alternatively, an explanation as to the reasons why the tower will not be constructed to accommodate co-location. (Amd. 10-20-2020, 6-15-2021)

2. Conditional Use Procedure by Board of Zoning Appeals on Receipt of Application – Consistent with the procedures set forth in Sections 240.02 and 240.03 of this Resolution, the Board of Zoning Appeals shall provide notice of, conduct a public hearing and render a decision on the conditional use permit requested in the application filed pursuant to Section 655.03(1) of this Resolution. (Amd. 6-15-2021)

3. General Requirements for all Telecommunications Towers in Residential Zones

- a) The applicant or tower provider shall demonstrate that the proposed tower location in a residential area is essential to service the applicant's service area and that there are no alternative sites in commercial, industrial, or exclusively agricultural areas. If another tower or tall structure is technically suitable, the applicant shall show that a reasonable request to co-locate was made and that such request was rejected. "Tall structures" shall include smoke stacks, water towers, electric transmission towers, existing antenna support structures or other telecommunications towers, utility buildings and structures over 48 feet in height.
- b) The owner/operator shall remove a tower within one hundred eighty (180) days after the tower's use is discontinued.

4. Development Standards for all Telecommunications Towers in Residential Districts

- a) No telecommunications tower shall be permitted to be located in any platted subdivision approved under Sections 711.05, 711.09 or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen (15) or more lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, when at least thirty-five percent (35%) of the lots within such subdivision or area are developed with at least one (1) dwelling unit.
- b) The maximum height of a tower proposed for one (1) antenna facility for use by a single telecommunications provider in a residential area shall be 100 feet. The maximum height of a tower proposed for multiple antenna facilities for shared use by multiple telecommunications providers in a residential area shall be as follows:
 - (i) Towers proposed for and designed to support the co-location of a total of two antenna facilities – 115 feet;
 - (ii) Towers proposed for and designed to support the co-location of a total of three antenna facilities – 130 feet; and
 - (iii) Towers proposed for and designed to support the co-location of four or more antenna facilities – 145 feet. The additional height shall be approved concurrent with the need to co-locate additional telecommunications antennae.
- c) Tower height shall be the distance measured from the base of the tower, at grade, to the highest point on the tower, including any antenna. Grade shall be determined as the elevation of the natural or existing topography of the ground level prior to construction of the tower.
- d) The tower base shall not be placed closer than the sum of height of the tower plus forty feet from any existing residential dwelling unit located on a lot contiguous to or directly across the street from the lot on which the tower is proposed to be constructed.
- e) A tower base shall be located no closer to any lot line than the distance equal to the height plus 25% of the proposed tower. Any stabilization structures or guys shall be located no closer to any lot line than 50 feet.
- f) The tower base shall be located no closer to a street right-of-way than permitted in permitted in the underlying zoning district.
- g) Reasonable and safe access and circulation shall be provided to the tower. The location and design of the access drive and circulation areas shall be subject to review and comment by the Fire Chief (or the Chief's designee) of the fire department providing primary fire service to the Township.
- h) Security fencing shall be provided to prevent uncontrolled access to the tower site. The tower shall be screened by an eight (8) foot high fence or barrier. A continuous evergreen hedge, trees or similar landscape materials of a size, type, area and design deemed appropriate by the Board of Zoning Appeals shall be placed outside of and along the fence or barrier. Any solid fence or barrier shall contain no advertising, but may contain one small identification sign not to exceed three square feet in size. The storage of any equipment shall be contained inside the screened area.
- i) The tower and related screening shall, to the extent practicable, be designed to be aesthetically and architecturally compatible with the surrounding environment. The tower shall not contain, or be illuminated by artificial lights, beacons or strobes, unless otherwise required by the Federal Aviation Administrations (FAA) or the Federal Communications Commission (FCC). Any required illumination shall be fully disclosed on the site plan.
- j) Unless otherwise approved by the Board of Zoning Appeals, the tower shall be of a monopole design, disguised at the top as a pine tree.

- k) No advertising is permitted anywhere on the tower.
 - l) Where the tower is located on a property which is not owned by the tower operator, the applicant shall present documentation that the owner of the property has approved the application.
 - m) The applicant shall provide a signed statement indicating that he or she agrees to allow for the potential co-location of other antenna facilities to the extent possible, until said tower has reached full antenna capacity.
 - n) A telecommunications antenna may be attached to a nonresidential building or structure that is permitted in the district, provided that the tower's height does not exceed twenty (20) feet above the existing building or structure to which the tower is attached.
 - o) If the applicant proposes to construct a separate equipment shelter on the site, the equipment shelter shall be shown on the site plan, be designed to be aesthetically and architecturally compatible with the surrounding environment, be located completely within the fenced area of the site, and be in compliance with the accessory building regulations of the district in which it is to be located.
 - p) A letter of credit shall be posted in favor of the Township to assure that the project will be completed.
 - q) The applicant shall complete the telecommunications tower or structure within one year of construction commencement.
- 5. Towers on Township Property** – With the prior consent of the Board of Township Trustees obtained through resolution, a telecommunications carrier may site a telecommunications tower on township-owned property not zoned for residential use pursuant to Section 655.01. Additionally, with the prior consent of the Board of Township Trustees obtained through resolution, a telecommunications carrier may site a telecommunications tower on Township-owned property zoned for residential use, but only after obtaining a conditional use permit pursuant to Sections 655.03(1&2) and all requirements of Section 655.03(3&4) have been fully met. (Amd. 10-20-2020)
- 6. Co-location on an Existing Tower or Concealed Inside an Existing Structure** – If a telecommunications carrier desires to co-locate a telecommunications antenna on an existing telecommunications tower or concealed inside an existing structure in a residential zoning district, and such a co-location will result in a substantial change in the height of the tower, a zoning certificate may be obtained provided that the requirements found in the following provisions are met: Section 655.03(3&4). A substantial change in height shall mean the addition of more than 40 feet to the existing tower or structure. (Amd. 10-20-2020)

Chapter 657 – Solar Energy Systems**657.01 Accessory Solar Energy Systems**

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met. No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning certificate from the Zoning Inspector.

All accessory solar energy systems shall meet the following requirements:

1. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. A solar energy system shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.
3. Roof/Structure mounted solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. Combined height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
4. Ground/Pole mounted solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising the solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of the solar energy system or at least twenty (20) feet from the nearest property line, whichever is greater.
5. Solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
6. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued, or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.

7. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
 - a. Height of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any structure and "clear fall zone".
 - c. Proof of notice to the electric company regarding the proposal. (Adopted 12-6-2022)

657.02 Principal Solar Energy Production Facilities

It is the purpose of this regulation to promote the safe, effective and efficient use of principal solar energy production facilities principally designed to produce greater levels of electrical energy, either for consumers with higher energy demand levels or designed primarily to produce energy to be supplied directly to the electrical grid. No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, or subsidiary use, as defined by the Ohio Power Siting Board (50 MW or greater). It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).

All principal solar energy production facilities shall meet the following requirements:

1. The proposed solar energy project must be located on at least five (5) acres of land.
2. For purposes of determining lot coverage, the total surface area of all ground mounted and freestanding solar collectors including cells, panels, and water collector devices shall be considered impervious and shall count toward the maximum percent of a lot to be occupied. Panels mounted on the roof of any building shall be subject to the maximum height regulations as specified in the underlying zoning district.
3. To the extent feasible, all on-site utility and transmission lines, that are the responsibility of the principal solar energy production facility to maintain, shall be placed underground.
4. Roof/Structure mounted solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. Combined height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
5. Ground/Pole mounted solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be erected within an established clear fall zone.

6. Solar energy systems shall be designed and located in order to prevent reflective glare towards any inhabited building on adjacent properties as well as adjacent street right of ways.
7. The proposed principal solar energy production facility must comply with any applicable airport zoning overlay and height restrictions, and the ability to comply with the FAA regulations pertaining to hazards to air navigation must be demonstrated.
8. All mechanical equipment of solar energy systems including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provide screening in accordance with the zoning resolution.
9. Setback requirements from property lines and adjacent zoning districts shall be twenty (20) feet or the principal structure setback, whichever is greater.
 - a. Roof-mounted solar energy equipment are exempt from setback requirements, provided that the equipment is located within the footprint of the roof.
10. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
11. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of the application and shall include:
 - a. Height of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any structure and "clear fall zone".
 - c. Proof of notice to the electric company regarding the proposal.
 - d. Letters from the County Engineer, Township, and State Department of Transportation regarding the status of any Road User Maintenance Agreement.
(Adopted 12-6-2022)

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

This page intentionally left blank.

