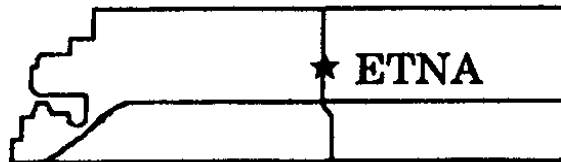


**ETNA TOWNSHIP
ZONING RESOLUTION**



Founded in 1833

ETNA TOWNSHIP ZONING COMMISSION

**Robert Essex, Chairman
Gil Guttentag
Freddie Latella
Randy Snider
Trent Stepp**

ETNA TOWNSHIP TRUSTEES

**John Carlisle, President
Randy Foor
Jeff Johnson
Walter Rogers, Fiscal Officer**

**REVISED EDITION CONTAINING
ALL TEXT AMENDMENTS
TO December, 2012**

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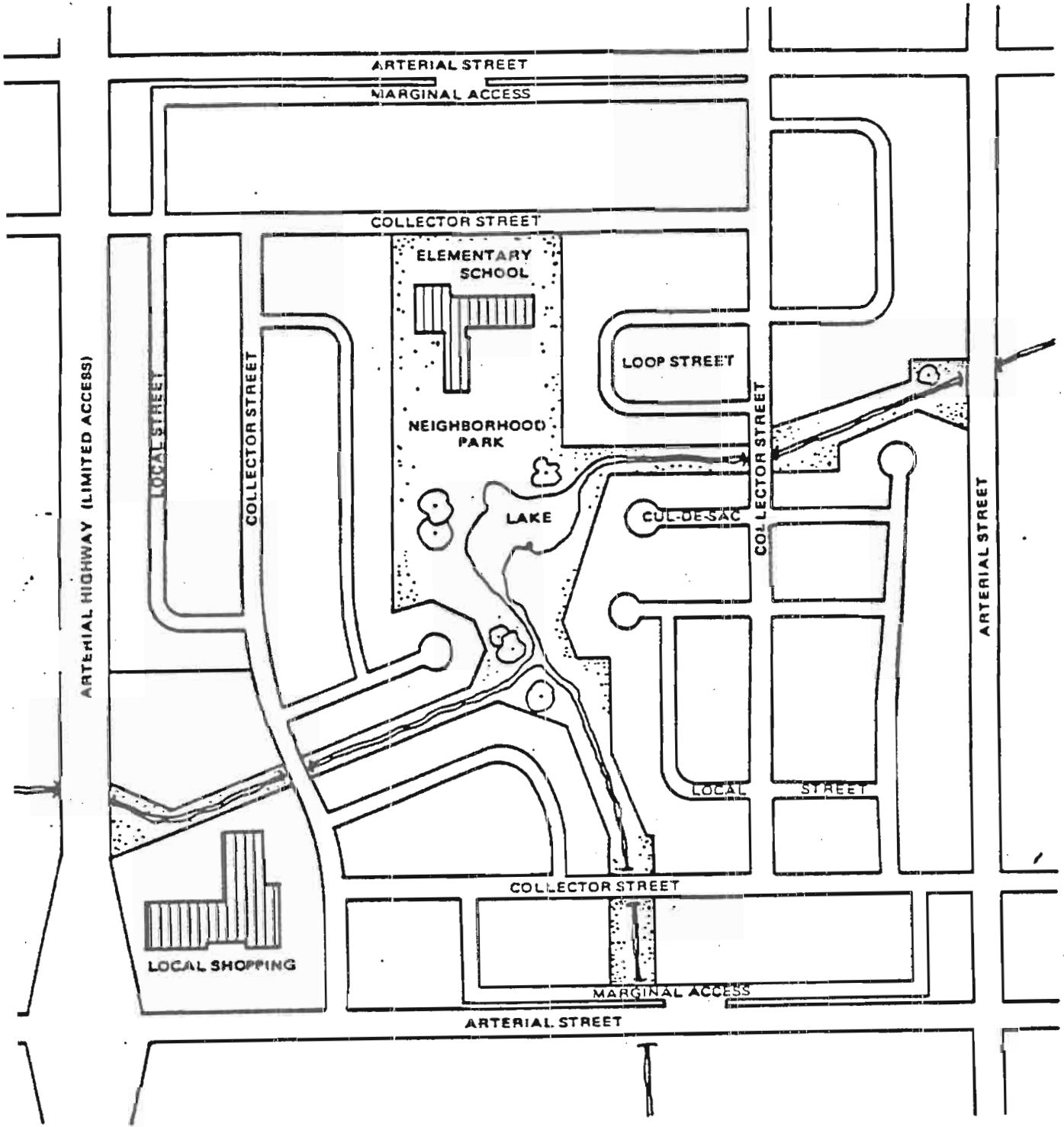
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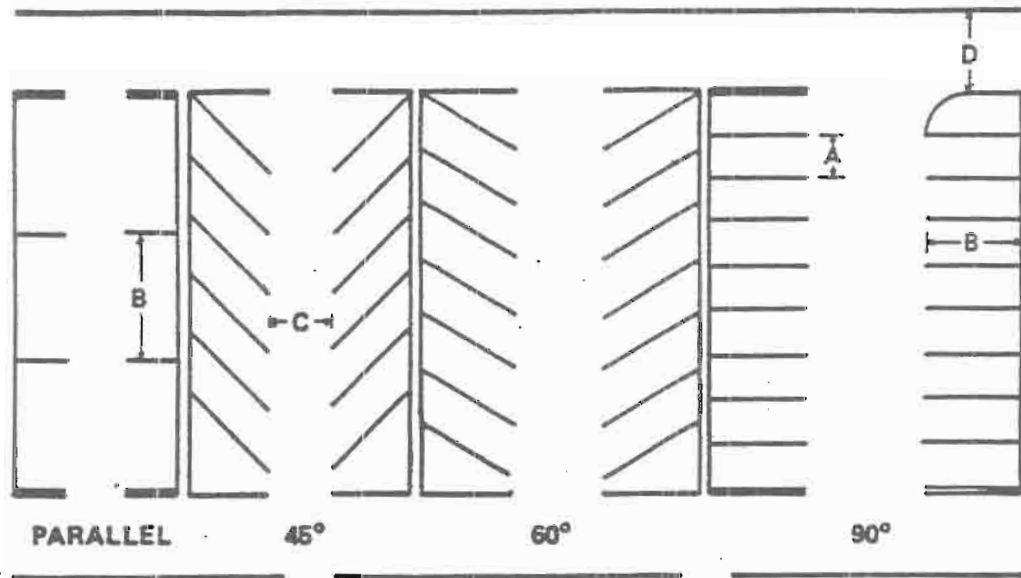
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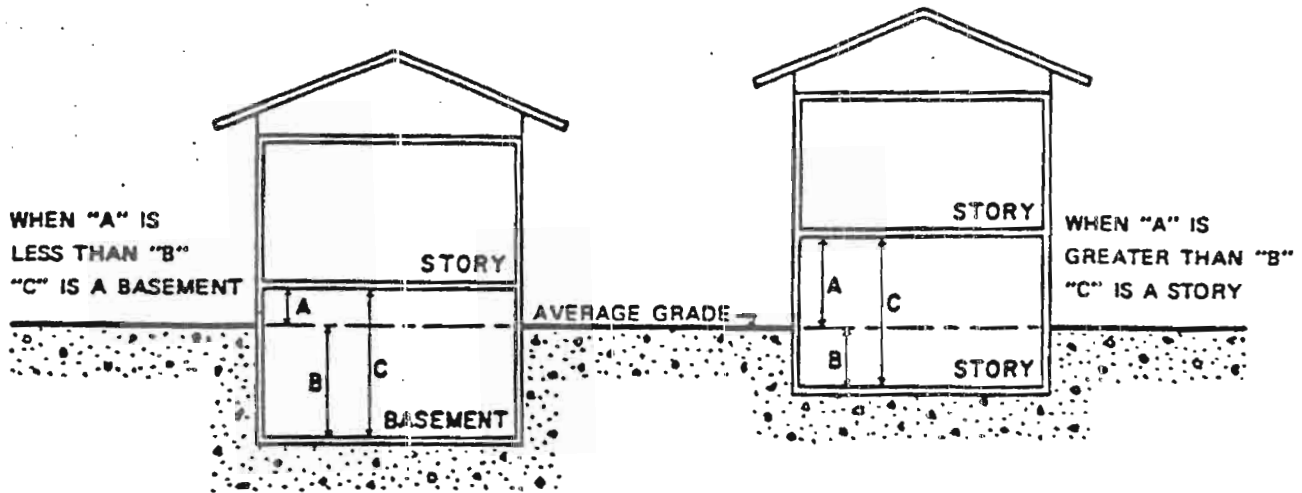
CLASSIFICATION OF THE THOROUGHFARE SYSTEM



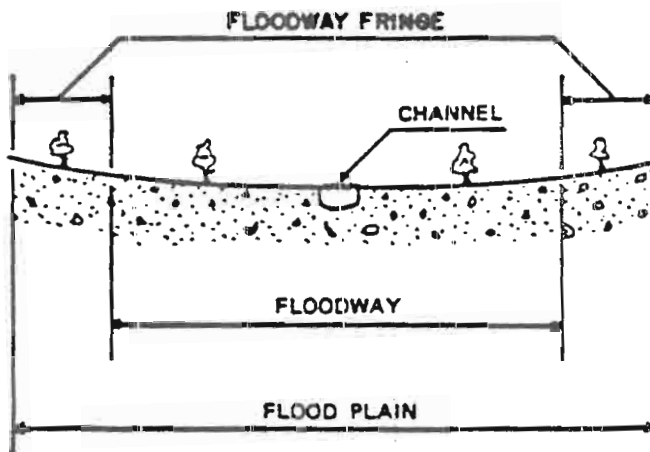
OFFSTREET PARKING

OFF-STREET PARKING DIMENSIONAL TABLE

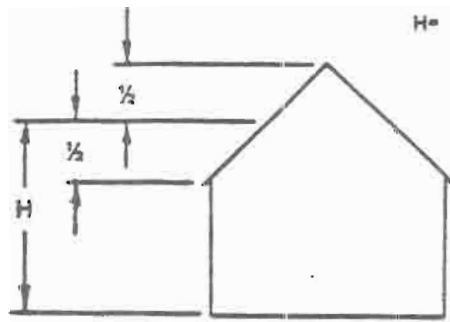
		45°	60°	90°	Parallel
A	Width of Parking Space	12'	10'	8'	9'
B	Length of Parking Space	19'	19'	19'	23'
C	Width of Driveway Aisle	13'	17'6"	25'	12'
D	Width of Access Driveway	17'	14'	14'	14'



BASEMENT & STORY

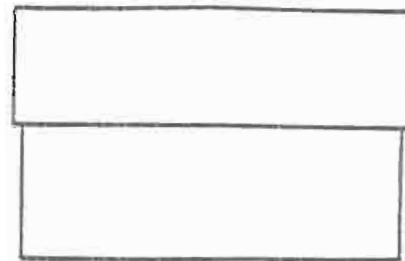


FLOOD PLAIN TERMS



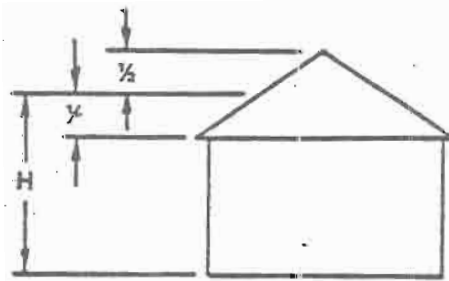
H = HEIGHT OF BUILDING

END VIEW

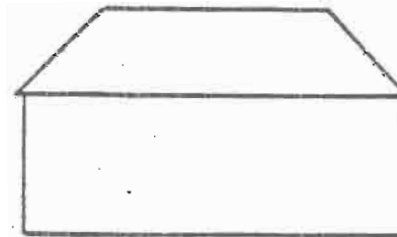


SIDE VIEW

GABLE ROOF

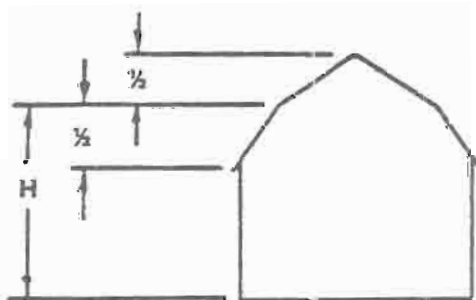


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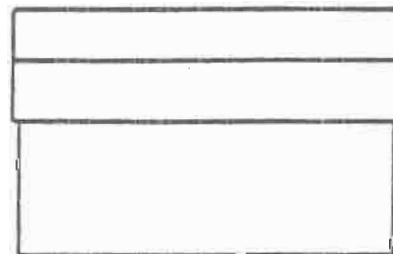


SIDE VIEW

HIP ROOF

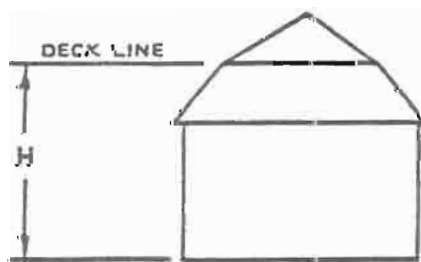


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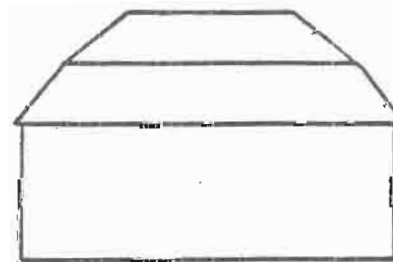