Chapter 660 – Ponds

660.001 Ponds Generally

Every lot or use in any zoning district proposing a farm pond or drainage pond shall have an adequate drainage outlet and acceptable soils consistent with the requirements for the proposed use as determined by the Union County Soil and Water Conservation District and shall meet the standards provided in this Chapter. (Amd. 10-20-2020)

660.01 Pond Regulations

Prior to construction of the pond a zoning certificate shall be secured and approved by the Zoning Inspector. Approval shall be based upon the following criteria:

1. Union Soil and Water Conservation District (SWCD) shall review and approve proposed construction site with landowner.
2. The pond shall be designed in accordance with Natural Resource Conservation Service (NRCS) Standards and Specifications along with the United States Department of Agriculture's (USDA) National Engineering Field Manual for Conservation Practices. Tile found in working order on site shall be rerouted around proposed pond. Soil shall be spread in a manner not to encroach on adjacent properties.
3. The Union County Soil and Water Conservation District or a professional engineer (P.E.) registered in the State of Ohio shall be responsible for designing the pond and doing site inspections during construction to assure that the pond is constructed according to the approved plan.
4. The pond outlet shall be designed to flow into a tile or natural waterway.
5. Setbacks: All ponds shall be located a minimum of 50 feet from road right-of-way to the high water mark of the pond and 30 feet from the high water mark of the pond to all side and rear lot lines.
6. All ponds shall be located on a property having a 2-acre minimum lot size.
7. All ponds shall be at least $\frac{1}{4}$ acre in size unless approved otherwise by the county engineer.
8. All ponds shall meet the requirements of the County Engineer's Office. (Amd. 10-20-2020)

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

This page intentionally left blank.

Chapter 662 – Supplemental Regulations for Specific Uses

662.01 Supplemental Regulations for Specific Uses

The following supplemental regulations shall apply to specific uses as provided for herein. Any standards provided by this Chapter shall be in addition to the general standards provided by this Article or elsewhere by this Resolution. Nothing in this Chapter shall be interpreted as allowing any use except where specifically listed as a permitted or conditional use in the regulations for the zoning district.

1. Veterinary Hospital and Clinic, Kennel/Animal Boarding

When provided for as a permitted and conditional use by the regulations of a zoning district, a veterinary hospital and clinic or kennel/animal boarding use shall comply with the following standards:

- a) Parking – Parking spaces for these uses shall be provided in this subsection. All parking areas shall comply with the provisions of Chapter 610, except that whenever such uses are located within the AG District or RU District, the regulations contained in Section 610.03(5) – 610.03(7), inclusive, shall not apply.
 - (i) Veterinary Hospital and Clinic – 5 parking spaces per each veterinarian at the facility.
 - (ii) Kennel/Animal Boarding – 1 parking space per each 400 square feet of floor area of principal boarding building or structure.
- b) Outdoor Containment Areas – All outdoor boarding areas associated with such uses shall be located to the rear of the principal structure and shall be screened from view on all sides by a continuous fence and evergreen planting meeting the requirements of Chapter 625. Outdoor boarding areas shall be setback a minimum of 500 feet from the nearest residential dwelling. All animals being held or observed outdoors shall be fully contained by a fence designed specifically for keeping such animals secure and preventing animals from wandering onto adjacent lots or the public right of way.

2. Farm Supply / Feed Store / Farm Equipment Dealer

When provided for as a permitted and conditional use by the regulations of a zoning district, farm supply / feed store / farm equipment dealer uses shall comply with the following standards:

- a) Parking – Parking spaces for these uses shall be provided in this subsection. All parking areas shall comply with the provisions of Chapter 610, except that the minimum setback for all parking areas from any lot line shall be 50ft.
- b) The following standards apply to the outdoor sales and outdoor storage of goods or equipment:
 - (i) The outdoor display or storage of goods or equipment shall not be permitted in the front of any building or structure in the Agricultural District.
 - (ii) The outdoor storage and display areas shall meet all side and rear yard setbacks for the District.
 - (iii) The outdoor storage and display areas shall be screened from view on all sides by either fencing or a continuous evergreen buffer, similar to Buffer Type 'C', meeting the requirements of Chapter 625. Such fence shall meet all side and rear yard setback requirements for the AG District.
 - (iv) The outdoor storage and display areas shall not exceed 150 percent of the area of the principal building or structure.
- c) Loading, delivery, and service areas shall be located to the side or rear of the building and shall be screened from view from all public roads.

- d) Signage – Farm supply stores, feed store and equipment dealers approved in the AG District shall be permitted one sign to advertise the business. Such sign shall not exceed 15 square feet per each side or 5 feet in height and shall be set back a minimum of 15 feet from the right of way and shall comply with Chapter 615 of this Resolution.

3. Private Landing Fields for Aircraft Use

When provided for as a permitted and conditional use by the regulations of a zoning district, private landing field uses shall comply with the following standards:

- a) The applicant shall demonstrate that the design and location of the facility meets all applicable requirements of the Federal Aviation Administration, The Ohio Department of Transportation (ODOT), Division of Aviation, and Union County.
- b) The applicant shall provide proof to the township that all applicable air rights have been secured for all runway paths.
- c) The location of buildings all other structures shall meet the minimum setback requirements established for the district.
- d) No aircraft shall be stored on any exterior areas of the lot.
- e) The private landing field shall be used for a maximum of 2 planes or helicopters owned by the owner of the property only.
- f) The location of all off-street parking & loading shall be approved by the Board of Zoning Appeals.
- g) The facility shall have water and wastewater facilities that meet the requirements of Union County and the Ohio EPA.
- h) The facility shall be placed a minimum of 500 feet from any existing dwelling or residential district. (Adopted 12-6-2022)

Chapter 665 – Adult Entertainment

665.001 Adult Entertainment Generally

Whereas, the establishment of adult entertainment facilities has a deleterious effect on existing businesses and the surrounding residential segments of neighborhoods, causing blight and downgrading of property values, and has an overall detrimental effect on the health and welfare of the Township; and whereas, such businesses characteristically utilize excessive illumination to identify their locations at night, thereby distracting passing motorists; and whereas, such facilities characteristically operate during the late hours of the evening and early hours of the morning, thereby creating excessive noise levels adversely affecting contiguous and surrounding properties and persons utilizing such properties; and Whereas, such businesses have a general overall adverse effect on the health and welfare of the patrons of such facilities, of visitors to the Township, of the citizens of the Township, and upon the surrounding neighborhoods, thereby necessitating the regulation of the location of such facilities within the Township; The following standards shall govern adult entertainment facilities. (Amd. 10-20-2020)

665.01 Adult Entertainment Defined

An adult entertainment facility is defined as a facility having a significant portion of its function as adult entertainment which includes the following listed categories:

- 1. Adult Bookstore** – An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" as herein defined or an establishment with a segment or section devoted to the sale or display of such material.
- 2. Adult Mini Motion Picture Theater** – A facility with a capacity for less than fifty (50) persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.
- 3. Adult Motion Picture Theater** – A facility with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas," for observation by patrons therein.
- 4. Adult Entertainment Business** – Any establishment involved in the sale or services or products characterized by the exposure or presentation of "specified anatomical areas" or physical contact of live males or females, and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage, and similar functions which utilize activities as specified above.

665.02 Requirements for Adult Entertainment Facilities

Adult entertainment facilities are subject to the conditions set forth in the Zoning Resolution and the following requirements.

1. No adult entertainment facility shall be established within one thousand (1,000) feet of any area zoned for residential use.
2. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any school, library, or teaching facility, whether public or private,

governmental or commercial, which school, library, or teaching facility is attended by persons less than eighteen (18) years of age.

3. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any park or recreational facility attended by persons less than eighteen (18) years of age.
4. No adult entertainment facility shall be established within a radius of two thousand (2,000) feet of any other adult entertainment facility.
5. No adult entertainment facility shall be established within a radius of one thousand five hundred (1,500) feet of any established church, synagogue, or established place of religious services which is attended by persons less than eighteen (18) years of age.
6. No advertisements, displays or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other areas public or semi-public.
7. All building openings, entries, windows, etc. for adult uses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.
8. No screens, loudspeakers or sound equipment shall be used for adult motion picture theaters (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.
9. Off-street parking shall be provided in accordance with the standards for permitted use within RR District for similar uses.