SIDE VIEW

GAMBREL ROOF



END VIEW

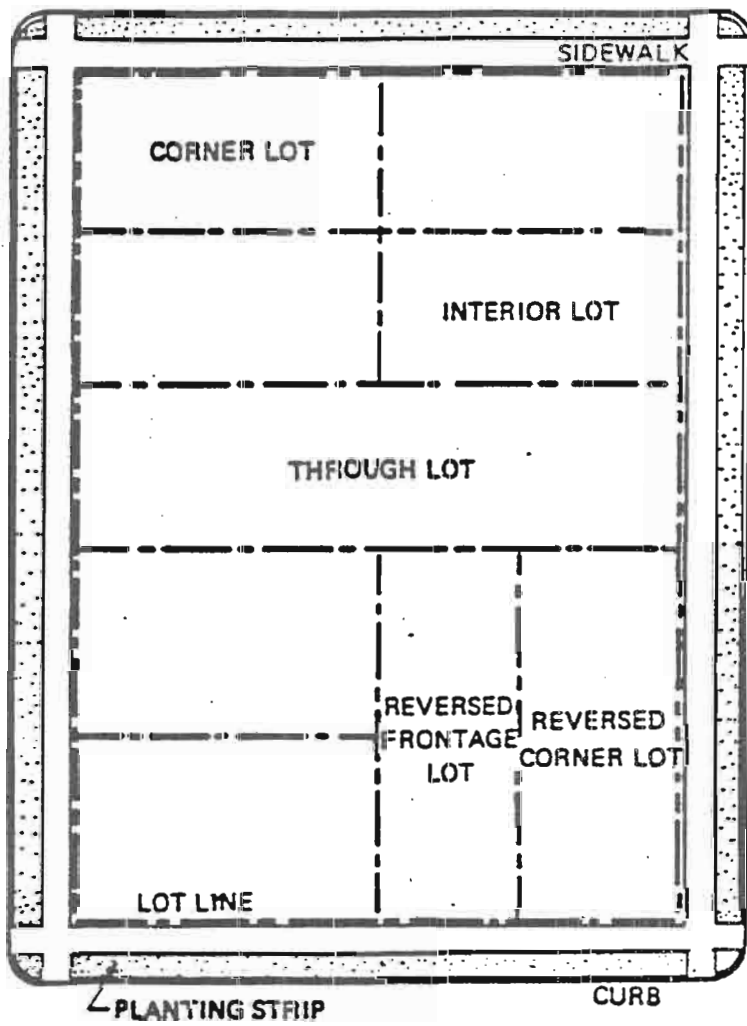


SIDE VIEW

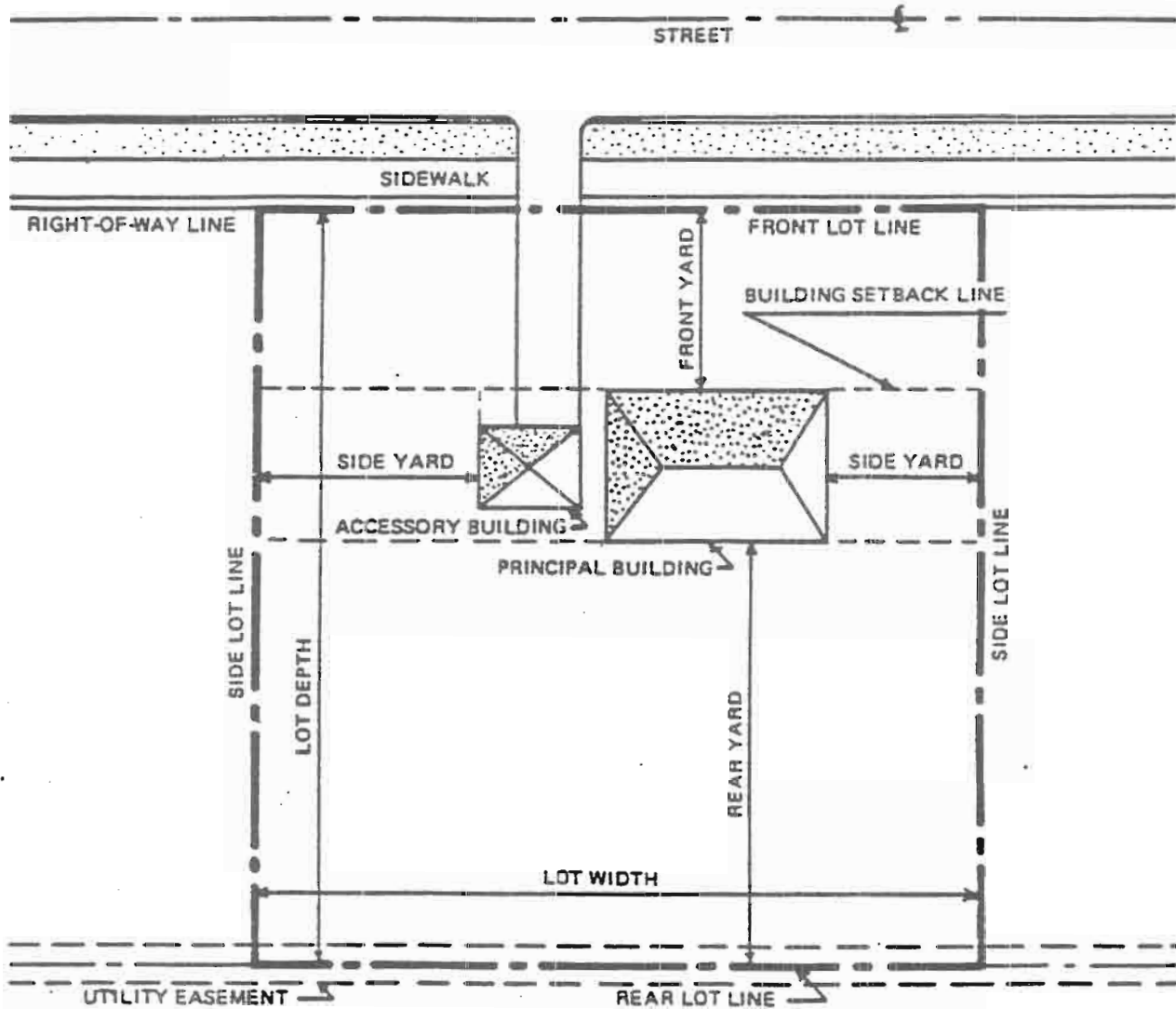
MANSARD ROOF

ROOF TYPES AND BUILDING HEIGHT

STREET



TYPES OF LOTS



LOT AREA- TOTAL HORIZONTAL AREA

LOT COVERAGE- PER CENT OF LOT OCCUPIED
BY BUILDING

LOT TERMS

PREAMBLE

A resolution of the Township of Etna, Licking County, Ohio, enacted in accordance with a comprehensive plan and the provisions of Chapter 519, Ohio Revised Code, dividing the unincorporated portion of the township into zones and districts, encouraging, regulating, and restricting therein the location, construction reconstruction, alteration and use 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 right-of-way; providing the compatibility of different land uses and the most appropriate use of land; providing for the administration of this resolution, defining the powers and duties of the administration officers as provided hereafter, and prescribing penalties for the violation of the provisions in this resolution of 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 Township Trustees of Etna Township, Licking County, State of Ohio:

Article - 1

Section 100 Title

This resolution shall be known and may be cited and referred to as the "Etna Township, Licking County, Ohio Zoning Resolution."

Section 101 Provisions - Declared 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 resolutions, the most restrictive or that imposing the higher standards shall govern.

Section 102 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 103 Repeal of Conflicting Resolution, Effective Date

All resolutions or parts of resolutions 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.

Article - 2

Definitions

Section 2000 Interpretation of Terms or Words

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

- A. The word "person" 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 a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- D. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."

Section 2001 Definitions

Abutting: Having a common border with, or being separated from such common border by, an alley or easement.

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

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

Adult Entertainment Facility: See the definition section of Article -15 Adult Entertainment Facilities.

Agriculture: The use of land for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce, provided, however that:

- A. The operation of any such accessory uses shall be secondary to that of normal agricultural activities.
- B. The above uses shall not include the feeding or sheltering of animals or poultry in penned enclosures within 100 feet of any residential zoning district. Agriculture does not include the feeding of garbage to animals or the operation or maintenance of a commercial stockyard or feed-yard.

Airport: Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open spaces.

Alley: See Thoroughfare.

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

Apartment House: See Dwelling, Multi-Family.

Automotive Repair: The repair, rebuilding, or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

Automotive, Manufactured Home, Travel Trailer, and Farm Implement Sales: The sale or rental of new and used motor vehicles, manufactured homes, travel trailers, or farm implements, but not including repair work except incidental warranty repair of same, to be displayed and sold on the premises.

Automotive Service Station - Filling Station: A place where gasoline, kerosene or any other motor fuel or lubrication oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including repairing, greasing, and oiling on the premises.

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

Awning: A roof like cover that is temporary or permanent in nature and that projects from the wall of a building for the purpose of shielding an area and typically constructed of a rigid supporting framework with a canvas, vinyl or fabric covering.

Awning Sign: See 'sign, awning'.

Banks and Finance Establishments including drive-thrus: Any building where in the primary occupation is concerned with such federal or state-regulated businesses as banking, savings and loans, loan companies, investment companies, and credit unions.

Banquet Facility: A facility available for lease by private parties.

Batch Plant: A plant for the manufacture or mixing of concrete, cement, and concrete and cement products, including any apparatus and uses incident to such manufacturing and mixing.

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

Boarding or Lodging House: A dwelling or part thereof where fewer than five (5) rooms are used for lodging and where meals may be provided, for compensation by previous arrangement, but not transients.

Buffer: A section or area within a property or site consisting of either natural existing vegetation or created by the planting of trees and/or shrubs or the erection of fences and/or berms designed to limit the view, sound, illumination, or other characteristics from the site to adjacent sites or properties. Buffers are free from advertising, buildings, driveways, or other paved surfaces and should be natural or aesthetically pleasing. They are usually composed of dense evergreens, landscaped earthen berms, walls, or fences made of natural appearing materials. **Resolution 07-11-08-01**

Buffering and/or Landscaping Plan: A plan, drawn to scale, showing dimensions and details of existing vegetation or for re-vegetating an area, including maintenance and protection measures and any other requirements of Article 16.

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.

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 or gambrel roofs.

Building Line: The line beyond which no building or part thereof shall project, except as otherwise provided by this Zoning Resolution. Also 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.

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

Business, Wholesale: Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, or 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.

Canopy: A free standing permanent roof-like shelter not attached to or requiring support from an adjacent structure.

Canopy Sign: See 'sign, canopy'.

Car Wash, Touch-less: A drive-thru establishment where there are no on-site employees, except to collect money from coin-operated machines and to maintain equipment. Touch-less car washes use no mechanical friction to clean the vehicle, but utilize a coin-operated chemically dependent system to clean the vehicle.

Car Wash, Automatic: A drive-thru establishment, having no on-site employees, except to collect money from coin operated machines and to maintain equipment, where labor is not supplied by the patron, which utilizes coin-operated mechanical devices, foam brushes, soft cloth brushes, in addition to chemicals to clean the vehicle.

Car Wash, Self-Operation: A drive-in establishment, having no on-site employees, except to collect money from coin operated machines and to maintain equipment, where the patron, using coin-operated equipment to clean the vehicle provides labor.

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

Centralized Water: Any potable water system that is operated by a municipality, governmental agency, or a public or private utility for the treatment and furnishing of potable water.

Change of Copy: The ability to modify or change displays, words, lines, logos, or symbols on a sign to provide different information. A change of copy includes modifications of a changeable copy sign, reimagining of a sign, and replacement of a sign, provided the change of copy does not alter the size, dimensions, height, or location of the sign.

Changeable Copy Sign: See 'sign, changeable copy'.

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

Clear Sight Triangle: The triangular area formed by a diagonal line connecting two points located on intersecting lines of a right-of-way, each point being a defined distance from the intersecting lines. See Article 16 – Buffering, Landscaping, and Resource Preservation.

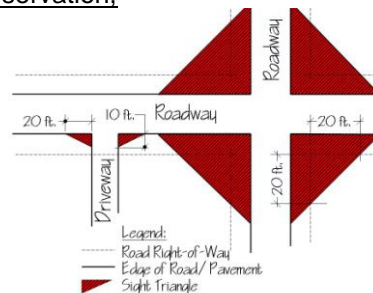


Figure 16A – Clear Sight Triangles.

Clinic: A place which provides a range of services by a group of licensed practitioners and their associates, including the care, diagnosis and treatment of those who are sick, ailing, infirm or injured, and includes the care of those who are in need of medical, surgical or dental attention, but who are not provided with board or room or kept overnight on the premises.

Club, Association: A non-profit association of persons who are bonfire members, paying regular dues, and are organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

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

Coin Operated Amusement Device: A pinball machine, video game, and/or other similar electronic or electro-mechanical devices that require coins or tokens to be played.

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

Commercial Message: Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Commercial Vehicle: A motor vehicle used for commercial purposes with or without an attached or permanently attached delivery body and includes vehicles such as catering or canteen trucks, buses, cube vans, tow trucks, tilt and load trucks, dump trucks, tractor trailers, semi-trailers, and any vehicle which has an exterior fixture or fixtures for the purposes of carrying equipment, materials, or supplies for commercial uses. This definition shall exclude township vehicles, public and private school buses and vehicles, police and fire vehicles.

Commission: The Township Zoning Commission.

Common Open Space: Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.

Completion of Construction: Shall mean the point and time in which the act or process of erecting, fabricating, installing, altering, demolishing, removing and/or any combination thereof, of a structure for

which a zoning permit is issued is completed. This shall be the date an Occupancy Permit is issued by the Licking County Building Code Department in accordance with their regulations and the Etna Township Zoning Inspector in accordance to Section 305 – Certificate of Occupancy of the Etna Township Zoning Resolution.

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

Conditional 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 uses permitted in each district are listed in the official schedule of district regulations.

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

Conservation Subdivision: A residential community where a predefined percentage of the buildable land area is designated as undivided, permanent open space. This result is achieved by clustering homesites on smaller lots and preserving the remaining land as permanent open space. The open space must be well organized and responsive to the existing conditions of the site. The open space and lot layout should achieve the goals of natural features preservations, reduced impervious surface and maintenance of the rural character of the community.

Corner Lot: See Lot Types.

Cul-de-Sac: See Thoroughfare.

Daisy Sign: See 'sign, portable/daisy'.

Dead-End Street: See Thoroughfare.

Density, Residential: A unit of measurement; the number of dwelling units per acre of land.

A. Gross Density - The number of dwelling units per acre of the total land to be developed.

B. Net Density - The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.

Density, Commercial: Total area occupied by structures exclusive of parking areas.

Diameter at Breast Height (DBH): A measurement of the size of a tree equal to the diameter of its trunk measured four and one-half (4 ½) feet above natural grade.

Display Sign: A structure that is arranged, intended, designed or used as an advertisement, announcement or direction, including a sign, sign screen, billboard or advertising device of any kind.

District: A portion of the territory of the township within which certain uniform regulations and requirements or various combinations thereof apply.

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

Dwelling Group: A group of two or more detached dwellings located on a parcel of land in one ownership and having any yard or court in common.

Dwelling Unit, Common Wall Single Family Attached: Type of residential construction characterized by a common vertical firewall extending from the foundation up to the underside of the roof separating single family dwelling units, where no more than three units are attached in a group.

Dwelling Unit, Detached Single Family: Detached, individual dwelling units, which accommodate one family living as one housekeeping unit. The type of construction of such units shall conform either to the OBOA or CABO One and Two family dwelling code, or other applicable building code, or be classified as an Industrialized Unit under the Ohio Basic Building Code, or conform to the Ohio Revised Code 3781.06 definition of permanently-sited manufactured home as provided for in ORC §519.212.

Dwelling Unit, Two-Family: A dwelling consisting of two dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

Dwelling Unit, Multi-Family: A residential building arranged or designed for three (3) or more dwelling units as separate and complete housekeeping units.

Dwelling, Rooming House (Boarding House, a 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, Temporary: Any building or structure which is wholly or partly used or intended to be used for living or sleeping by one or more human occupants on a temporary basis.

Earth Material: Soil, sediment, rock, sand, gravel and organic material or residue associated with or attached to the soil.

Easement: Written and recorded authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Electronic Message Center Sign: See 'sign, electronic message center'.

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

Existing Features (Site Analysis) Plan: Plan that depicts all of the following:

- A. A topographic map as provided by Licking County, using the most detailed available contour interval;
- B. The location of slopes greater than 20%, wetlands, watercourses, 100-year floodplains and all existing rights-of-way and easements;
- C. Soil boundaries as shown on USDA Natural Resources Conservation Service medium-intensity maps; and

The location of significant features such as woodlands, tree lines, open fields or meadows, scenic views into or out from the property, watershed divides and drainage ways, fences or stone walls, rock outcrops, and existing structures, roads, tracks and trails, and any sites listed on the ODNR Natural Diversity Inventory, or National Historic Registry.

Family: One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption, or marriage, no such family shall contain over five persons.

Fence: An enclosure or barrier, such as wooded posts, wire, iron, etc. used as a boundary, means of protection, privacy screening or confinement, but not including hedges, shrubs, trees, or other natural growth.

Flag: Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.

Fleet Storage: Outdoor storage of 6 or more commercial vehicles and/or industrial equipment.

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

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

Floodway: That portion of the flood plain, including the channel, which is reasonably required to convey the regional flood waters. Floods of less frequent recurrence are usually contained completely within the floodway.

Flood 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.

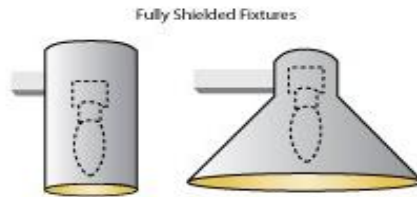
Floor Area, Usable: Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls, but excluding the basement.

Food Processing: The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries, and other similar businesses.

Freeboard: A margin of safety added to the base flood elevation or normal pool level of a pond to account for fill, waves, debris, miscalculations, or lack of data. Physically, this will be the embankment of the pond or basin from the designed water (normal pool) elevation to the top of the embankment.

Freestanding Sign: See 'sign, freestanding'.

Fully Shielded Fixtures: Fixtures that emit no light above the horizontal plane. Such fixtures almost always have a flat, horizontally-oriented lens and opaque sides and the lamp or optical part of such a fixture should not be visible from the side of the luminary.



Garages, Private: A detached accessory building or portion of a principal building used, intended to be used, or adapted to be used for the parking or temporary storage of automobiles, travel trailers and/or boats of the occupants of the premises and wherein:

- A. Not more than one space is rented for parking to a person not resident on the premises.
- B. No more than one commercial vehicle permitted and it shall not exceed two tons capacity.

Garage, Public: A principal or accessory building other than a private garage, used, intended to be used or adapted to be used for parking or temporary storage of passenger automobiles, and in which no service shall be provided for remuneration.

Garage, Public Station: Buildings and premises where gasoline, oil, grease, batteries, tires, and/or motor vehicle accessories may be supplied and dispensed at retail, and where in addition, the following services may be rendered and sales made:

- A. Sales and service of spark plugs, batteries, and distributors, parts.
- B. Tire servicing and repair, but not recapping or re-grooving.
- C. Replacement of mufflers and tail pipes, water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, seat covers, windshield wipers and blades, grease retainers, wheel bearings, mirrors, and the like.
- D. Radiator cleaning and flushing.
- E. Washing, polishing, and sale of washing and polishing materials.
- F. Greasing and lubrication.
- G. Providing and repairing fuel pumps, oil pumps, and lines.
- H. Minor servicing and repair of carburetors.
- I. Adjusting and repairing brakes.
- J. Minor motor adjustment not involving removal of the head or crankcase or racing the motor.
- K. Sales of cold drinks, packaged food, tobacco, and similar convenience goods for service customers, as accessory and incidental to principal operations.
- L. Provisions of road maps and other informational material to customers, provision of restroom facilities.
- M. Warranty maintenance and safety inspections.

Uses permitted at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of autos not in operational condition, or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations. A service station is neither a repair garage nor a body shop.

Grade: The relative existing ground level in the immediate vicinity of a structure.

Graffiti: Unauthorized writing or drawing scribbled, scratched, or sprayed illicitly on a wall or other surface.

Group Home: A residential facility that provides room and board, personal care, habitation services, and supervision in a family setting for not more than eight (8) persons with developmental disabilities, as defined in the [Ohio Revised Code](#).

Governmental Sign: See 'sign, governmental'.

Half-Way House: The term used to identify an intermediate care facility which provides residential accommodations in a group setting for alcoholic persons. It shall provide guidance, supervision, and personal services relating to those areas of adjustment, which enable the alcoholic to move into independent living in normal surroundings.

Historic Buildings: Buildings greater than 100 years old that are structurally sound and deemed worthy of preservation by the Trustees of Etna Township. The Board of Trustees shall utilize the Ohio Historical Society definition of Historic Structure as their standard for making this determination. The Ohio Historical Society defines a Historic Structure as any building or structure which has historic, architectural or archaeological significance and has been so designated according to the standards set by the Ohio

Historical Society. The significance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or the nation. It may be achieved in several ways:

- A. Association with broad pattern of our history, events, activities, or patterns.
- B. Association with important persons.
- C. Distinctive physical characteristics or design, construction, or form.
- D. Potential to yield information important in history or prehistory (archaeology).

Home Occupation: An occupation conducted in a dwelling unit, provided that:

- A. No more than one person other than members of the family residing on the premises shall be engaged in such occupation.
- B. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of floor area of the dwelling unit shall be used in the conduct of the home occupation.
- C. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
- D. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution, and shall not be located in a required front yard.
- E. No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot.
- F. No equipment or process shall cause electrical interference's in any radio or television receiver(s) off the premises.
- G. No equipment or process shall cause fluctuations in line voltage off the premises.

Homeowner's Association: A private non-profit corporation, association or other non-profit entity established by the developer to maintain such open space and facilities as may be dedicated to subdivision residents. Membership in such an association shall be mandatory for all purchasers of lots in the development (or units in a condominium). The association shall be responsible for maintenance, control and insurance of common areas, including the open space, as may be dedicated to the association, and shall have the right to impose assessments upon its members, enforceable by liens, in order to ensure that it will have sufficient financial resources.

Hospital: A building or portion thereof used for the accommodation of sick, injured or infirm person, including sanitarium, and/or sanatoria.

Hotel or Motel and Apartment Hotel: A building in which five (5) or more rooms are used for lodging or boarding and lodging 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.

House Trailer: See Manufactured Home.

Identification Sign: See 'sign, identification'.

Illegal Sign: See 'sign, illegal'.

Illuminated Sign: See 'sign, illuminated'.

Impervious Surfaces: Areas that have been paved and/or covered with buildings and materials that do not absorb and/or allow water to penetrate which include, but are not limited to, concrete, asphalt, rooftop, blacktop and brick.

Impervious Surface Ratio (ISR): The total area of impervious surfaces divided by the net area (excluding right-of-way) of the lot.

Improved Open Space: Open space set aside for passive or active recreational purposes. These areas may contain accessory buildings and improvements necessary and appropriate for recreational uses as shown on the development plan. If deemed appropriate by the Township, improved open space may incorporate land for on-site wastewater disposal.

Industrialized Unit: Means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self sufficient as a unit or as a part of a greater structure and that requires transportation to the site of intended use. Industrialized unit includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. Industrialized unit does not include a manufactured or mobile home as defined herein.

Industry: Storage, repair, manufacture, preparation or treatment of any article, substance or commodity. (Also see Manufacturing).

Institution: Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling, or other correctional services.

Junk Motor Vehicles: A motor vehicle, which meets all of the following criteria: 1. Three model years old, or older; 2. Apparently inoperable; 3. Extensively damaged, including but not limited to any of the following: missing wheels, tires, motor, or transmission. See Article – 14 Prohibition of Junk Motor Vehicles.

Junk Yard, Building or Shop: Any open area or building where waste, discarded or salvaged materials are bought, sold, stored, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking, used lumber yards and places or yards for storage and equipment. Including insurance storage lots, holding areas, and/or impounding lots.

Kennel: Any lot or premises on which four (4) or more domesticated dogs more than four (4) months of age are housed, groomed, bred, boarded, trained, or sold and/or which offers provisions for minor medical treatment.

Landfill: A sanitary land disposal site employing a method to dispose of solid or semi-solid waste material.

Landscape: Plant materials, topography, and other natural physical elements combined in relation to one another and to man-made structures. Landscaping may include pedestrian walks, flower beds, ornamental objects such as fountains, statuary, and other similar natural and artificial objects designed and arranged to produce an aesthetically pleasing effect.

Landscaping, Interior Parking-Lot: An area set aside, usually as an island in a parking lot, to provide environmental relief. The interior buffer will help to define spaces and indicate directions for pedestrian and vehicular circulation.

Landscaping and/or Buffering Plan: A plan, drawn to scale, showing dimensions and details of existing vegetation or for re-vegetating an area, including maintenance and protection measures and any other requirements of Article 16.

Licking County Planning Commission: LCPC.

Livable Area: The area excluding porches, breezeways, garages, carports, and other similar areas. (See Floor Area, Usable).

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.

Location Map: See Vicinity Map.

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 required. Such lot shall have frontage on an improved public 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 ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

Lot Frontage: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the definition "Yard" in the definition section.

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 Measurement: A lot shall be measured as follows:

- A. **Depth** - The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.
- B. **Width** - The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the building setback line.

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 references to corner lots, interior lots, and through lots is as follows in Figures 16 B and 16C from Article – 16 Buffering, Landscaping, and Resource Preservation:

- A. 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 one hundred thirty five (135) degrees.
- B. Interior Lot** - A lot with only one frontage on a street.
- C. 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.
- D. 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.

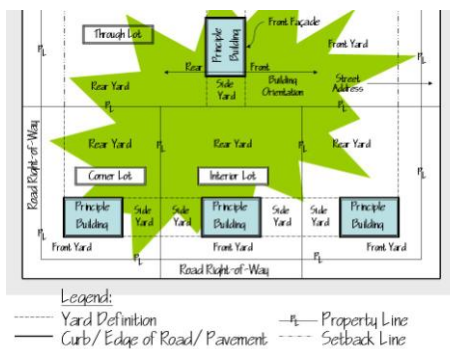


Figure 16B – Corner & Through Lot Diagram

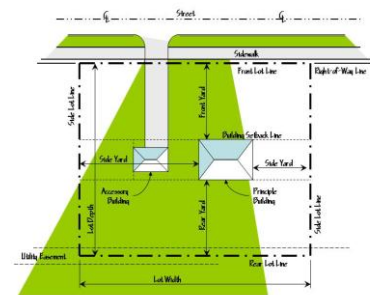


Figure 16C – Standard Lot Diagram

Maintain: To permit a sign, structure or any part of each to continue, or to repair or refurbish a sign, structure or any part of either.

Maintenance and Storage Facilities: Land, buildings, and structures devoted primarily to the maintenance and storage of construction equipment and material.

Major Thoroughfare Plan: The portion of a comprehensive plan adopted by the County Planning Commission indicating the general location recommended for arterial, collector, and local thoroughfares within the appropriate jurisdiction.

Manufactured Home: A non self-propelled building unit or assembly of closed construction fabricated in an off site facility, and which conforms 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, and that has a label or tag permanently affixed to it 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 and 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 dimension is 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.

Manufactured, Extractive: Any mining, quarrying, excavating, processing, storing, separating, cleaning, or marketing of any natural resource.

Marquee: Any permanent structure which projects from a wall of a building over a walkway or entrance way generally providing protection from the weather elements. For the purpose of this resolution, a freestanding, permanent roof-like structure providing protection from the elements, such as a service station gas pump canopy, will also be considered a marquee. The term "marquee" also includes canopy.

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.

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

Motel: See Hotel.

NAICS: North American Industrial Classification System, 2002, for the United States, by the Executive Office of the President, Office of Management and Budget.

Natural Open Space: Land set aside in its natural condition. Typical natural conditions might be, but are not limited to ravines, wetlands, floodplains, woods, tree rows, stream corridors, scenic views, or agricultural elements such as fence rows.

Neon Sign: See 'sign, neon'.

Net Developable Area: The net area left after deducting from a planned unit development tract's gross acreage:

- A. Right of way for streets and utilities (15% of gross acreage when estimating density);
- B. Jurisdictional wetlands, as defined U.S. Army Corps of Engineers Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss. Jurisdictional wetlands as regulated by Section 404 of the Clean Water Act consist of a.) hydric soils, b.) hydrophytic vegetation and c.) wetland hydrology (this generally means they support more than 50% wetland vegetation, and are poorly drained soils which are periodically inundated or saturated);
- C. Floodplains within a FEMA 100-year floodplain;
- D. Slopes greater than 20%;
- E. Utility rights-of-way and easements for above-ground and currently existing utility structures such as above ground pipelines and existing overhead electric transmission (not local service) wires; Existing bodies of water.

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 located.

Non-Conforming Sign: See 'sign, non-conforming'.

Non-Conforming Uses: A use of building or land lawful at the time of enactment of this resolution that does not conform with the "permitted use" provisions of this resolution.

Nursery, Nursing Home: A home or facility for the care and treatment of babies, children, pensioners, or elderly people.

Nursery, Plant Materials: Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail sale on the premises including products used for gardening or landscaping.

Objectionable Substances: Objectionable substances shall include but are not limited to sediment, increased runoff, debris, chemicals, dust, fumes, litter, and the like.

Off-Premises Sign: See 'sign, off-premises'.