Chapter 668 – Mining, Commercial Quarries, Sand and Gravel Pits**668.01 Mining, Commercial Quarries, Sand and Gravel Pits Generally**

Mining, commercial quarries, sand and gravel pits, when listed as a permitted or conditional use in a zoning district, shall be subject to the requirements in of this Chapter and shall be in conformance with the applicable portions of Ohio Revised Code, including but not limited to Sections 519.141, 1514.01, and 1514.02. In addition, the following regulations shall apply to all such uses:

1. Setbacks – The setbacks for all mining, commercial quarries, sand and gravel pits, structures related to such operations, and the parking and storage of equipment related to such operations shall be as follows:
 - a. Front Yard Setback – 200 feet
 - b. Side Yard Setback – 75 feet
 - c. Rear Yard Setback – 75 feet
2. Noise – All blasting and quarrying operations (except loading) shall be limited to between the hours of 7 o'clock a.m. and 7 o'clock p.m. except in emergencies.
3. Air Pollution – Control measures shall be implemented on a continuing basis, during times of operation, to control dust on entrance roadways, in equipment operation and throughout the mining site. The Zoning Inspector may require additional control measures during periods of high wind or very dry weather.
4. Screening from Residential Uses, Industrial Parkway, US Highway 42 and US Highway 33 – Any mining, commercial quarries, sand and gravel pits or parking and storage area for mining equipment visible to adjacent residential lots or uses, Industrial Parkway, US Highway 42, and/or US Highway 33 shall be entirely screened from view through the use of one of the following:
 - (i) A combination of a continuous 5 foot high earthen mound and completely opaque masonry walls or fences, in accordance with Chapter 625 of this Resolution and deciduous shade trees planted at a maximum of 40' on center similar to Buffer Type 'A' shown in Appendix 1. Said walls or fences shall be a minimum of 8 feet in height and not exceed 12 feet in height, as measured from the top of mound to the top of wall.
 - (ii) A combination of a continuous 5 foot high earthen mound and a continuous planting of evergreen trees, a minimum of 6 feet in height at the time of planting. Evergreen trees shall be planted on top of the mound and staggered or spaced to achieve 100% screening of the mining operation and equipment within 3 years of the time of planting similar to Buffer Type 'B' shown in Appendix 1.
5. Transportation
 - a. Points of ingress and egress associated with extraction or processing sites shall be located as approved by the County Engineer or the Ohio Department of Transportation as appropriate.
 - b. The applicant shall include with his submittal a map describing the proposed major access roads to be utilized for ingress and egress for the extraction operation.
6. Surface Water
 - a. The hydrographs and quality of water leaving the site of an extraction activity meet the Ohio EPA standards.
 - b. During mining and reclamation, drainage shall be controlled so as to prevent the causing of flooding, landslides and flood hazards to adjoining lands resulting from the mining operations. Upon completion of mining, ponds shall be left in such condition as to avoid their constituting a hazard to adjacent parcels. Where ponds,

impoundments, or other resulting bodies of water are intended for recreational use, banks and slopes shall be established that will assure safe access to such bodies of water. Where such bodies of water are not intended for recreation, measures to ensure public safety, including the locations of proposed emergency access shall be indicated.

7. Vibration and Blasting

- a. The operation of stationary and mobile equipment shall not cause vibration in excess of that permitted by applicable federal and state law.
- b. Blasting shall be done in accordance with the applicable laws of the State of Ohio and shall be carried out by persons certified to be knowledgeable and competent in the sizing and placing of the explosive to be used for blasting.
- c. When the blasting area is within one thousand (1,000) feet of an existing residential structure the maximum hours of blasting operation shall be 7:00 a.m. to 7:00 p.m.

8. Slope Stability

- a. The sides of excavation sites shall be set back a minimum of 50 feet from the property line with a sufficient slope of excavation to insure the lateral support of surrounding property with the following provisions:
 - A) The reclaimed sides of excavation sites shall be set back a minimum of 50 feet from the right-of-way of all public streets or roads.
- b. Final slopes shall be graded, contoured, or terraced, wherever needed, sufficient to achieve soil stability and control landslides, erosion, and sedimentation. High walls will be permitted if they are compatible with the future uses specified in the site plan and measures taken to ensure public safety.

9. Soil Erosion Sedimentation Control

- a. The area of land affected shall be re-soiled, wherever needed, with topsoil or suitable subsoil, fertilizer, lime or soil amendments, as appropriate, in sufficient quantity and depth to raise and maintain a diverse growth of vegetation adequate to bind the soil and control soil erosion and sedimentation.
- b. A diverse vegetative cover of grass and legumes or trees, grasses and legumes capable of self-regeneration and plant succession wherever required by the site plan shall be established.

10. Other Requirements

- a. Mining and reclamation shall be carried out in the sequence and manner set forth in the site plan and reclamation measure shall be performed in a timely manner. All reclamation of an area of land affected shall be completed no later than three years following the active mining of such area, unless a showing satisfactory to the Board of Zoning Appeals is made that the future use of such area requires a longer period for completing reclamation.

2. **Application for a Conditional Use Permit for Mining, Commercial Quarries, Sand and Gravel Pits**

In addition to the application requirements for conditional use permits established under Chapter 240 of this Resolution, applications for a conditional use permit for mining, commercial quarries, sand and gravel pits shall be accompanied by site plans and text providing the following information:

- a) The location, true shape, topography, contours, dimensions, area and description of the lands proposed as a new area of mineral extraction, or the area proposed for expansion of an existing area of mineral extraction;
- b) The use of all land and the location and use of all buildings and structures lying within a distance of five hundred (500) feet of any of the boundaries of the lands set aside for the purposes of the mineral extraction or other operations;

- c) The pattern, quality and estimated quantity of the mineral aggregate resources within the property;
- d) The location, height, dimensions and use of all existing or proposed buildings or structures;
- e) Existing and anticipated final grades of excavation;
- f) Engineering plans showing the proposed drainage system;
- g) Proposed ingress and egress to the site except as may be limited by Section 519.141(C) of the Ohio Revised Code;
- h) To the extent possible, plans showing the ultimate area of mineral extraction, progressive and ultimate road plan, any water diversion or storage facilities, location of stockpiles for stripping and products, tree screening and mounding, progressing and ultimate rehabilitation of the site, and where possible, intended use and ownership of the land after mineral extraction has ceased;
- i) If applicable, a copy of the surface mining permit application required by Ohio Revised Code Section 1514.01(A) and any amendments thereto proposed by the State or applicant.
- j) The extent of adjacent property holdings intended for future mineral extraction; and
- k) Additional information such as hydrology, wildlife, vegetation or soil studies which may be required due to special concerns related to a specific site; and any other information as deemed necessary by the Board. (Adopted 12-6-2022)

Zoning Resolution

Jerome Township, Union County, Ohio

Article 6

General Development Standards

This page intentionally left blank.

Chapter 670 – Objectionable, Noxious, or Dangerous Uses, Practices, or Conditions

670.001 Objectionable, Noxious, or Dangerous Uses, Practices, or Conditions Generally

No land or building in any district shall be occupied or used in any manner which creates or contributes to the existence of conditions which are dangerous, injurious, harmful, noxious, or objectionable, or which may otherwise adversely affect adjacent or abutting premises, except that any use permitted by this Resolution may be undertaken or maintained if acceptable measures and safeguards to reduce any dangerous or objectionable conditions to acceptable limits, as established in this Chapter, are properly exercised. Specifically, the occupation or use of any land or building in any district shall be in violation of this Resolution if one or more of the following conditions is found to exist at any time:

1. The use or storage of flammable or explosive materials is not adequately protected by fire-fighting and fire-protection equipment or by such safety devices as are normally required for such activities;
2. Activities involving the use and storage of flammable and explosive materials are not removed from adjacent facilities or activities to a distance compatible with the potential danger involved;
3. Radioactivity or air pollution is present in violation of the regulations of the Ohio Environmental Protection Agency;
4. Hazardous wastes are present in violation of the regulations of the Ohio Environmental Protection Agency;
5. Objectional noise as determined by the Zoning Inspector due to volume, frequency or beat is present;
6. Vibration discernible by the Zoning Inspector without instruments is present on an adjacent lot;
7. Direct or reflected glare is present which is visible from any road or from any lot where manufacturing or industrial uses are not permitted.
8. Erosion caused by wind or water is carrying objectionable substances onto any adjacent lot;
9. Water pollution or contamination is present in violation of the regulation of the Ohio Environmental Protection Agency. (Amd. 12-21-2021, 12-6-2022)

670.01 Assurance Requirements and Plans

Prior to the issuance of a zoning certificate, the Zoning Inspector may require the submission of written assurances and plans indicating the manner in which dangerous and objectionable aspects or elements of processes or operations entailed in certain uses or occupations are to be eliminated or reduced to acceptable limits and tolerances. (Adopted 12-21-2021)

670.02 Enforcement Provisions

Any occupancy, use, conditions or circumstances existing in violation of this Chapter of this shall constitute a violation of this Resolution and be subject to the enforcement procedures and penalties provided for in Chapter 260. (Adopted 12-21-2021)