On-Premises Sign: See 'sign, on-premises'.

Open Space: See the definitions of Improved Open Space, Natural Open Space, or Common Open Space. It does not include the areas of individual fee simple lots conveyed to homeowners.

Open Space Development: Land that is designed and developed as a unified residential development with open space as an integral characteristic. Instead of subdividing an entire tract into house lots and streets, the same number of housing lots may be clustered on a reduced amount of acreage on the condition that the remaining land in the tract is permanently reserved for open space area, the future development or subdivision of which is prohibited.

Open Space Easement: A recorded legal instrument which permanently and irrevocably protects land from future development, other than for approved open space use. The easement shall be tied to the title of the land regardless of the subsequent ownership of the land.

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.

Permanent Sign: See 'sign, permanent'.

Permanently Sited Manufactured Housing: Manufactured housing constructed and located pursuant to the definition in ORC §3781.06 (C) (6) and further meeting the following standards.

- A. Be constructed after January 1, 1995 in compliance with the Manufactured Housing Construction and Safety Standards Act of 1974, 88 stat. 700, 42 U.S.C.A. 5401 and 5403. It must also have a permanent label attached as specified in 42 U.S.C.A 5415.
- B. Be attached to a permanent foundation as defined in ORC §3781.06 (C) (6).
- C. Be connected to appropriate facilities (water, sanitary sewage disposal, and electric).
- D. Have a length of at least 22 feet and a width of at least 22 feet, as manufactured.
- E. Conform to minimum size of living area, by zoning standards herein.
- F. Have conventional residential siding (i.e. lap, clapboard, shake, masonry, and vertical natural materials), a 6-inch minimum eave overhang, and a minimum "A" roof pitch of 3:12.
- G. Not be located in a manufactured home park as defined by Section 3733.01 of the Ohio Revised Code.
- H. Meet all applicable zoning requirements uniformly imposed on all single-family dwellings in the district such as minimum lot size, setbacks, and minimum dwelling unit square footage (excepting contrary requirements for minimum roof pitch and requirements that do not comply with HUD code standards for manufactured housing).
- I. All indicia of mobility are removed upon placement upon its foundation.

Personal Services: Any enterprise conducted for gain, which primarily offers services to the general public such as shoe repair, watch repair, barber shops, beauty parlors, and similar activities.

Planned Unit Development: An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those for the standard subdivision, such as building design principles, and landscaping plans.

Pond: Shall mean a basin or body of water in the ground with a depth three (3) feet or greater and 1,000 square feet or greater used to hold water. This shall include retention ponds used to retain water and detention ponds used to detain water after a rain event commonly used to control stormwater in platted, commercial, industrial and multifamily developments.

Portable Sign: See 'sign, portable/daisy'.

Primary Conservation Areas: Steep slopes (over 20%), wetlands, watercourses, wood stands over 2 acres, tree rows, intermittent streams and 100-year floodplains.

Professional Activities: The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, and engineers, and similar professionals.

Public Service Facility: The erection, construction, alteration, operation, or maintenance of buildings, power plant, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communication, public water and sewage services.

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 Utility: A business or service which is engaged in regularly supplying the public with some commodity or service which is of public consequence and need, such as electricity, gas, water, transportation, or telephone or telegraph service. The test for determining if a concern is a public utility is whether it has held itself out as ready, able and willing to serve the public.

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, bicycle path,

or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

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

Recreation Camp: An area of land on which two or more travel trailers, campers, tents, or other similar temporary recreation structures are regularly accommodated with or without charge, including any building, structure or fixture or equipment that is intended to be used in connection with providing such accommodations.

Recreation Facilities: Public or private facilities that may be classified as either "extensive" or "intensive" depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to hunting, fishing and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and bowling alleys.

Research Activities: Research, development, and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering. All research, testing, and related facilities including operation of prototype, pilot plant or semi-works processes which are no larger than the normal version of said process, exposure of product to weather and all other tests relating to code and other product performance requirements and fabrication or assembly operations which process materials or equipment for market development and other uses, provided that such operations shall be conducted within a building or be visually screened or located more than two hundred (200) feet from adjacent property lines, and provided further, that the same do not violate the provisions of Sections 1016 through 1024, inclusive.

Restaurant – Sit Down: An establishment maintained, operated, and/or advertised or held to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinnerware, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches or stools.

Restaurant – Carry Out/Take out: A restaurant where food, frozen dessert, or beverages are primarily sold in a packaged, ready-to-consume state, intended for ready consumption by the customer on or off the premises.

Roadside Stand: A temporary structure designed or used for the display or sale of agricultural and related products.

Roof Line: The outline or outer edge of a roof.

Roof Sign: See 'sign, roof'.

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 or treatment) such as grade separation, landscaped areas, viaducts, and bridges.

Screening: A continuous fence, wall, compact evergreen hedge or combination thereof, supplemented with landscape planting, which would effectively and opaquely screen the property which it encloses from noise or unsightly visual intrusions, and is broken only by access drives and walks.

Seat: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or space for loose chairs.

Secondary Conservation Areas: Land typically consisting of upland forest, meadows, pastures, and farm fields that are part of the ecologically connected matrix of natural areas significant for wildlife habitat and/or water quality protection; historic, archaeological or cultural features listed (or eligible to be listed) on national, state or county registers or inventories, and scenic views into the property from existing public roads and other reasons. Secondary conservation areas are those selected areas to be saved in a conservation subdivision in addition to the primary conservation areas.

Setback Line: A line established by the zoning resolution generally parallel with and measured from the lot line, defining the limits of a yard.

Sewage: The waste matter from domestic, industrial, commercial establishments typically carried off in sewers.

Sewers, Central or Group: An approved sewage disposal system, which provides a collection network and disposal system and central sewage treatment facility for the 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.

Shopping Center:

- A. Any group of more than five permitted or discretionary uses, designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants.
- B. A group of commercial uses, which have been designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants and distinguished from a business area comprising unrelated individual uses.
- C. A building or group of buildings on the same site, in which more than six of the permitted uses are located together for their mutual benefit, including the use of off-street parking and other joint facilities.
- D. A group of commercial establishments, planned, developed, owned, and managed as a unit, with off-street parking provided on the property, and related in its location, size and type of shops to the trade area which the unit serves.
- E. A commercial development, containing at least three individual business establishments conceived and designed as a single, comprehensively planned development project with appropriate relationships between the shopping centers buildings, activities, open spaces, parking areas, loading areas, driveways, other shared facilities, public areas and adjoining streets, and held in single ownership or by participants in a condominium corporation or commercial cooperative.
- F. Several mixed commercial functions housed in one or more buildings designed as an integrated unit and contained within one legal parcel of land.
- G. A commercial area developed in accordance with a comprehensive scheme containing not less than four separate commercial uses which uses are intended to serve more than one neighborhood area with a broad range of retail, cultural, and personal services.
- H. A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements.

Shrub: A plant that at the time of planting is at least eighteen inches (18") tall above the highest root or of a size requiring a two (2) gallon pot. Shrubs must be appropriate for climate zone and soil type to meet requirements of this resolution.

Shrubs, Hedge: Plants that at maturity will range in height from 7 feet to 15 feet and are spaced from 3 to 6 feet on center depending upon the variety.

Shrubs, Blooming: Plants that flower or undergo change in leaf color. They range in height from 2 to 14 feet.

Sidewalk: That portion of the road right-of-way outside the roadway, which is improved for the use of pedestrian traffic.

Sign: Any object, device, display or structure or part thereof situated outdoors or adjacent to the interior of a window or doorway which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, pictures, logos, figures, designs, symbols, fixtures, colors, illumination or projected images.

Sign Area: The entire display area of a sign including all writing, representation, emblem, or other display of the advertising surface located on one or more sign faces, together with any material or color that is an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. This does not include any supporting framework, bracing, or decorative fence or wall. See **Section 1203** (Computations) for specific sign area calculation requirements.

Sign, Awning: A permanent sign that is mounted or painted on or attached to a seasonal or permanent awning structure.

Sign, Canopy: A permanent sign that is mounted or painted on or attached to a canopy structure.

Sign, Changeable Copy: Permanent or temporary sign in which the sign allows characters, letters, or illustrations to be changed without altering the sign.

Sign, Electronic Message Center: A sign or portion of a sign, that displays an electronic image or video, which may or may not include text, including any sign or portion of a sign that uses changing lights or similar form of electronic display such as LED to form a sign message or messages with text and or images wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.

Sign Face: The area or display surface used for the message.

Sign, Freestanding: A sign attached to or supported by the ground, and not attached or affixed to a building or structure. Also commonly referred to as "ground sign" or "pole sign". Signs attached to fences will be considered freestanding signs.

Sign, Governmental: A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance, Resolution or other governmental regulation.

Sign Height: The vertical distance to the top of a sign structure measured from the relative existing adjacent grade. If sign is located on a man-made earthen mound, mounding shall be considered part of sign height. Any visible material whose major function is providing structural support for the sign shall be considered part of the overall sign height.

Sign, Identification: An on-premises sign in which the main purpose of the sign is the identification of a business, institutional use, or premises.

Sign, Illegal: Any sign which is contrary to the requirements of this Resolution and which does not satisfy the nonconforming specifications stated in this Resolution.

Sign, Illuminated: A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

Sign, Neon: A sign made using electrified, luminous tube lights that contain neon or other gases.

Sign, Nonconforming: Any sign lawfully existing on the effective date of a Resolution, which does not conform to all the standards and regulations of the current Resolution.

Sign, Off-Premises: Any sign, including billboards, that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.

Sign, On-Premises: A sign, which only advertises or otherwise directs attention to an activity on the same lot where the sign is located.

Sign, Permanent: A sign intended, and permitted by this Resolution, to be located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.

Sign, Portable/Daisy: A sign not affixed to the ground, building, or other structure, which may be moved from place to place, including, but not limited to, signs designed to be transported by means of wheels, menu and sandwich Board signs, and signs attached to or painted on a vehicle parked and visible from the public right-of-way, unless such vehicle is used in the day to day operations of a business.

Sign, Roof: A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the roof line of a building.

Sign, Temporary: A sign intended, and permitted by this Resolution, to be located on the premises for a limited period of time only.

Sign, Under-Marquee: Any sign which forms part of or is integrated into or attached to a marquee and which does not extend horizontally beyond the limits of such marquee.

Sign, Wall: A sign fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign and which does not project more than 18 inches from such building or structure.

Sign, Window: A sign that is applied or attached to the interior of a window or located in such manner within a building that it conveys a message to the exterior of the structure through a window.

Solid Waste: Such unwanted residual solid or semi-solid material as result from industrial, commercial, agricultural, and community operations, or other waste materials of the type that would normally be included in demolition debris, non-toxic fly ash, spent non-toxic foundry sand and slag and other substances that 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.

Stable, Commercial: A stable for horses, donkeys, mules or ponies, which are let, hired, used or boarded on a commercial basis and for compensation.

Stable, Private: An accessory building for the keeping of horses, donkeys, mules or ponies owned by the occupant of the premises and not kept for remuneration, hire or sale.

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

Street: Any public or private way dedicated to public travel, fifty (50) feet or more in width. The word "street" shall include the words "highway," and "thoroughfare."

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, and billboards.

Structural Alteration: Any change in the structural members of a building, such as walls, columns, beams, or girders.

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

Swimming Pools: A pool, or open tank containing at least three (3) feet of water at any point and maintained by the owner or manager.

A. 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.

B. Community - Operated with a charge for admission; a primary use.

Telecommunications Antenna, or Antenna: Refers to the actual directional antenna, panel, microwave dish or satellite dish, and omni-directional antennas such as whips and other equipment utilized to serve personal communication services, to receive or transmit electromagnetic waves between cellular phones, pagers, commercial mobile services, wireless services and ground-wired communications systems.

Telecommunications Carrier: Means a public utility engaged in the provision of telecommunication services. **Resolution 09-05-05-04**

Telecommunications Tower: Means any structure as defined in ORC 519.211 (B) (1).

Temporary Sign: See 'sign, temporary'.

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

A. Alley - A minor street used primarily for vehicular service access to the back or side of properties abutting on another street.

B. Arterial Street - A general term denoting a highway primarily for through traffic, carrying heavy loads and a large volume of traffic, usually on a continuous route.

C. Collector Street - A thoroughfare, whether within a residential, industrial, commercial, or other type of development, which primarily carries traffic from local streets, including the principal entrance and circulation routes within residential subdivisions.

D. Cul-de-Sac - A local street of relatively short length with one end open to traffic and the other end terminating in a vehicular turn-around.

E. Dead-End Street - A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.

F. Local Street - A street primarily for providing access to residential or other abutting property.

G. 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 (1,000) feet from said arterial or collector street, not normally more than six hundred (600) feet from each other.

H. 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.

Tourist Home: A building or part thereof, other than a hotel, boarding house, lodging house or motel, where lodging is provided by a resident family in its home for compensation, mainly for transients.

Township Government Building: A building or structure owned, operated or occupied by a township government agency to provide a government service to the township.

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

Tree, Canopy: A deciduous tree which at maturity will shed its leaves annually, and provide shade.

Tree, Evergreen: A coniferous tree with needles or a broadleaf tree which retains its leaves throughout the year.

Tree, Understory: A lower growing tree which screens, flowers, defines space and provides seasonal interest.

Under-Marquee Sign: See 'sign, under-marquee'.

Unnecessary Hardship: Hardship which is substantial and serious and one or more of the following is true:

- A. Application of the zoning resolution to the parcel of land causes such a diminution of its value as to amount to a confiscation.
- B. The affected property cannot be used for any productive use if devoted to a permitted use. Economic loss alone is not sufficient to meet this criteria; the landowner's property must be rendered practically valueless without the variance.
- C. None of the permitted uses in the zoning resolution may reasonably be applied to the property.
- D. The hardship is unique to the applicant's property and is not a hardship common to the area.

In any of the foregoing situations, the hardship cannot have been self-created. An applicant who has knowledge of the zoning restrictions and/or the problems bringing about the hardship, or should have known them at the time the property was purchased, may not claim unnecessary hardship.

Use: The specific purposes for which land or a building is designed, 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, literal enforcement of the regulations would result in practical difficulties. As used in this Resolution, a variance is authorized for height, area, and size of structure, or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district, unless so authorized by this resolution.

Vehicular Use Area: Any open or unenclosed area containing more than 1,800 sq. ft. of area and/or used by six (6) or more of any type of vehicle, whether moving or at rest, including but not limited to parking lots, loading, and unloading areas, mobile home parks, and sales and services areas.