Zoning Resolution

Jerome Township, Union County, Ohio

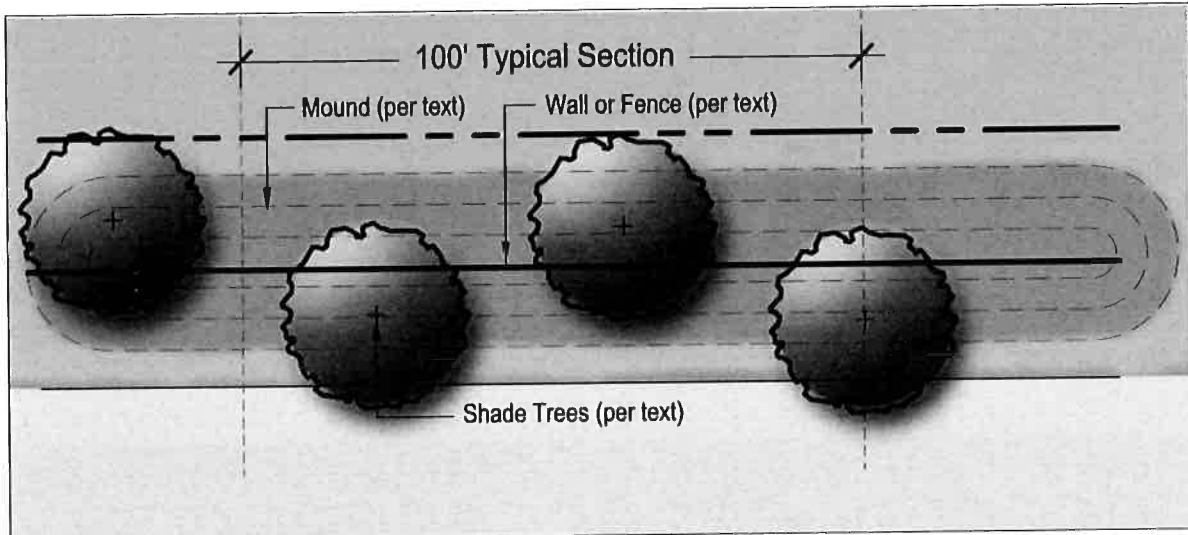
Article 6

General Development Standards

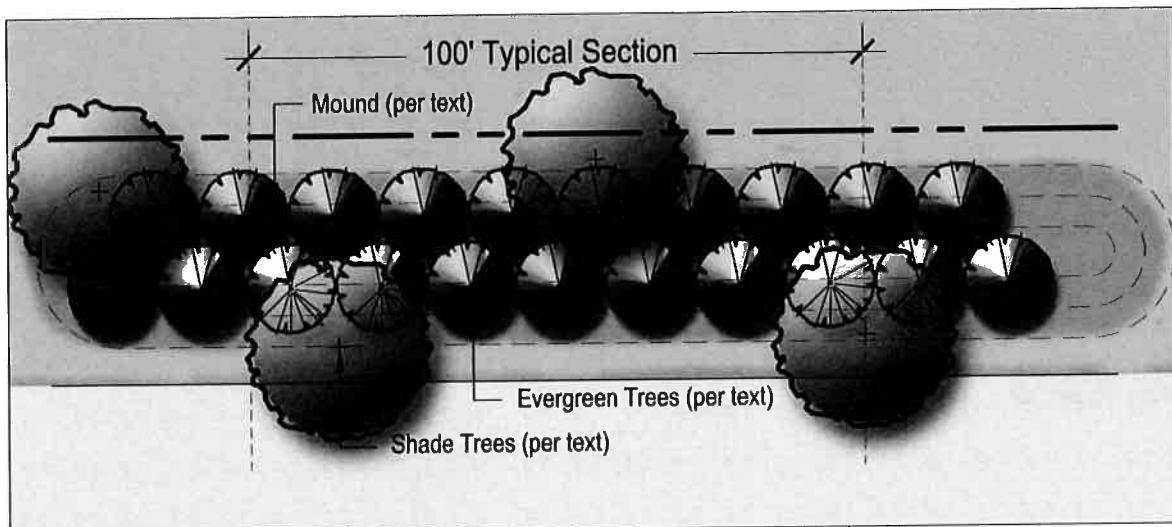
This page intentionally left blank.

Chapter 705 – Appendix 1 – Buffer Diagrams

The following buffer diagrams provide a representative example of the required screening and buffering referenced within each zoning district. The following diagrams shall serve as a guide while the requirements of the individual zoning districts within the Resolution shall govern the height of the mounding, size and spacing of the plant materials and opacity of screening required.



Buffer Type 'A'

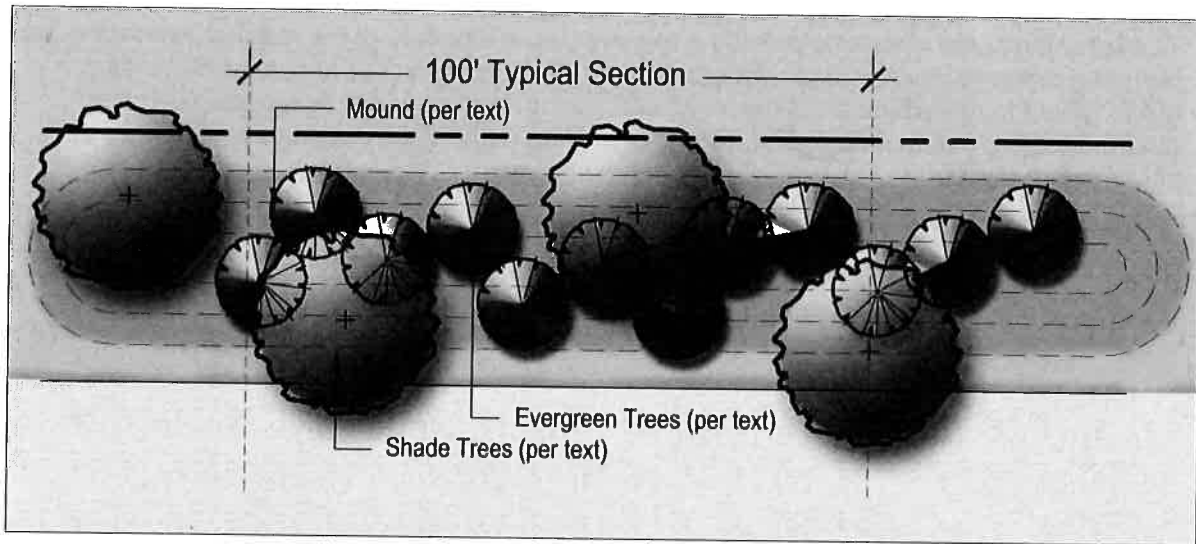


Buffer Type 'B'