Veterinary Animal Hospital or Clinic: A place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those, which 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 nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

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

Wall Sign: See 'sign, wall'.

Window Sign: See 'sign, window'.

Yard: A required 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 construction of visibility's, ornaments, and furniture may be permitted in any yard, subject to height limitations, and requirements limiting obstruction of visibility.

- A. **Yard, Front** - A yard extending between side lot lines across the front of a lot and from the lot line to the front of the principal building.
- B. **Yard, Rear** - A yard extending between side lot lines across the rear of a lot and from the rear lot to the rear of the principal building.
- C. **Yard, Side** - A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yard.

Zoning Inspector: The Zoning Inspector of the township, or his authorized representative.

Zoning Map: The zoning map or maps of the township, together with all amendments subsequently adopted.

Zoning Permit/Certificate: A document issued by the zoning inspector authorizing the use of lots, uses of land and structures, and the characteristics of the uses.

ARTICLE - 3

ENFORCEMENT

Section 300 Zoning Permits Required

No building, fence, or other structure shall be erected, moved, added to, structurally altered, nor shall any building, fence, 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 or from the Board of Township Trustees approving a planned unit development district, 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 one (1) year or is substantially completed within two and one-half (2 1/2) years. 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. Plans in triplicate 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 alterations.
7. Building heights.
8. Quantity of off-street parking spaces or loading berths.
9. Quantity of dwelling units.
10. 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

With 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 one year. One copy of the plans shall be returned to the applicant 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. No permit will be issued until payment of the necessary fee is received by the zoning inspector.

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 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 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 permit.

Section 304 Expiration of Zoning Permit

If the work described in any zoning permit has not begun within one year from the date of the 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 substantially completed within two and one-half (2 1/2) 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 canceled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted.

Section 305 Certificate of Occupancy

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, converted, or enlarged in its use or structure until a certificate of occupancy shall have been issued thereof by the zoning inspector stating that the proposed use of the building or land conforms to the requirements of this resolution.

Section 306 Temporary Certificate of Occupancy

A temporary certificate of occupancy may be issued by the zoning inspector for a period not exceeding six (6) months during alteration or construction of a building pending its completion. See Section 1027 for additional information.

Section 307 Record of Zoning Permits and Certificate of Occupancy

The zoning inspector shall maintain a record of all zoning permits and certificates of occupancy and copies shall be furnished upon request to any person.

Section 308 Failure to Obtain a Zoning Permit or Certificate of Occupancy

Failure to obtain a zoning permit or certificate of occupancy shall be a violation of this resolution and punishable under Section 311 of this resolution.

Section 309 Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates

Zoning permits or certificates of occupancy 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 311 of this resolution.

Section 310 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 311 Penalties for Violation

Violation of the provisions of this resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in various sections of this resolution or failure to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred dollars (\$100), and in addition shall pay all costs and expenses involved in the case.

Each day such violation continues after receipt of the violation notice, shall be considered a separate offense. The owner or tenant of any building, structure premises, or part thereof, 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 township from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 312 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 only by the Board of Township Trustees. Until payments of fees have been made, no action shall be taken on any application or appeal.

Section 313 Refund of Fees

After the zoning inspector has issued any required permit in compliance with these regulations and the fee has been collected as provided for such permit or action there shall be no refunds.

ARTICLE 4

NON-CONFORMITIES

Section 400 Intent

Within the district established by this resolution or amendments that may later be adopted there exists lots, uses of land, structures, and uses of structures, and land in combination which were lawful before this resolution was passed and 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 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 401 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 a structure, a non-conforming use of land, or a non-conforming use of a structure and land combination shall not be extended or enlarged after passage of the 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 402 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 is hereby defined to include 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 the work shall be carried out diligently.

Section 403 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. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provisions 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. Variances of requirements listed on Articles 9 and 10 of this resolution other than lot area or lot width shall be obtained only through action of the Board of Zoning Appeals as provided in Sections 508 and 518.

Section 404 Non-Conforming Lots of Record in Combination

If two or more lots or a 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 405 Non-Conforming Use of Land

Where, at the time of adoption of this resolution, lawful uses of land exist 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:

1. No such non-conforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied by such uses 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 uses 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 twelve (12) months (except when government action impedes access to the premises), any subsequent use of 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.

Section 406 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 any means, it shall not be reconstructed except in conformity with the provisions of this resolution.
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 407 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 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.
6. When 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.
7. No such non-conforming uses shall be enlarged or increased, nor extended to occupy a greater area of land that was occupied by such uses at the effective date of adoption or amendment of this resolution.

Section 408 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 any by official charge with protecting the public safety, upon order of such official.

Section 409 Uses Under Conditional Use Provisions Not Non-Conforming Uses

Any use, which is permitted as a conditional use in a district under the terms of this resolution, shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming use.

ARTICLE – 5

ADMINISTRATION

Section 500 Office of Zoning Inspector Created

A zoning inspector(s) designated by the Board of Township Trustees shall administer and enforce this resolution. He/she may be provided with the assistance of other such persons as the Board of Township Trustees may direct. The Township Zoning Inspector, before entering upon his duties, shall give bond as specified in Section 519.161, Ohio Revised Code.

Section 501 Duties of the Zoning Inspector

For the purpose of this resolution, the zoning inspector shall have the following duties:

- A. 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.
- B. Order discontinuance of illegal uses of land, buildings, or structures.
- C. Order removal of illegal buildings or structures or illegal additions or structural alterations.
- D. Order discontinuance of any illegal work being done.
- E. 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 certificate of occupancy permits and such similar administrative duties as are permissible under the law.

Section 502 Zoning Commission Created

A Township Zoning Commission 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) member each for one (1), two (2), three (3), four (4), and (5) years terms. The Board of Township Trustees may appoint up to two (2) alternate members each for a term of five (5) years. The Alternate Members shall meet the same appointment criteria as regular Members and shall take the place of an absent Regular Member at the meeting of the Board of Zoning Commission. Alternate Members may vote on any matter on which the absent Member is authorized to vote. Each member including alternate members shall be an elector and resident of unincorporated Etna Township. Any member or alternate member whom shall cease to reside in the unincorporated portion of the Township and thus loses the qualifications required herein to hold said office, the position held by that person shall be deemed vacant and formal removal pursuant to this section shall not be required. Members or alternate members of the Zoning Commission may be removed for nonperformance of duty, misconduct in office, or other cause by the Board of Township Trustees, upon written charges being filed with the board, 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 public hearing, either personally, by registered mail, or by leaving such copy at the member's usual place of residence. The member or alternate member shall be given an opportunity to be heard and answer such charges. The Board of Township Trustees shall fill vacancies through appointment for the un-expired term of the member or alternate member vacating the position. A vacancy shall automatically be declared when a member misses four (4) meetings in succession without just cause or when an alternate member misses four (4) meetings in succession when called upon for duty without just cause.

The Board of Township Trustees shall establish rates of compensation and procedures for reimbursement of expenses incurred in the performance of duties.

Section 503 Proceedings of the Zoning Commission

A. Organization

In March of each year, the Zoning Commission shall organize and select a chairman and vice-chairman. The Commission shall adopt rules necessary to the conduct of its affairs 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 Commission may determine. All meetings shall be open to the public. 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 public record and be immediately filed in the office of the Commission.

B. Zoning Commission Clerk

A clerk shall be appointed by the Etna Township Zoning Commission. The Etna Township Zoning Commission shall establish the clerk's rate of compensation and procedures for reimbursement of authorized expenses in the performance of the clerk's duties. The Etna Township Zoning Commission by a majority vote of the Zoning Commission members may remove the person employed in the clerk position for failure to fulfill the requirements of the job as described herein. The clerk's duties shall include keeping attendance, minutes and other duties as directed by the Etna Township Zoning Commission.

C. Conflicts of Interest

No member of the Zoning Commission may participate in the hearing or disposition of any matter in which that member has any conflict of interest prohibited by state law, including but not limited to a pecuniary or familial interest relating to any matter before the Commission.

Section 504 Duties of the Zoning Commission

For the purpose of this resolution the Commission shall have the following duties.

- A. Initiate proposed amendments of this resolution.
- B. Review all proposed amendments to this resolution and make recommendations to the Board of Township Trustees as specified in **Article 6**.
- C. Review all planned unit developments and make recommendations to the Board of Township Trustees as provided in this resolution.
- D. Review all proposed changes to the official Zoning Map and make recommendations to the Board of Township Trustees as specified in **Article 6**.
- E. Review all proposed changes to the Comprehensive Land Use Plan and Future Land Use Map and make recommendations to the Board of Township Trustees.
- F. Serve as an Architectural Review Board to enforce compliance with any zoning standards adopted and pertaining to landscaping or architectural elements as delegated by the Board of Trustees per O.R.C. 519.171.

Section 505 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) member each for one (1), two (2), three (3), four (4), and five (5) year terms. Each member shall be a resident and an elector of the township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by appointment by the Board of Township Trustees for the un-expired term of the member affected. A vacancy shall automatically be declared when a member misses four (4) meetings in succession without just cause. The Board of Township Trustees shall establish rates of compensation and procedures for reimbursement in the performance of duties.

Section 506 Proceedings of the Board of Zoning Appeals

A. Organization

The Board shall adopt rules necessary to the conduct of its affairs 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 witnesses. All meetings and adjudicatory hearings shall be open to the public. Subsequent meetings of the Board for deliberations and decision announcements are not required to be conducted in public, but can be if the Board so chooses.

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 public record and be immediately filed in the office of the Board. The Board, upon its decision, will issue a final order signed by all participating members.

B. Board of Zoning Appeals Clerk

A clerk shall be appointed by the Etna Township Board of Zoning Appeals. The Etna Township Board of Zoning Appeals shall establish the clerk's rate of compensation and procedures for reimbursement of authorized expenses in the performance of the clerk's duties. The Etna Township Board of Zoning Appeals by a majority vote of the Board of Zoning Appeals members may remove the person employed in the clerk position for failure to fulfill the requirements of the job as described herein. The clerk's duties shall include keeping attendance, minutes and other duties as directed by the Etna Township Board of Zoning Appeals.

C. Conflicts of Interest

No member of the Board of Zoning Appeals may participate in the hearing or disposition of any matter in which that member has any conflict of interest prohibited by state law, including but not limited to a pecuniary or familial interest relating to any matter before the Board.

Section 507 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 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. A quorum of the Board and the concurring vote of a majority of the Board in attendance 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, that Board has the following specific responsibilities:

- A. 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.
- B. 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 (intent) of this resolution shall be observed and substantial justice done.
- C. To grant conditional use permits as specified in the official schedule of district regulations and under the conditions specified in **Article 9** of such additional safeguards as will uphold the intent of this resolution.

Section 508 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 Board of 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 Board of 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 312 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 Chapter 2505 and 2506 of the Ohio Revised Code.

Any such appeal shall be made within thirty (30) days of the approval of the minutes of the meeting when the decision was made by the Board. A written notice (final order) shall be sent to the person(s) initiating the appeal, the zoning inspector, and the Township Trustees stating the decision of the Board, and the date on which the minutes were approved. This notice shall be sent no later than one (1) working day following the approval of the minutes.

Section 509 Procedures and Requirements for Appeals and Variances

Appeals and variances shall conform to the procedures and requirements of **Sections 509** through **518**, inclusive, of this resolution. As specified in **Section 506**, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

Section 510 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 by filing, with the zoning inspector and with the Board of Zoning Appeals, a notice of appeal specifying the grounds upon which the appeal is taken. This notice must be presented at the Etna Township Hall to the township clerk or the zoning inspector by the close of normal business hours on the twentieth (20th) day after the decision. In their absence, the notice may be administratively received by a township official. The zoning inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed is taken.

A. Application:

An appeal of an alleged error made by an administrative official in the enforcement of the Zoning Resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for an appeal is submitted to the zoning inspector and the Board of Zoning Appeals containing:

1. Name, address, and phone number of the applicant(s).
2. Description of nature of appeal requested.
3. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) shall accompany the appeal application.
4. The applicant shall provide a narrative statement describing their reasoning for believing an error by an administrative official has occurred and provide any additional evidence with the application.

Section 511 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 a court of record on application, on notice to the zoning inspector from whom the appeal is taken on due cause shown.

Section 512 Area Variances

The Board of Zoning Appeals may authorize upon appeal in specific cases such area variances 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.

A. Application:

An area 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 inspector and the Board of Zoning Appeals by the owner(s) and lessee(s), if any, of the property for which such area variance is proposed. Such application shall contain the following:

1. Name, address, and phone number of the applicant(s).
2. Legal description of property.
3. Description of the variance requested.
4. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) shall accompany the variance application.
5. The applicant shall provide a narrative statement addressing the Standards for Area Variances set forth in sub-section **512.B** so that the Board can consider and weigh the factors in determining whether the property owner seeking the area variance has encountered practical difficulties in the use of his property.

B. Standards for Area Variances:

Area 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. The Board of Zoning Appeals shall consider and weigh the following standards when determining area variances based on practical difficulty:

1. Whether the property in question will yield a responsible return or whether there can be any beneficial use of the properties without a variance.
2. Whether a variance is substantial.
3. 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.
4. Whether the variance would adversely affect the delivery of governmental services,(e.g. water, sewer, garbage);
5. Whether the property owner purchased the property with knowledge of the zoning restrictions (prior knowledge does not destroy opportunity for area variance request);
6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

Section 513 Use Variances

The Board of Zoning Appeals may authorize upon appeal in specific cases such use variances 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. 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 issuance of a variance.

A. Application:

A use 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 use variance is submitted to the zoning inspector and the Board of Zoning Appeals by the owner(s) and lessee(s), if any, of the property for which such variance is proposed. Such application shall contain the following:

1. Name, address, and phone number of the applicant(s).
2. Legal description of property.
3. Description of nature of variance requested.
4. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) shall accompany the use variance application.
5. The applicant shall provide a narrative statement addressing the Standards for Use Variances set forth in sub-section **513.B** so that the Board can consider and weigh the factors in determining whether the property owner seeking the use variance has encountered unnecessary hardship in the use of his property.