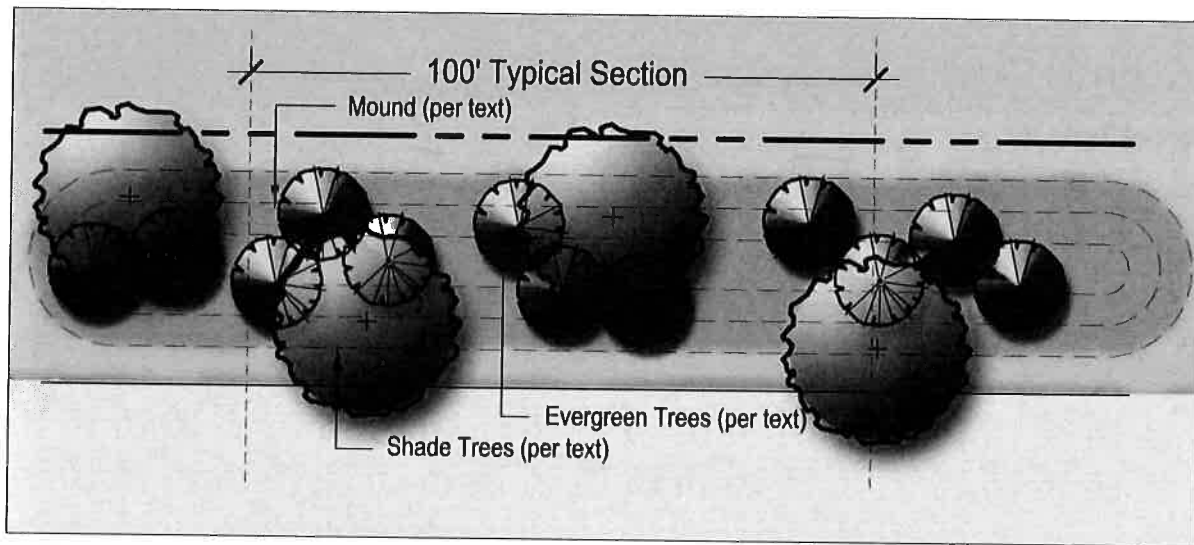
Zoning Resolution

Jerome Township, Union County, Ohio

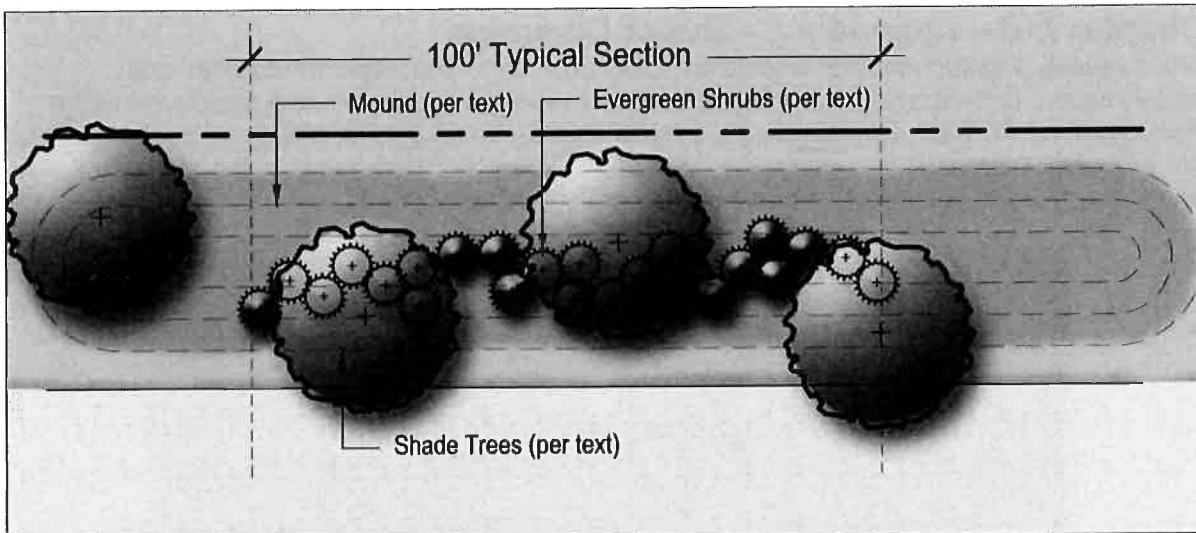
Article 7
Appendices



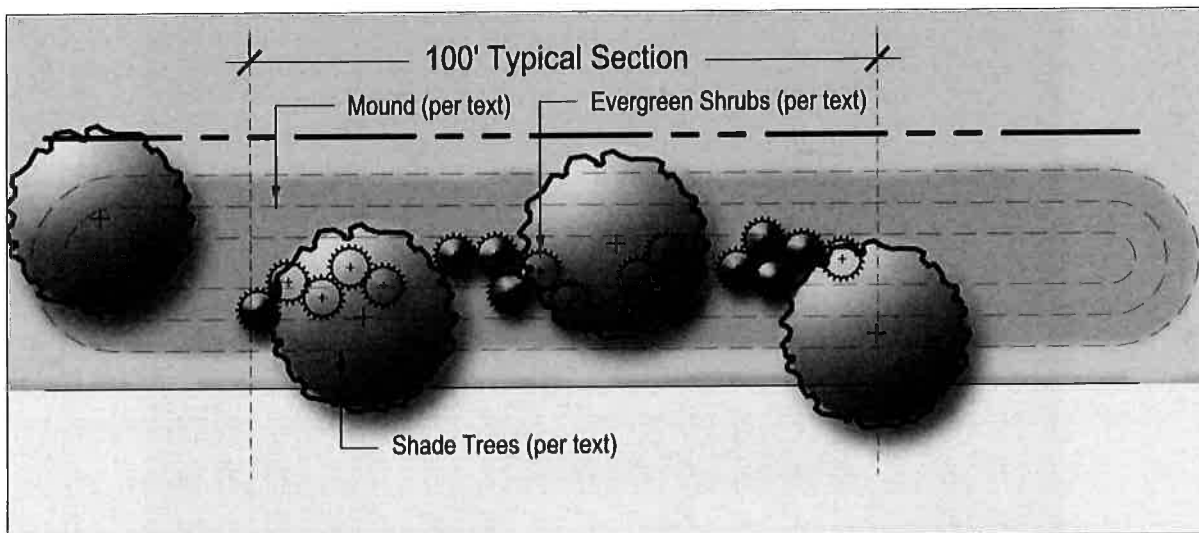
Buffer Type 'C'



Buffer Type 'D'



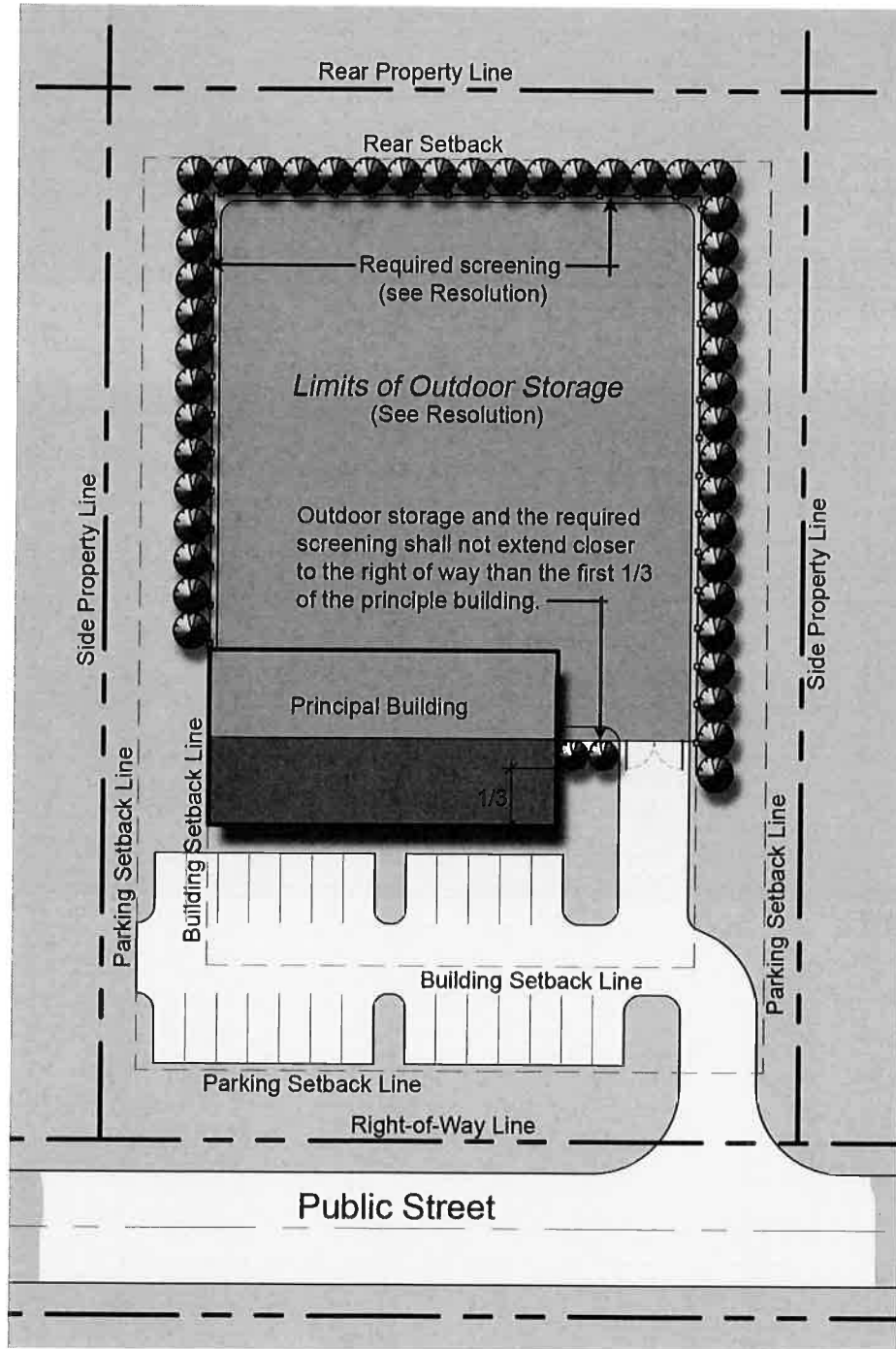
Buffer Type 'E'



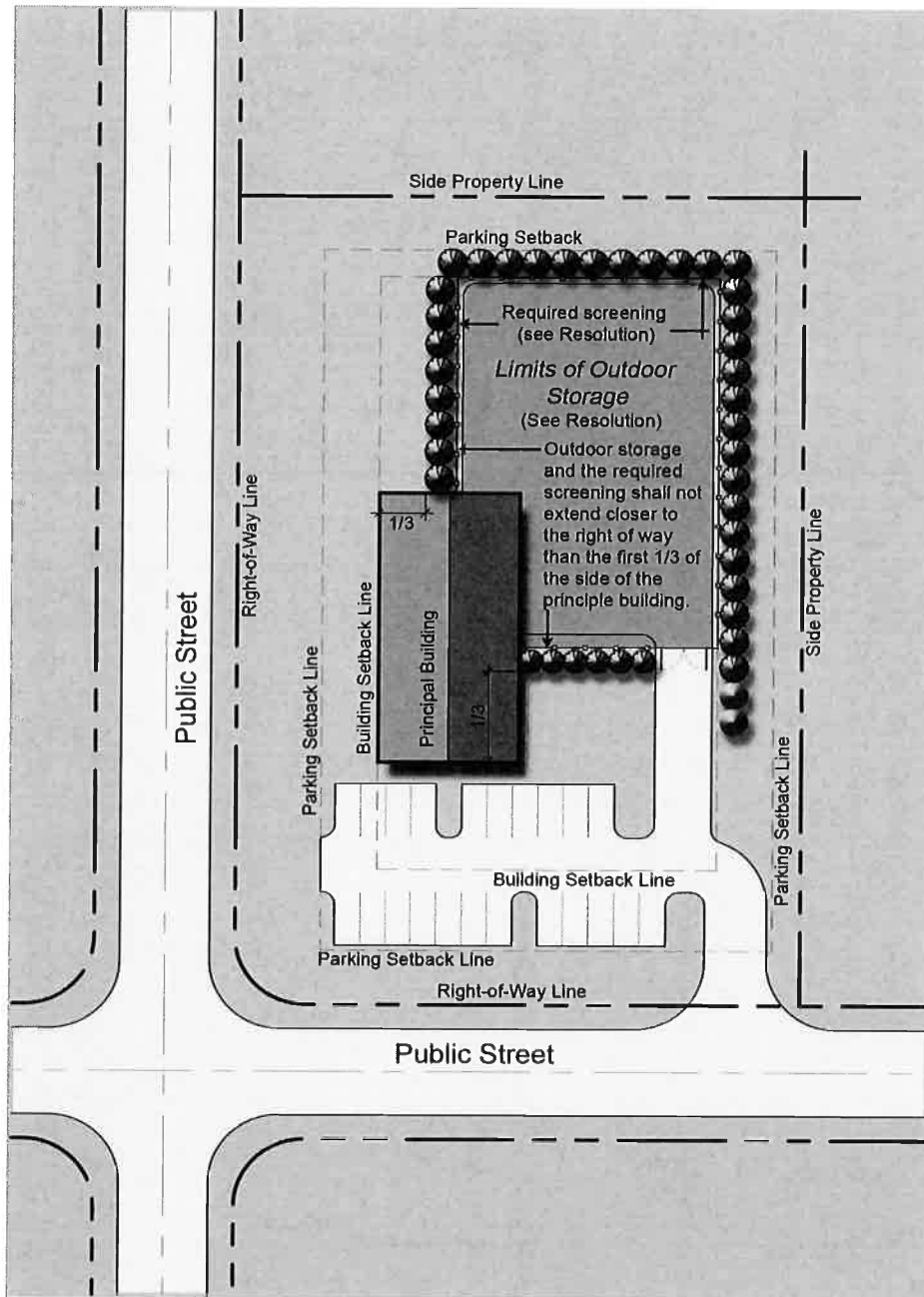
Buffer Type 'F'

Chapter 710 – Appendix 2 – Buffer Diagrams

The following diagrams provide a representative example of the required setbacks and screening and buffering referenced for the outdoor storage of materials and equipment within the Commerce District. The following diagrams shall serve as a guide while the requirements of the individual zoning districts within the Resolution shall govern the height of the mounding, size and spacing of the plant materials and opacity of screening required.



Outdoor Storage Placement and Screening – Interior Lot



Outdoor Storage Placement and Screening - Corner Lot



Staff Report – Rush Township (C) Zoning Amendment

Applicant:	<p>Rush Township Zoning Commission c/o Tim Kemper PO Box 432 North Lewisburg, OH 43060 513-535-1671 tim.kemper@raymondjames.com</p>
Request:	<p>The Rush Township Board of Trustees initiated an amendment to the text of the Zoning Resolution. The proposal amends Section 1237-60 - Solar Energy Related Definitions and Section 564 Solar Energy Systems.</p>
Location:	<p>Rush Township is in northeastern Champaign County and contains the Village of North Lewisburg and the Village of Woodstock.</p>

Staff Analysis:	<p>The Township adopted a previous iteration of the LUC Model Text for Solar Energy Systems. This text amendment brings that text in line with the most recent iteration of the LUC Model Text, as there have been some changes to that model text.</p> <p><u>Amending Section 1237-60 Definitions – Solar Energy Related Definitions</u></p> <p>Modifications to the Solar Energy Related Definitions match the recently updated LUC Model Text. Those modifications include:</p> <ul style="list-style-type: none"> • Adds “other structure mounted” to both the accessory & principal system definitions. • Requires both “ground/pole mounted” and “other structure mounted” systems to have a clear fall zone. • Adds “Community Solar” and “Small Solar Facility” definitions. <p><u>Amending Section 564 Solar Energy Systems</u></p> <p>Previously, the Township adopted a modified form of Version 1 of the Model Text. Proposed Changes more closely match the current model text. Modifications include:</p> <ul style="list-style-type: none"> • Modifies the section title to “Section 564 <i>Small</i> Solar Energy Systems (<i>Less Than 50 MW</i>)”. • #4 Adds an exemption for Solar Energy Systems that produce 500 watts or less. • Adds #7, which creates standards for “Other structure mounted accessory solar energy systems”.
------------------------	---



Logan-Union-Champaign regional planning commission

Staff Report – Rush Township (C) Zoning Amendment

	<ul style="list-style-type: none">• Updates (B.) Principal Solar Energy Production Facilities, to align with the LUC Model Text.<ul style="list-style-type: none">○ After discussions with the Champaign County Prosecutor’s Office, LUC Staff recommend further amending this paragraph so that it reads: “It is not the purpose of this regulation to regulate a major utility as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50MW or greater).”
--	---

Staff Recommendations:	Staff recommends <i>APPROVAL WITH MODIFICATIONS</i> of the proposed zoning text amendment. The modification is to amend the second paragraph of “B. Principal Solar Energy Production Facilities” to read “It is not the purpose of this regulation to regulate a major utility as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50MW or greater).”
-------------------------------	---

Z&S Committee Recommendations:	
---	--

Date of Request.

May 23 _____, 2023

Logan-Union-Champaign Regional Planning Commission
c/o Aaron Smith
PO Box 219
East Liberty, OH 43319
aaronsmith@lucplanning.com

RE: Zoning Text Amendment Application, Rush Township, Champaign County

Amendment topic: updating Solar Energy Systems Definitions and Text

Dear LUC Regional Planning Commission Committee Members:

The Rush Township Board of Trustees met on May 15, 2023. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Board of Trustees. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are in red and ~~striketrough~~. Please refer to these attachments for further information.

- Amend Section 1237-60 Solar energy related definitions and Section 564 Solar Energy Systems. The text of Section 1237-60 and Section 564 regulate solar energy systems less than 50MW.

Public Hearing.

Champaign

The Rush Township Zoning Commission of Union County, Ohio, will hold a public hearing concerning the proposed amendments at 6:30 M on June 7th, 2023, in the Woodstock Lions Club. The address is 2335 N St Rt 559, Woodstock, Oh 43084.

Point of Contact.

Please consider me, Tim Kemper, Rush Township’s point of contact for this matter. My contact information is below:

Tim Kemper
(513) 535-1671

Sincerely,



Attachments.

1. Proposed Zoning Resolution Text Amendments (text changes shown removed and red)



Zoning Text Amendment Checklist

Date: May 23, 2023 Township: Rush

Amendment Title: Solar Energy Text Amendment

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

Rush Township, Champaign County

Zoning Text Amendment

Article XXII Definitions, Section 1237-60

Solar energy related definitions:

- a) **Accessory Solar Energy**: A solar collection system consisting of one or more roof/~~structure building~~ mounted, ~~and/or~~ ground/pole mounted, ~~and/or other structure mounted~~ solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- b) **Principal Solar Energy Production Facility**: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. ~~These production facilities primarily produce electricity to be used off-site. Large Principal~~ solar energy production facilities consist of one or more ~~free-standing-roof/building mounted, ground/pole mounted, and/or roof/structure other structure~~ mounted solar collector devices, solar related equipment, and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. ~~Examples include "Small Solar Facility" and "Community Solar Facility" as defined by statute or herein. These production facilities primarily produce electricity to be provided off-site.~~
- c) **Solar Energy Equipment**: Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter(s), batteries, mounting brackets, ~~racking~~, framing and/or foundation used for or intended to be used for the collection of solar energy.
- d) **Solar Photovoltaic (PV)**: The technology that uses a semiconductor to convert light directly into electricity.
- e) **Clear Fall Zone (Solar Energy)**: An area surrounding a ground/pole mounted ~~or other structure mounted~~ solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the ~~primary~~ lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the ~~primary~~ parcel and will not intrude onto a neighboring property.