B. Standards for Use Variances:

Variances shall not be granted on the grounds of convenience or profit, but only where strict application of the provision of this resolution would result in unnecessary hardship. In order to grant a use variance, the Board of Zoning Appeals shall find the following standards for unnecessary hardship to be accurate through clear and convincing evidence:

1. The property cannot be put to any economically viable use under any of the permitted uses in the zoning district;
2. The variance requested stems from a condition that is unique to the property at issue and not ordinarily found in the same zone or district;
3. The hardship condition is not created by actions of the applicant;
4. The granting of the variance will not adversely affect the rights of adjacent property owners or residents;
5. The granting of the variance will not adversely affect the public health, safety or general welfare;
6. The variance will be consistent with the general spirit and intent of the Zoning Code; and
7. The variance sought is the minimum that will afford relief to the applicant.
8. That granting the variance requested will not confer on the applicant special privileges that are denied by this resolution to other lands, structures, or buildings in the same district.

Section 514 Supplementary Conditions and Safeguards

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 311** of this resolution.

The following is a list of general topics that the Board of Zoning Appeals may consider when placing conditions on any proposed Area or Use Variance:

- A. The location, height, and size of all structures and activity areas.
- B. The permission/prohibition and location of speaker systems and any other amplified noises.
- C. The location of all points of entrance or exit and all access points to the property.
- D. The permission/prohibition, location, height, size, and number of on-premise signage.
- E. The permission/prohibition, location, casting, and trespass of all exterior lighting.
- F. The location, amount, width, height, opacity, and type of buffering yards and materials.
- G. The location, amount, and type of landscaping.
- H. The location, amount, type, shading, and screening of parking facilities.
- I. The maintenance and order of the property or use.
- J. The safety and security of the property or use.
- K. The permission/prohibition and location of vehicles and storage of vehicles on the property.
- L. The permission/prohibition regarding hours of operation.
- M. The location, screening, type, and accessibility of garbage disposal areas (i.e. dumpsters, trash cans, recycle cans, etc.).
- N. The location, screening, type, maintenance, and accessibility of public restroom facilities.
- O. The type and permission of any accessory uses.

Section 515 Adjudicatory Hearing by the Board of Zoning Appeals

At the beginning of each calendar year, the Board of Zoning Appeals will adopt an adjudicatory hearing schedule for the year that will establish at least one hearing date in each month. Upon receipt of a notice of appeal, an application for a variance or an application for a conditional use permit, the Board shall fix a reasonable time for the hearing, give at least ten days' notice in writing to the parties in interest and give notice of such public hearing by one publication in one or more newspapers of general circulation in Licking Country, at least ten days before the date of such hearing.

Section 516 Notice of Adjudicatory Hearing in Newspaper

Before holding the adjudicatory hearing required in **Section 515**, notice of such hearing shall be given in one or more newspapers of general circulation of the township at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the adjudicatory hearing, and the nature of the proposed appeal or variance.

Section 517 Notice to Parties in Interest

Before holding the adjudicatory hearing required in **Section 515**, written notice of such hearing shall be mailed by the clerk of the Board of Zoning Appeals, by first class mail with certificate of mailing obtained from the post office, at least ten (10) days before the day of the hearing to all parties of interest. The notice shall consist of the same information as required of notices published in newspapers as specified in **Section 516**.

Section 518 Action by Board of Zoning Appeals

Within thirty (30) days after the adjudicatory hearing required in **Section 515**, the Board of Zoning Appeals shall either approve, approve with supplementary conditions as specified in **Section 514**, or disapprove the request for appeal or variance. Appeals from Board decisions shall be made in the manner specified in **Section 508**.

Section 519 Procedure and Requirements for Approval of Conditional Use Permits

Conditional uses shall conform to the procedures and requirements of **Sections 520** through **526**, inclusive of this resolution.

Section 520 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 that are conditionally permitted under the provisions of **Article 9** shall follow the procedures and requirements set forth in **Sections 520** through **526**, inclusive.

Section 521 Contents of Application for Conditional Use Permit

An application for conditional use permit shall be filed with the chairman of the Board of Zoning Appeals by the owner(s) and lessee(s), if any, of the property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

- A.** Name, address, and phone number of applicant.
- B.** Legal description of property.
- C.** Description of existing use.
- D.** Zoning districts.
- E.** Description of proposed conditional use.
- F.** A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading area, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards and such other information as the Board may require determining if the proposed conditional use meets the intent and requirements of this resolution.
- G.** A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration 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 the comprehensive plan.
- H.** Such other information as may be required in **Section 522**.
- I.** A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) shall accompany the conditional use permit.

Section 522 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:

- A.** Is in fact a conditional use as established under the provisions of **Article 9** and appears on the official schedule of district regulations adopted by **Section 901** for the zoning district involved.
- B.** Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's or Etna Township's comprehensive plan and/or the zoning resolution and similar uses.
- C.** 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 same area.
- D.** Will not be hazardous or disturbing to existing or future neighboring uses.
- E.** Will be served adequately by essential public facilities and services such as highways, street, 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.
- F.** Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odor.
- G.** Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- H.** Will not result in the destruction, loss, or damage of a natural, scenic, or historical feature of major importance.

Section 523 General Topics for Conditional Uses

In order to ensure conformity with **Section 522**, the Board of Zoning Appeals may consider the following list of general topics when placing conditions on any proposed Conditional Use:

- A. The location, height, and size of all structures and activity areas.
- B. The permission/prohibition and location of speaker systems and any other amplified noises.
- C. The location of all points of entrance or exit and all access points to the property.
- D. The permission/prohibition, location, height, size, and number of on-premise signage.
- E. The permission/prohibition, location, casting, and trespass of all exterior lighting.
- F. The location, amount, width, height, opacity, and type of buffering yards and materials.
- G. The location, amount, and type of landscaping.
- H. The location, amount, type, shading, and screening of parking facilities.
- I. The maintenance and order of the property or use.
- J. The safety and security of the property or use.
- K. The permission/prohibition and location of vehicles and storage of vehicles on the property.
- L. The permission/prohibition of the hours of operation.
- M. The location, screening, type, and accessibility of garbage disposal areas (i.e. dumpsters, trash cans, recycle cans, etc.).
- N. The location, screening, type, maintenance, and accessibility of public restroom facilities.
- O. The type and permission of any accessory uses.

Following are additional requirements for conditionally permitted uses that involve mining operations:

- P. There shall be filed with the zoning inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads, and natural features.
- Q. Information shall be submitted on the anticipated depth of excavations and on depth and probable effect on the existing water table and coordinated with the Ohio Division of Water.
- R. All work conducted in connection with such operations shall be done between the hours of 7:30 AM and 5:00 PM.
- S. All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the County Engineer.
- T. There may be filed with the Board a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five (5) feet, the type and number per location of future roads, drives, drainage courses, or other improvements contemplated.
- U. All excavation shall be made either to a water producing depth, such depth to be not less than five (5) feet below the low water mark, or shall be graded or backfilled with non-noxious, nonflammable and non-combustible solids, to secure:
 - 1. That the excavated area shall not collect and permit to remain therein stagnant water.
 - 2. That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof so as to produce a gently running surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjacent land area. The banks of all excavations not backfilled shall be sloped which shall not be less than three (3) feet horizontal to one (1) foot vertical and said bank shall be seeded.
- V. There shall be filed 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 rate of the required bond shall be fixed by resolution of the Board of Township Trustees. The bond shall be released upon written certification of the zoning inspector that the restoration is complete and in compliance with the restoration plan.

Section 524 Violations of Conditions and Safeguards

In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this resolution and in relationship with **Section 523**. 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 311** of this resolution.

Section 525 Procedure for Hearing, Notice

Upon receipt of the application for a conditional use permit specified in **Section 521**, 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 515** through **517**.

Section 526 Action by the Board of Zoning Appeals

Within thirty (30) days after the public hearing required in **Section 525**, the Board shall either approve, approve with supplementary conditions as specified in **Section 523**, 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 of 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 a manner specified in **Section 508**. If the application is approved or approved with supplemental conditions, or denied, one of the two (2) application copies received by the Appeals Board is to be properly filled in so stating the Board's decision and mailed by certified mail to the applicant. The zoning inspector is to be notified also.

Section 527 Technical Review Committee

A Township Technical Review Committee is hereby created which shall consist of three (3) members: the Zoning Inspector, and two (2) from the Zoning Commission. Any member of the Zoning Commission is qualified to serve on the Technical Review Committee. The Zoning Commission will provide the Zoning Inspector a list of names, addresses, phone numbers and the assignment schedule of their members to the Technical Review Committee. If the Zoning Inspector is unable to schedule a Technical Review because assigned members are not available, any other Zoning Commission member may serve as the respective replacement for that review only. The Zoning Inspector acts as the committee moderator.

Section 528 Duties of the Technical Review Committee

A technical review will be held at the call of the Zoning Inspector who, after determining that all requirements of **Section 301** are met, needs a recommendation from the Technical Review Committee. The conditions for scheduling a meeting are:

- A.** If the application is for work to be done in any residential, agricultural, or manufactured home park district, the Zoning Inspector may schedule a meeting with the Technical Review Committee.
- B.** If the application is for work to be done in a flood plain, business or manufacturing district, the Zoning Inspector should schedule a meeting with the Technical Review Committee.

All meetings will be open to the public, and notice of such meetings shall be supplied to the applicant and one local newspaper a minimum of ten (10) days prior to the review meeting. Reasons for the acceptance or denial of the application shall constitute the record of the meeting and shall be furnished by the Zoning Inspector to the applicant upon request.

All reviews shall have the Zoning Inspector and at least two (2) members in attendance and the committee will recommend approval if the requirements of this resolution are met or denial if the requirements of this resolution are not met. The Zoning Inspector will notify the applicant, in writing, within ten (10) days of the Zoning Inspector's decision. The applicant or any interested party may appeal the decision of the Zoning Inspector to the Board of Zoning Appeals under the provisions provided in **Article 5** of this resolution.

At the request of the applicant, a preliminary review of the application may be held with the Technical Review Committee. This preliminary review meeting would be held to provide direction to the applicant on how to comply with the resolution. The preliminary review meeting has the same requirements as the official review meeting, except that no recommendation to the Zoning Inspector will be made.

ARTICLE – 6

AMENDMENT

Section 600 Procedure for Amendments or District Changes

This resolution may be amended by utilizing the procedures specified in Section 601 through 613, 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 the 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 of this resolution 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 Board of Township Trustees.
3. By the filing of an application by the owner(s) and lessee(s), if any, of the property within the area proposed to be changed or affected by said amendment. Said application shall be filed with the Zoning Commission.

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. Proposed amending resolution, approved as to form by the County Prosecutor.
3. Present use.
4. Present zoning district.
5. Proposed use.
6. Proposed zoning district.
7. A vicinity map at a scale approved by the zoning inspector showing property lines, thoroughfares, existing proposed zoning, and such other items as the zoning inspector may require.
8. A list of all property owners and their mailing addresses who are within, contiguous to, or directly across the street from the parcel(s) proposed to be rezoned and others that may have a substantial interest in the case.
9. A statement on how the proposed amendment relates to the comprehensive plan.
10. A fee as established by the Board of Township Trustees according to Section 312.

Applications for amendments proposing to amend, supplement, change or repeal portions of this resolution other than the official zoning map shall include items (1), (2), (9), and (10) listed on the preceding page.

Section 604 Transmittal to Zoning Commission

Immediately after the adoption of a resolution by the Board of Township Trustees or filing of an application by the owner(s) and lessee(s), if any, of the property, said resolution or application shall be transmitted to the Commission.

Section 605 Submission to County Planning Commission

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Board of Township Trustees, or the filing of an application by the owner(s) and lessee(s), if any, of the property, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map pertaining to the case in question to the Licking County Planning Commission. The Licking County Planning Commission shall recommend the approval or denial of the proposed amendment or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission.

Section 606 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 highway for which changes are proposed as described in the certification to local officials by the Director of Transportation or 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 Zoning Commission may proceed as required by law, however, the Board of 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 Board of Township Trustees that he shall proceed to acquire any land needed, then the Board of Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Board of Township Trustees that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty days (120) period or any extension thereof agreed upon by the Director of Transportation and the property owner, the Board of Township Trustees shall proceed as required by law.

Section 607 Public Hearing by Zoning Commission

The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees or the filing of an application for zoning amendment. Said hearing shall be not less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application.

Section 608 Notice of Public Hearing in Newspaper

Before holding the public hearing as required in Section 607, notice of such hearing shall be given by the Zoning Commission for at least one (1) publication in one (1) or more newspapers of general circulation of the township at least ten (10) days before the date of said hearing.

1. 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:
 - a. The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment.
 - b. A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution.
 - c. 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 (10) days prior to the public hearing.
 - d. The name of the person responsible for giving notice of the public hearing by publication.
 - e. A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action.
 - f. Any other information requested by the Zoning Commission.
2. If the proposed amendment intends to rezone or redistrict ten (10) or fewer 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:
 - a. The name of the Zoning Commission that will be conducting the public hearing.
 - b. A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution.

- c. A list of all the addresses of all properties to be rezoned or redistricted by the proposed amendment and the names of the owners of these properties, as they appear on the County Auditor's current tax list.
- d. The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property.
- e. 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 (10) days prior to the public hearing.
- f. The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail.
- g. Any other information requested by the Zoning Commission.
- h. A statement that after the conclusion of such hearing, the matter will be submitted to the Board of Township Trustees for its action.

Section 609 Notice to Property Owners by Zoning Commission

If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land, as listed on the tax duplicate, written notice of the 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, contiguous to, and directly across the thoroughfare from such area proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees. The failure to deliver the notice, as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information as notices published in newspapers as specified in Section 606.

Section 610 Recommendation by Zoning Commission

Within thirty (30) days after the public hearing required by Section 607, the Zoning Commission shall recommend to the Board of Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be not granted.

Section 611 Public Hearing by Board of Township Trustees

Within thirty (30) days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of such public hearing in a newspaper shall be given by the Board of Township Trustees as specified in Section 608.

Section 612 Action by the Board of Township Trustees

Within twenty (20) days after the public hearing required by Section 611, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, the unanimous vote of the Board of Township Trustees is required.

Section 613 Effective Date and Referendum

Such amendment adopted by the Board of Township 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 unincorporated area of the township or part thereof included in the zoning plan equal to not less than eight (8) percent of the total vote cast for all candidates for governor in such area at the last preceding general election at which a governor was elected, requesting the Board of Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the votes 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.

ARTICLE – 7

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.

Section 701 Identification of the Official Zoning Map

The official zoning map shall be identified by the signature of the chairman of the Board of Township Trustees, attested by the township clerk, and bearing the seal of the township.

Section 702 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 are approximately following 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 dimensions shall be determined by the use of the scale shown on the official zoning map.
4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.
5. Where the boundary of a district follows a stream, lake, or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the township unless otherwise indicated.