- f) **Small Solar Facility:** Pursuant to ORC 519.213 (A) (2), “Small Solar Facility” means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than 50 MW.
- g) **Community Solar:** Also known as shared solar, or solar gardens, is an energy model that allows customers to buy or lease part of a larger off-site shared solar photovoltaic (PV) system. For the purposes of this Resolution, “Community Solar” is considered to be a “Principal Solar Energy Production Facility”.

Section 564 Small Solar Energy Systems (Less than 50 MW)

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. No solar energy system for a dwelling shall have a production output of more than 50 kW. For a dwelling with multiple dwelling units, 50 kW is allowed per dwelling unit. No other principal use shall have an accessory system with a production output of more than 5 MW.
2. An **accessory** solar energy system is permitted in all zoning districts as an accessory to a principal use.
3. An **accessory** solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. **Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.**
4. **Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.**
5. ~~4.~~ **Roof/Structure Building** mounted **accessory** solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. ~~Combined~~ **The** height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
6. ~~5.~~ **Ground/Pole** mounted **accessory** solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.

- d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
- 7. **Other structure mounted accessory solar energy systems:**
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
- 8. ~~6.~~ **Accessory solar** solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
- 9. ~~7.~~ **Accessory solar** solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ~~ground-mounted~~ **accessory** solar energy system shall be graded and reseeded within thirty (30) days of removal.
- 10. ~~8.~~ In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
 - a. Height of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any ~~ground/pole mounted or other structure mounted solar energy system structure other than a building~~ and “clear fall zone”.
 - c. Proof of notice to the electric **utility** company, **Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts)** regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, ~~or subsidiary use,~~ as defined by the Ohio Power Siting Board (50 MW or greater). ~~It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).~~

Principal Solar Energy Production Facilities are prohibited in any district.

Rush Township, Champaign County

Zoning Text Amendment

Article XXII Definitions, Section 1237-60

Solar energy related definitions:

- a) **Accessory Solar Energy**: A solar collection system consisting of one or more roof/structure mounted and/or ground/pole mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- b) **Principal Solar Energy Production Facility**: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. Large solar energy production facilities consist of one or more free-standing ground/pole, or roof/structure mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. These production facilities primarily produce electricity to be provided off-site.
- c) **Solar Energy Equipment**: Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter, batteries, mounting brackets, framing and/or foundation used for or intended to be used for the collection of solar energy.
- d) **Solar Photovoltaic (PV)**: The technology that uses a semiconductor to convert light directly into electricity.
- e) **Clear Fall Zone (Solar Energy)**: An area surrounding a ground/pole mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not intrude onto a neighboring property.



20220004200 Pages: 2
Filed for Record in CHAMPAIGN County, Ohio
Glenda L. Bayman, Recorder
08/18/2022 12:38 PM Recording Fees: \$20.00
ZONE AMEND OR 586 / p5721 - p5723

Section 564 Solar Energy Systems

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. No solar energy system for a dwelling shall have a production output of more than 50 kW. For a dwelling with multiple dwelling units, 50 kW is allowed per dwelling unit. No other principal use shall have an accessory system with a production output of more than 5 MW.
2. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
3. A solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located.
4. Roof/Structure mounted solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. Combined height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
5. Ground/Pole mounted solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
6. Solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.

7. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
8. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
 - a. Height of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any structure other than a building and "clear fall zone".
 - c. Proof of notice to the electric company regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, or subsidiary use, as defined by the Ohio Power Siting Board (50 MW or greater). It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).

Principal Solar Energy Production Facilities are prohibited in any district.

This Resolution is hereby adopted on this 18th day of July 2022.

Ed Funderburgh
Chair, Board of Township Trustees

Amida R. Bailey
Member, Board of Township Trustees

Member, Board of Township Trustees

Kathy Packman
Attest, Fiscal Officer of Rush Township



Staff Report – Washington Township (U) Zoning Amendment

Applicant:	Washington Township Zoning Commission c/o Luke Brill 19748 St. Rt. 739 Richwood, OH 43344 (937) 735-8343
Request:	The Washington Township Board of Trustees initiated an amendment to the text of the Zoning Resolution. The proposal amends Article II Definitions and Section 1061 Solar Energy Systems.
Location:	Washington Township is in northwestern Union County and contains Byhalia. Byhalia is at the intersection of SR 31 and SR 739.

Staff Analysis:	<p>The Township adopted a previous iteration of the LUC Model Text for Solar Energy Systems. This text amendment brings that text in line with the most recent interaction of the LUC Model Text because there has been so changes to that model text.</p> <p><u>Amending Article II Definitions – Solar Energy Related Definitions</u></p> <p>Modifications to the Solar Energy Related Definitions match the recently updated LUC Model Text. Those modifications include:</p> <ul style="list-style-type: none"> • Adds “other structure mounted” to both the accessory and principal systems definition. • Requires both “ground/pole mounted” and “other structure mounted” systems to have a clear fall zone. • Adds “Community Solar” and “Small Solar Facility” definitions. <p><u>Amending Section 1061 Solar Energy Systems</u></p> <p>Previously, the Township adopted a modified Version 1 of the model text. Purposed changes more closely match the current model text. Modifications include:</p> <ul style="list-style-type: none"> • Modifies the section title to “Section 1061 Small Solar Energy Systems (Less Than 50 MW)”. • #5 Adds an exemption for Solar Energy Systems that produce 500 watts or less. • Adds language to #7, ground/pole mounted system requirements. This clarifies, that solar panels will contribute to the maximum lot coverage allowed.
------------------------	---



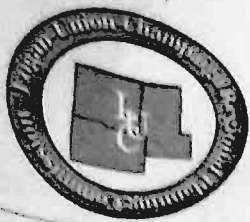
Logan-Union-Champaign regional planning commission

Staff Report – Washington Township (U) Zoning Amendment

	<ul style="list-style-type: none">• Adds #8, which creates standards for “Other structure mounted solar energy systems.”• Updates (B.) Principal Solar Energy Production Facilities, to read, “it is not the purpose of this regulation to regulate a major utility facility as defined by the Ohio Revised Code.” This change also removes language no longer in the LUC Solar Model Text. <p><u>Prosecutor’s Office</u></p> <ul style="list-style-type: none">• A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. The comments from that Office should be reviewed and included in any recommendation.
--	---

Staff Recommendations:	Staff recommends <i>APPROVAL</i> of the proposed zoning text amendment. The Township should consider the opinion of the Prosecutor’s Office when it is available.
-------------------------------	---

Z&S Committee Recommendations:	
---	--



Logan-Union-Champaign
regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 05-30-23 Township: Washington

Amendment Title: Solar Energy Systems

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Non-LUC Member Fee, If applicable	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Luke

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

10820 St Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com

May 30th, 2023

Luke Brill
Chair, Zoning Commission
Washington Township
19748 State Route 739
Richwood, OH 43344

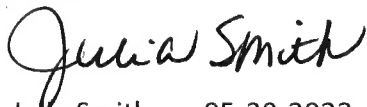
**RE: Action by Washington Township Board of Trustees
Certification of Resolution to initiate a Zoning Text Amendment**

Dear Mr. Luke Brill:

Please consider this document certification of action by the Washington Township Board of Trustees.

On May 30th, 2023, the Washington Board of Trustees met. During the meeting, Randy Sullivan moved a motion to initiate a zoning text amendment. Ron Jones seconded the motion. All in favor.

Attest



Julia Smith 05-30-2023
Fiscal Officer, Washington Township

Date of Request.

May 30, 2023

Logan-Union-Champaign Regional Planning Commission
c/o Gram Dick
PO Box 219
East Liberty, OH 43319
gramdick@lucplanning.com

RE: Zoning Text Amendment Application, Washington Township, Union County
Amendment topic: updating Solar Energy Systems Definitions and Text

Dear LUC Regional Planning Commission Committee Members:

The Washington Township Board of Trustees met at 7:00 PM on May 30, 2023. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Board of Trustees. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are in red and ~~strike through~~. Please refer to these attachments for further information.

- Amend solar energy related definitions in Article II Definitions and amend Section 1061 Solar Energy Systems. The text of Section 1061 and the solar energy related definitions in Article II regulate solar energy systems.

Public Hearing.

The Washington Township Zoning Commission of Union County, Ohio, will hold a public hearing concerning the proposed amendments at 7:00 AM on June 21, 2023, in the Washington Township Building. The address is 31683 S+Rt 31 West Mansfield, OH 43358

Point of Contact.

Please consider me, Luke Brill, Township's point of contact for this matter. My contact information is below:

19748 S+Rt 739 Richmond, OH 43344
Phone: 937-935-8343

Sincerely,



Attachments.

1. Proposed Zoning Resolution Text Amendments (text changes shown removed and red)

Luke: filling blanks + sign

13. **Sign, Wall.** A display sign which is painted on or attached directly to the building wall and which extends not more than fifteen inches from the face of the wall.