ARTICLE - 8

ESTABLISHMENT AND PURPOSE OF DISTRICTS

Section 800 Intent

The following zoning districts are hereby established for the township of Etna, Ohio. 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 purposes of each zoning district shall be stated.

Section 801 Residential Districts

Residential districts are established to meet the purpose set forth in Sections 802 through 806 inclusive.

Section 802 Suburban Estate Residential District (SER)

The purpose of the SER District is to permit the establishment of low density single family dwellings with lot sizes sufficient for individual water and sewer facilities, but not to exceed one (1) dwelling unit per two (2) gross acres.

Section 803 Low Density Residential District (R-1)

The purpose of the R-1 District is to encourage the establishment of low density single family dwellings not to exceed one (1) dwelling per one (1) gross acre.

Section 804 Medium-Low Density Residential District (R-2)

The purpose of the R-2 District is to encourage the establishment of medium-low density single and two family dwellings not to exceed two (2) dwelling units per one (1) gross acre. Two family dwelling units must meet the County Board of Health's requirements before being issued a zoning permit or the dwelling units must be supplied with public water and sewage systems.

Section 805 Medium Density Residential District (R-3)

The purpose of the R-3 District is to permit the establishment of medium density single, two, and multiple family dwellings not to exceed eight (8) dwelling units per one (1) gross acre. Centralized water and sewer facilities are required.

Section 806 Manufactured Home Park District (MHP)

The purpose of the MHP District is to encourage the development of manufactured home parks in a well planned environment, such districts shall abut upon an arterial or collector thoroughfare as identified on the major thoroughfare plan. Manufactured home parks shall comply with regulations of Chapter HE-27 of the Ohio Sanitary Code.

Section 807 Business Districts

Business districts are established to meet the purposes set forth in Sections 808 through 811, inclusive.

Section 808 Professional-Research-Office District (PRO)

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

Section 809 Local Business District (LB)

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

Section 810 General Business District (GB)

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

Section 811 Accommodation Business District (AB)

The purpose of the AB District is to encourage the establishment of areas for highway business uses only. This district is specifically designed to service the motoring public. AB Districts are generally associated with interchange areas along the major limited access highways.

Section 812 Manufacturing Districts

Manufacturing districts are established to meet the purposes set forth in Sections 813 through 815, inclusive.

Section 813 Light Manufacturing District (M-1)

The purpose of the M-1 District is to encourage the development of manufacturing and wholesale business establishments that are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare; operate entirely within enclosed structures and generate little industrial traffic. Research activities are encouraged. This district is further designed to act as a transitional use between M-2 and M-3 manufacturing uses and other less intense business and residential uses.

Section 814 General Manufacturing District (M-2)

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

Section 815 Heavy Manufacturing District (M-3)

The purpose of the M-3 District is to encourage the development of manufacturing, extensive processing, expansive warehousing operations, and to conditionally allow other activities that may be dangerous, hazardous, or offensive in nature. These activities require extensive community facilities including adequate utility services, and reasonable access to arterial thoroughfares. Uses in this district may have extensive open storage and service areas, and may generate heavy industrial traffic, but shall be prohibited if they create nuisances beyond the limitations set up by the Zoning Commission.

Section 816 Special Districts

The special districts are established to meet the purposes set forth in Sections 816 through 819.

Section 817 Agricultural District (AG)

The purpose of the AG District is to preserve and protect the decreasing supply of prime agricultural land. This district also is established to control the indiscriminate infiltration of urban development in agricultural areas, which adversely affects agricultural operators.

Section 818 Flood Plain District (FP)

The purpose of the FP District is to guide development in the flood prone areas of any water course that are consistent with the requirements for the conveyance of flood flows, and to minimize the expense and inconvenience to the individual property owners and the general public through flooding. Uses permitted in this district are generally associated with open space, recreational, and agricultural land uses and shall not hinder the movement of floodwaters.

Section 819 Planned Unit Development (PUD)

The purpose of the PUD District is to promote progressive development of land and construction thereon to achieve a maximum choice of living environments by allowing a variety of housing types, a more useful pattern of open space by utilizing natural topography and geologic features, and provides a more efficient use of the land than is generally achieved through conventional development.

Section 820 Amendments

Nothing in Article 8 shall be interpreted in such manner as to preclude amendment of the district regulations as provided under Section 519.12 of the Ohio Revised-Code.

ARTICLE - 9

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 hereinafter provided:

- A. No building, structure, or land shall be used or occupied and no building or structure or part thereof shall be located, erected, constructed, reconstructed, enlarged, moved, or structurally altered except in conformity with the regulations herein for the district in which it is located. No zoning permit shall be issued unless the plans for the proposed building or structure fully comply with the zoning regulations then in effect.
- B. Mobile Homes shall not be located in any district other than in a manufactured home district (MHP) except as noted in Section 1024 Temporary Dwellings.

Section 901 Official Schedule of District Regulations Adopted

District regulations shall be as set forth in the official schedule of district regulations hereby adopted and declared to be a part of this resolution and in Article 10 of this resolution "Supplementary District Regulations."

Section 902 Intent of District Regulations

It is the intent of these regulations to set forth within the district regulations the permitted uses, the conditionally permitted uses, the general requirements of the district, and other regulations as they pertain in general to each zoning district. Conditionally permitted uses are in addition to the permitted uses in each district and as such are governed by Article 4, Article 5, and other articles of these regulations.

Section 903 General Statement On Permitted and Conditionally Permitted Uses

The permitted and conditionally permitted uses within Article 9: District Regulations utilize the 2007 North American Industrial Classification System (NAICS) code. All codes and the associated terms shall be defined by the 2007 NAICS code description. The NAICS code is available at www.naics.com.

Section 904 Suburban Estate Residential District (SER)

Permitted uses, dimensional requirements, and other regulations of the SER, Suburban Residential District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Single family dwellings.
2. Accessory uses and structures.
3. Home Occupations
4. Agricultural uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code.
5. **Educational Services**
 - a) NAICS Code 611110 Elementary and Secondary Schools
 - b) NAICS Code 611210 Junior Colleges
 - c) NAICS Code 611310 Colleges, Universities, and Professional Schools
 - d) NAICS Code 611410 Business and Secretarial Schools
 - e) NAICS Code 611420 Computer Training
 - f) NAICS Code 611430 Professional and Management Development Training
 - g) NAICS Code 611511 Cosmetology and Barber Schools
 - h) NAICS Code 611512 Flight Training
 - i) NAICS Code 611513 Apprenticeship Training
 - j) NAICS Code 611519 Other Technical and Trade Schools
 - k) NAICS Code 611610 Fine Arts Schools
 - l) NAICS Code 611620 Sports and Recreation Instruction
 - m) NAICS Code 611630 Language Schools
 - n) NAICS Code 611691 Exam Preparation and Tutoring
 - o) NAICS Code 611692 Automobile Driving Schools
 - p) NAICS Code 611699 All Other Miscellaneous Schools and Instruction
 - q) NAICS Code 611710 Educational Support Services
6. **Arts, Entertainment, and Recreation**
 - a) NAICS Code 712190 Nature Parks and other similar institutions.
7. **Other Services (except Public Administration)**
 - a) NAICS Code 812220 Cemeteries and Crematories
 - b) NAICS Code 813110 Religious Organizations
8. **Public Administration**
 - a) NAICS Code 921110 Executive Offices
 - b) NAICS Code 921120 Legislative Bodies
 - c) NAICS Code 921130 Public Finance Activities
 - d) NAICS Code 921140 Executive and Legislative Offices, Combined
 - e) NAICS Code 921150 American Indian and Alaska Native Tribal Governments
 - f) NAICS Code 921190 Other General Government Support
 - g) NAICS Code 922110 Courts
 - h) NAICS Code 922120 Police Protection
 - i) NAICS Code 922130 Legal Counsel and Prosecution
 - j) NAICS Code 922150 Parole Offices and Probation Offices
 - k) NAICS Code 922160 Fire Protection
 - l) NAICS Code 922190 Other Justice, Public Order, and Safety Activities
 - m) NAICS Code 923110 Administration of Education Programs
 - n) NAICS Code 923120 Administration of Public Health Programs
 - o) NAICS Code 923130 Administration of Human Resource Programs (except Education, Public Health, and Veterans' Affairs Programs)
 - p) NAICS Code 923140 Administration of Veterans' Affairs
 - q) NAICS Code 924110 Administration of Air and Water Resource and Solid Waste Management Programs
 - r) NAICS Code 924120 Administration of Conservation Programs
 - s) NAICS Code 925110 Administration of Housing Programs
 - t) NAICS Code 925120 Administration of Urban Planning and Community and Rural Development
 - u) NAICS Code 926110 Administration of General Economic Programs

- v) NAICS Code 926120 Regulation and Administration of Transportation Programs
- w) NAICS Code 926130 Regulation and Administration of Communications, Electric, Gas, and Other Utilities
- x) NAICS Code 926140 Regulation of Agricultural Marketing and Commodities
- y) NAICS Code 926150 Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors
- z) NAICS Code 927110 Space Research and Technology
- aa) NAICS Code 928110 National Security
- bb) NAICS Code 928120 International Affairs

B. Conditionally Permitted Uses: After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations; the following uses may be conditionally permitted:

1. Agriculture, Forestry, Fishing, and Hunting

- a) NAICS Code 111110 Soybean Farming
- b) NAICS Code 111120 Oilseed (except Soybean) Farming
- c) NAICS Code 111130 Dry Pea and Bean Farming
- d) NAICS Code 111140 Wheat Farming
- e) NAICS Code 111150 Corn Farming
- f) NAICS Code 111160 Rice Farming
- g) NAICS Code 111191 Oilseed and Grain Combination Farming
- h) NAICS Code 111199 All Other Grain Farming
- i) NAICS Code 111211 Potato Farming
- j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
- k) NAICS Code 111310 Orange Groves
- l) NAICS Code 111320 Citrus (except Orange) Groves
- m) NAICS Code 111331 Apple Orchards
- n) NAICS Code 111332 Grape Vineyards
- o) NAICS Code 111333 Strawberry Farming
- p) NAICS Code 111334 Berry (except Strawberry) Farming
- q) NAICS Code 111335 Tree Nut Farming
- r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
- s) NAICS Code 111339 Other Noncitrus Fruit Farming
- t) NAICS Code 111411 Mushroom Production
- u) NAICS Code 111419 Other Food Crops Grown Under Cover
- v) NAICS Code 111421 Nursery and Tree Production
- w) NAICS Code 111422 Floriculture Production
- x) NAICS Code 111910 Tobacco Farming
- y) NAICS Code 111920 Cotton Farming
- z) NAICS Code 111930 Sugarcane Farming
- aa) NAICS Code 111940 Hay Farming
- bb) NAICS Code 111991 Sugar Beet Farming
- cc) NAICS Code 111992 Peanut Farming
- dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
- ee) NAICS Code 112111 Beef Cattle Ranching and Farming
- ff) NAICS Code 112112 Cattle Feedlots
- gg) NAICS Code 112120 Dairy Cattle and Milk Production
- hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
- ii) NAICS Code 112210 Hog and Pig Farming
- jj) NAICS Code 112310 Chicken Egg Production
- kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
- ll) NAICS Code 112330 Turkey Production
- mm) NAICS Code 112340 Poultry Hatcheries
- nn) NAICS Code 112390 Other Poultry Production
- oo) NAICS Code 112410 Sheep Farming
- pp) NAICS Code 112420 Goat Farming
- qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
- rr) NAICS Code 112512 Shellfish Farming
- ss) NAICS Code 112519 Other Animal Aquaculture
- tt) NAICS Code 112910 Apiculture

- uu) NAICS Code 112920 Horses and Other Equine Production
 - vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
 - ww) NAICS Code 112990 All Other Animal Production
 - xx) NAICS Code 113110 Timber Tract Operations
 - yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
 - zz) NAICS Code 113310 Logging
 - aaa) NAICS Code 114111 Finfish Fishing
 - bbb) NAICS Code 114112 Shellfish Fishing
 - ccc) NAICS Code 114119 Other Marine Fishing
 - ddd) NAICS Code 114210 Hunting and Trapping
 - eee) NAICS Code 115111 Cotton Ginning
 - fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
 - ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
 - hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
 - iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
 - jjj) NAICS Code 115116 Farm Management Services
 - kkk) NAICS Code 115210 Support Activities for Animal Production
 - lll) NAICS Code 115310 Support Activities for Forestry
2. **Arts, Entertainment, and Recreation**
- a) NAICS Code 713940 Fitness and recreational sports centers.
 - b) NAICS Code 713990 All other amusement and recreation industries

C. General Requirements of the SER District

1. **Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2 1/2) stories or thirty-five (35) feet.
2. **Lot Area, Width & Depth:** Every lot shall have a minimum width of two hundred (200) feet and minimum lot area not less than two (2) acres (eighty-seven thousand, one hundred and twenty - 87,120 square feet), exclusive of road right-of-way, and shall be in addition to any easements of record.
3. **Front Yard:** There shall be a front yard of not less than fifty (50) feet in depth, provided however, that where normal lots comprising forty (40) percent or more of the frontage are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these regulations.
4. **Side Yard:** There shall be side yards of not less than twenty-five (25) feet on each side.
5. **Rear Yard:** These shall be a rear yard of not less than fifty (50) feet in depth.
6. **Dwelling Bulk:** Dwellings or structures shall have a minimum area of two thousand (2000) square feet of living space by outside dimensions, exclusive of porches, garages, and cellars or basements. Single family dwellings shall be greater than thirty-two (32) feet in both depth and width.
7. **Parking Requirements:** Parking requirements shall be as regulated in Article 11 of these regulations.
8. **Signs:** Signs shall be as regulated in Article 12 of these regulations.
9. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 905 Low Density Residential District (R-1)