Service Station. Any building, structure, or land used for the dispensing and sale at retail of any automobile fuels, oils, for accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work.

Solar Energy Related Definitions.

- a) **Accessory Solar Energy.** A solar collection system consisting of one or more roof/~~structure~~building mounted, ~~and/or~~ ground/pole mounted, ~~and/or other structure mounted~~ solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- b) **Principal Solar Energy Production Facility.** An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. ~~These production facilities primarily produce electricity to be used off-site. Large~~Principal solar energy production facilities consist of one or more ~~free-standing roof/building mounted, ground/pole mounted, and/or roof/other structure mounted~~ solar collector devices, solar related equipment, and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. ~~Examples include "Small Solar Facility" and "Community Solar Facility" as defined by statute or herein. These production facilities primarily produce electricity to be provided off-site.~~
- c) **Solar Energy Equipment.** Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter(s), batteries, mounting brackets, ~~racking~~ framing and/or foundation used for or intended to be used for the collection of solar energy.
- d) **Solar Photovoltaic (PV).** The technology that uses a semiconductor to convert light directly into electricity.
- e) **Clear Fall Zone (Solar Energy).** An area surrounding a ground/pole mounted ~~or other structure mounted~~ solar energy system into which the system and/or

components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the **primary** lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the **primary parcel** and will not intrude onto a neighboring property.

f) **Small Solar Facility.** Pursuant to ORC 519.213 (A) (2), "Small Solar Facility" means solar panels and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than 50 MW.

e)g) **Community Solar.** Also known as shared solar, or solar gardens, is an energy model that allows customers to buy or lease part of a larger off-site shared solar photovoltaic (PV) system. For purposes of this Resolution, "Community Solar" is considered to be a "Principal Solar Energy Production Facility".

Formatted: List Paragraph, No bullets or numbering,
Position: Horizontal: 0", Vertical: 0"

Formatted: List Paragraph, No bullets or numbering,
Position: Horizontal: 0", Vertical: 0"

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

Stick-built. A way of describing any structure built from boards of lumber and other building materials, in which a substantial amount of the required material and construction labor are brought together in final form at the foundation site.

Storage Facility. A structure which is partially opened or fully enclosed in which animals, chattels, or property are stored or kept.

Story. That part of a building between the surface of a floor and the ceiling immediately above.

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 include buildings, mobile homes, walls, fences, and billboards.

Subdivision.

may be substituted. Storage of materials shall not exceed the height of the screening. Storage of junk shall not be located in any front or side yard.

Section 1050 Junk. No trash, debris, litter, rubbish, unused property, discarded materials, junk vehicles, vehicle parts, rags, lumber, building materials, equipment and/or parts thereof, or any other garbage, refuse or junk shall be permitted to accumulate on any lot or portion thereof which creates an eyesore, hazard, or nuisance to the Township or general public.

Section 1052 Garage, Porch, Yard, or Similar Type Sales. A resident may conduct a garage, porch, yard, or similar type sale provided such sale does not exceed one such event during any six (6) month period. No sale shall exceed three (3) consecutive days in length. Parking shall be provided off the public highway right-of-way and off neighboring property unless consent is obtained from the affected neighbor to do so. All signs advertising such sales shall be removed immediately after the sale has concluded its duration.

Section 1055 Mobile Trailers Prohibited for Buisness, Storage, and Sign Purposes. The use of a mobile home, tractor trailer, box car, sealand container, or other similar type trailer, container, or structure shall not be permitted as an office or business structure, storage facility, or sign structure except as stated in Section 1004.

Section 1061 Small Solar Energy Systems (Less Than 50 MW).

A. Accessory Solar Energy Systems.

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. No accessory solar energy system for a dwelling and its accessory structures shall have a production output of more than 50kW. For a dwelling with multiple dwelling units, 50kW is allowed per dwelling unit. No other principal use shall have an accessory system with a production output of more than 250kW.
2. For purposes of determining lot coverage, the total surface area of all ground mounted and freestanding solar collectors including cells, panels, and water collector devices shall be considered impervious and count towards the maximum percentage of the lot to be occupied. ~~Panels mounted on the roof of any building shall be subject to the maximum height regulations as specified in the underlying zoning district.~~

3. An accessory solar energy system is permitted in all zoning districts as an accessory to a principal use.

4. An accessory solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.

4-5. Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.

5-6. Roof/Structure building mounted accessory solar energy systems:

- a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
- b. May be mounted to a principal or accessory building.
- c. ~~Combined~~The height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.

6-7. Ground/Pole mounted accessory solar energy systems:

- a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
- b. Shall be permitted in the rear or side yard only.
- c. Shall be erected within an established clear fall zone.
- d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
- e. For purposes of determining lot coverage, the total surface area of all ground mounted and freestanding solar collectors including cells, panels, and water collector devices shall be considered impervious and count towards the maximum percentage of the lot to be occupied.

8. Other structure mounted accessory solar energy systems:

- a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
- b. Shall be permitted in the rear or side yard only.
- c. Shall be erected within an established clear fall zone.

d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.

~~d.e.~~ For purposes of determining lot coverage, the total surface area of all ground mounted and freestanding solar collectors including cells, panels, and water collector devices shall be considered impervious and count towards the maximum percentage of the lot to be occupied.

Formatted: Indent: Left: 1.5"

~~7.9.~~ Accessory Solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.

~~8.10.~~ Accessory Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ~~ground mounted accessory~~ solar energy system shall be graded and reseeded within thirty (30) days of removal.

~~9.11.~~ In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:

- a. Height of the proposed solar energy system(s) at maximum tilt.
- b. Evidence of established setbacks of 1:1 times the height of any ~~ground/pole mounted or other~~ structure ~~mounted solar energy system~~ ~~other than a building~~ and "clear fall zone".
- c. Proof of notice to the electric company, Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts) regarding the proposal.

B. Principal Solar Energy Production Facilities.

No principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, ~~or subsidiary use,~~ as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater). ~~It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).~~

Principal Solar Energy Production Facilities are prohibited in any district.



Zoning & Subdivision Committee
Thursday, June 8, 2023

The Zoning and Subdivision Committee met in regular session on Thursday, June 8, 2023, at 12:34 pm.

Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Scott Coleman, Gram Dick, Wes Dodds, Todd Freyhof, Jeff Beard for Ashley Gaver, Mark Mowrey for Steve McCall, Heather Martin, Tammy Noble, Steve Robinson, Tom Scheiderer, Aaron Smith, and Luke Sutton for Jeff Stauch. The absent member was Tyler Bumbalough.

Guests: Greg Iiams, Village of Russells Point; Jim Scheiderer, Darby Township; Jim Bischoff, City of Bellefontaine; Matt Chamberlain, SSMC, LLC; Silas Augsburg, SSMC, LLC; Dennis Kauffman, Johnson Township.

Wes Dodds chaired the Zoning & Subdivision Committee Meeting.

Todd Freyhof moved a motion to approve the minutes from May 11, 2023, meeting as written, and Tom Scheiderer seconded. All in favor.

1. Review of Claibourne Township Zoning Text Amendment (Union County) – Staff Report by Gram Dick
 - Tammy Noble asked about what the “other structured mounted” systems refers to in the text.
 - Gram Dick provided information on the three types of solar energy systems in the model text.
 - Steve Robinson moved a motion to recommend approval of the Claibourne Township Zoning Text Amendment and Tom Scheiderer seconded. All in favor.
2. Review of Darby Township Zoning Text Amendment (Union County) – Staff Report by Gram Dick
 - Todd Freyhof moved a motion to recommend approval of the Darby Township Zoning Text Amendment and Steve Robinson seconded. All in favor.
3. Review of Jerome Township Zoning Text Amendment (Union County) – Staff Report by Aaron Smith
 - Tammy Noble asked if the township provided any feedback regarding this.
 - Brad Bodenmiller and Aaron Smith stated they did not. Discussion occurred around comments in the staff report.
 - Steve Robinson moved a motion to recommend denial based on the staff recommendation of the Jerome Township Zoning Text Amendment and Scott Coleman seconded. All in favor.



Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

4. Review of Rush Township Zoning Text Amendment (Champaign County) – Staff Report by Aaron Smith
 - Todd Freyhof moved a motion to recommend approval with modifications of the Rush Township Zoning Text Amendment and Tammy Noble seconded. All in favor.
5. Review of Washington Township Zoning Text Amendment (Union County) – Staff Report by Gram Dick
 - Scott Coleman moved a motion to recommend approval of the Washington Township Zoning Text Amendment and Luke Sutton seconded. All in favor.

The Zoning and Subdivision Committee adjourned at 12:57 pm with Todd Freyhof moving a motion to adjourn and Luke Sutton seconded. All in favor.

10820 St. Rt. 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com