Permitted uses, dimensional requirements, and other regulations of the R-1, Low Density District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Single family dwellings.
2. Accessory uses and structures.
3. Home Occupations
4. Agricultural uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code.
5. **Educational Services**
 - a) NAICS Code 611110 Elementary and Secondary Schools
 - b) NAICS Code 611210 Junior Colleges
 - c) NAICS Code 611310 Colleges, Universities, and Professional Schools
 - d) NAICS Code 611410 Business and Secretarial Schools
 - e) NAICS Code 611420 Computer Training
 - f) NAICS Code 611430 Professional and Management Development Training
 - g) NAICS Code 611511 Cosmetology and Barber Schools
 - h) NAICS Code 611512 Flight Training
 - i) NAICS Code 611513 Apprenticeship Training
 - j) NAICS Code 611519 Other Technical and Trade Schools
 - k) NAICS Code 611610 Fine Arts Schools
 - l) NAICS Code 611620 Sports and Recreation Instruction
 - m) NAICS Code 611630 Language Schools
 - n) NAICS Code 611691 Exam Preparation and Tutoring
 - o) NAICS Code 611692 Automobile Driving Schools
 - p) NAICS Code 611699 All Other Miscellaneous Schools and Instruction
 - q) NAICS Code 611710 Educational Support Services
6. **Arts, Entertainment, and Recreation**
 - a) NAICS Code 712190 Nature Parks and other similar institutions.
7. **Other Services (except Public Administration)**
 - a) NAICS Code 812220 Cemeteries and Crematories
 - b) NAICS Code 813110 Religious Organizations
8. **Public Administration**
 - a) NAICS Code 921110 Executive Offices
 - b) NAICS Code 921120 Legislative Bodies
 - c) NAICS Code 921130 Public Finance Activities
 - d) NAICS Code 921140 Executive and Legislative Offices, Combined
 - e) NAICS Code 921150 American Indian and Alaska Native Tribal Governments
 - f) NAICS Code 921190 Other General Government Support
 - g) NAICS Code 922110 Courts
 - h) NAICS Code 922120 Police Protection
 - i) NAICS Code 922130 Legal Counsel and Prosecution
 - j) NAICS Code 922150 Parole Offices and Probation Offices
 - k) NAICS Code 922160 Fire Protection
 - l) NAICS Code 922190 Other Justice, Public Order, and Safety Activities
 - m) NAICS Code 923110 Administration of Education Programs
 - n) NAICS Code 923120 Administration of Public Health Programs
 - o) NAICS Code 923130 Administration of Human Resource Programs
(except Education, Public Health, and Veterans' Affairs Programs)
 - p) NAICS Code 923140 Administration of Veterans' Affairs
 - q) NAICS Code 924110 Administration of Air and Water Resource and Solid Waste
Management Programs
 - r) NAICS Code 924120 Administration of Conservation Programs
 - s) NAICS Code 925110 Administration of Housing Programs
 - t) NAICS Code 925120 Administration of Urban Planning and Community and Rural Development

- u) NAICS Code 926110 Administration of General Economic Programs
- v) NAICS Code 926120 Regulation and Administration of Transportation Programs
- w) NAICS Code 926130 Regulation and Administration of Communications, Electric, Gas, and Other Utilities
- x) NAICS Code 926140 Regulation of Agricultural Marketing and Commodities
- y) NAICS Code 926150 Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors
- z) NAICS Code 927110 Space Research and Technology
- aa) NAICS Code 928110 National Security
- bb) NAICS Code 928120 International Affairs

B. Conditionally Permitted Uses:

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Agriculture, Forestry, Fishing, and Hunting

- a) NAICS Code 111110 Soybean Farming
- b) NAICS Code 111120 Oilseed (except Soybean) Farming
- c) NAICS Code 111130 Dry Pea and Bean Farming
- d) NAICS Code 111140 Wheat Farming
- e) NAICS Code 111150 Corn Farming
- f) NAICS Code 111160 Rice Farming
- g) NAICS Code 111191 Oilseed and Grain Combination Farming
- h) NAICS Code 111199 All Other Grain Farming
- i) NAICS Code 111211 Potato Farming
- j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
- k) NAICS Code 111310 Orange Groves
- l) NAICS Code 111320 Citrus (except Orange) Groves
- m) NAICS Code 111331 Apple Orchards
- n) NAICS Code 111332 Grape Vineyards
- o) NAICS Code 111333 Strawberry Farming
- p) NAICS Code 111334 Berry (except Strawberry) Farming
- q) NAICS Code 111335 Tree Nut Farming
- r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
- s) NAICS Code 111339 Other Noncitrus Fruit Farming
- t) NAICS Code 111411 Mushroom Production
- u) NAICS Code 111419 Other Food Crops Grown Under Cover
- v) NAICS Code 111421 Nursery and Tree Production
- w) NAICS Code 111422 Floriculture Production
- x) NAICS Code 111910 Tobacco Farming
- y) NAICS Code 111920 Cotton Farming
- z) NAICS Code 111930 Sugarcane Farming
- aa) NAICS Code 111940 Hay Farming
- bb) NAICS Code 111991 Sugar Beet Farming
- cc) NAICS Code 111992 Peanut Farming
- dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
- ee) NAICS Code 112111 Beef Cattle Ranching and Farming
- ff) NAICS Code 112112 Cattle Feedlots
- gg) NAICS Code 112120 Dairy Cattle and Milk Production
- hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
- ii) NAICS Code 112210 Hog and Pig Farming
- jj) NAICS Code 112310 Chicken Egg Production
- kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
- ll) NAICS Code 112330 Turkey Production
- mm) NAICS Code 112340 Poultry Hatcheries
- nn) NAICS Code 112390 Other Poultry Production
- oo) NAICS Code 112410 Sheep Farming
- pp) NAICS Code 112420 Goat Farming
- qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries

- rr) NAICS Code 112512 Shellfish Farming
 - ss) NAICS Code 112519 Other Animal Aquaculture
 - tt) NAICS Code 112910 Apiculture
 - uu) NAICS Code 112920 Horses and Other Equine Production
 - vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
 - ww) NAICS Code 112990 All Other Animal Production
 - xx) NAICS Code 113110 Timber Tract Operations
 - yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
 - zz) NAICS Code 113310 Logging
 - aaa) NAICS Code 114111 Finfish Fishing
 - bbb) NAICS Code 114112 Shellfish Fishing
 - ccc) NAICS Code 114119 Other Marine Fishing
 - ddd) NAICS Code 114210 Hunting and Trapping
 - eee) NAICS Code 115111 Cotton Ginning
 - fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
 - ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
 - hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
 - iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
 - jjj) NAICS Code 115116 Farm Management Services
 - kkk) NAICS Code 115210 Support Activities for Animal Production
 - lll) NAICS Code 115310 Support Activities for Forestry
2. **Arts, Entertainment, and Recreation**
- a) NAICS Code 713940 Fitness and recreational sports centers.
 - b) NAICS Code 713990 All other amusement and recreation industries

C. General Requirements of the R-1 District

1. **Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2 ½) stories or thirty-five (35) feet.
2. **Lot Area, Width & Depth:** Every lot shall have a minimum width of one hundred (100) feet and a minimum lot area of not less than one (1) acre (forty three thousand, five hundred sixty – 43,560 square feet) exclusive of road right-of-way, and shall be in addition to any easement of record.
3. **Front Yard:** There shall be a front yard of not less than forty (40) feet in depth, provided however, that where normal lots comprising forty (40) percent or more of the frontage are developed with buildings having front yards with variation of not more than ten (10) feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these regulations.
4. **Side Yard:** There shall be side yards of not less than fifteen (15) feet on each side.
5. **Rear Yard:** There shall be a rear yard of not less than forty (40) feet in depth.
6. **Dwelling Bulk:** Dwellings or structures shall have a minimum area of eighteen hundred (1,800) square feet of living space by outside dimensions, exclusive of porches, garages, and cellars or basements. Single family dwellings shall not be less than thirty (30) feet in width or depth.
7. **Parking Requirements:** Parking requirements shall be as regulated in Article 11 of these regulations.
8. **Signs:** Signs shall be as regulated in Article 12 of these regulations.
9. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 906 Medium-Low Density Residential District (R-2)

Permitted uses, dimensional requirements, and other regulations of the R-2, Medium-Low Residential District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Single family dwellings.
2. Two-family dwellings.
3. Accessory uses and structures.
4. Agricultural uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code.
5. **Educational Services**
 - a) NAICS Code 611110 Elementary and Secondary Schools
 - b) NAICS Code 611210 Junior Colleges
 - c) NAICS Code 611310 Colleges, Universities, and Professional Schools
 - d) NAICS Code 611410 Business and Secretarial Schools
 - e) NAICS Code 611420 Computer Training
 - f) NAICS Code 611430 Professional and Management Development Training
 - g) NAICS Code 611511 Cosmetology and Barber Schools
 - h) NAICS Code 611512 Flight Training
 - i) NAICS Code 611513 Apprenticeship Training
 - j) NAICS Code 611519 Other Technical and Trade Schools
 - k) NAICS Code 611610 Fine Arts Schools
 - l) NAICS Code 611620 Sports and Recreation Instruction
 - m) NAICS Code 611630 Language Schools
 - n) NAICS Code 611691 Exam Preparation and Tutoring
 - o) NAICS Code 611692 Automobile Driving Schools
 - p) NAICS Code 611699 All Other Miscellaneous Schools and Instruction
 - q) NAICS Code 611710 Educational Support Services
6. **Arts, Entertainment, and Recreation**
 - a) NAICS Code 712190 Nature Parks and other similar institutions
7. **Other Services (except Public Administration)**
 - a) NAICS Code 812220 Cemeteries and Crematories
8. **Public Administration**
 - a) NAICS Code 921110 Executive Offices
 - b) NAICS Code 921120 Legislative Bodies
 - c) NAICS Code 921130 Public Finance Activities
 - d) NAICS Code 921140 Executive and Legislative Offices, Combined
 - e) NAICS Code 921150 American Indian and Alaska Native Tribal Governments
 - f) NAICS Code 921190 Other General Government Support
 - g) NAICS Code 922110 Courts
 - h) NAICS Code 922120 Police Protection
 - i) NAICS Code 922130 Legal Counsel and Prosecution
 - j) NAICS Code 922150 Parole Offices and Probation Offices
 - k) NAICS Code 922160 Fire Protection
 - l) NAICS Code 922190 Other Justice, Public Order, and Safety Activities
 - m) NAICS Code 923110 Administration of Education Programs
 - n) NAICS Code 923120 Administration of Public Health Programs
 - o) NAICS Code 923130 Administration of Human Resource Programs
(except Education, Public Health, and Veterans' Affairs Programs)
 - p) NAICS Code 923140 Administration of Veterans' Affairs
 - q) NAICS Code 924110 Administration of Air and Water Resource and Solid Waste
Management Programs
 - r) NAICS Code 924120 Administration of Conservation Programs
 - s) NAICS Code 925110 Administration of Housing Programs
 - t) NAICS Code 925120 Administration of Urban Planning and Community and Rural Development
 - u) NAICS Code 926110 Administration of General Economic Programs
 - v) NAICS Code 926120 Regulation and Administration of Transportation Programs

- w) NAICS Code 926130 Regulation and Administration of Communications, Electric, Gas, and Other Utilities
- x) NAICS Code 926140 Regulation of Agricultural Marketing and Commodities
- y) NAICS Code 926150 Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors
- z) NAICS Code 927110 Space Research and Technology
- aa) NAICS Code 928110 National Security
- bb) NAICS Code 928120 International Affairs

B. Conditionally Permitted Uses:

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Home Occupations

2. **Agriculture, Forestry, Fishing, and Hunting**

- a) NAICS Code 111110 Soybean Farming
- b) NAICS Code 111120 Oilseed (except Soybean) Farming
- c) NAICS Code 111130 Dry Pea and Bean Farming
- d) NAICS Code 111140 Wheat Farming
- e) NAICS Code 111150 Corn Farming
- f) NAICS Code 111160 Rice Farming
- g) NAICS Code 111191 Oilseed and Grain Combination Farming
- h) NAICS Code 111199 All Other Grain Farming
- i) NAICS Code 111211 Potato Farming
- j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
- k) NAICS Code 111310 Orange Groves
- l) NAICS Code 111320 Citrus (except Orange) Groves
- m) NAICS Code 111331 Apple Orchards
- n) NAICS Code 111332 Grape Vineyards
- o) NAICS Code 111333 Strawberry Farming
- p) NAICS Code 111334 Berry (except Strawberry) Farming
- q) NAICS Code 111335 Tree Nut Farming
- r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
- s) NAICS Code 111339 Other Noncitrus Fruit Farming
- t) NAICS Code 111411 Mushroom Production
- u) NAICS Code 111419 Other Food Crops Grown Under Cover
- v) NAICS Code 111421 Nursery and Tree Production
- w) NAICS Code 111422 Floriculture Production
- x) NAICS Code 111910 Tobacco Farming
- y) NAICS Code 111920 Cotton Farming
- z) NAICS Code 111930 Sugarcane Farming
- aa) NAICS Code 111940 Hay Farming
- bb) NAICS Code 111991 Sugar Beet Farming
- cc) NAICS Code 111992 Peanut Farming
- dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
- ee) NAICS Code 112111 Beef Cattle Ranching and Farming
- ff) NAICS Code 112112 Cattle Feedlots
- gg) NAICS Code 112120 Dairy Cattle and Milk Production
- hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
- ii) NAICS Code 112210 Hog and Pig Farming
- jj) NAICS Code 112310 Chicken Egg Production
- kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
- ll) NAICS Code 112330 Turkey Production
- mm) NAICS Code 112340 Poultry Hatcheries
- nn) NAICS Code 112390 Other Poultry Production
- oo) NAICS Code 112410 Sheep Farming
- pp) NAICS Code 112420 Goat Farming
- qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
- rr) NAICS Code 112512 Shellfish Farming

- ss) NAICS Code 112519 Other Animal Aquaculture
 - tt) NAICS Code 112910 Apiculture
 - uu) NAICS Code 112920 Horses and Other Equine Production
 - vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
 - ww) NAICS Code 112990 All Other Animal Production
 - xx) NAICS Code 113110 Timber Tract Operations
 - yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
 - zz) NAICS Code 113310 Logging
 - aaa) NAICS Code 114111 Finfish Fishing
 - bbb) NAICS Code 114112 Shellfish Fishing
 - ccc) NAICS Code 114119 Other Marine Fishing
 - ddd) NAICS Code 114210 Hunting and Trapping
 - eee) NAICS Code 115111 Cotton Ginning
 - fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
 - ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
 - hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
 - iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
 - jjj) NAICS Code 115116 Farm Management Services
 - kkk) NAICS Code 115210 Support Activities for Animal Production
 - lll) NAICS Code 115310 Support Activities for Forestry
3. **Arts, Entertainment, and Recreation**
- a) NAICS Code 713990 All other amusement and recreation industries
 - b) NAICS Code 713940 Fitness and recreational sports centers
4. **Other Services (except Public Administration)**
- a) NAICS Code 813110 Religious Organizations

C. General Requirements of the R-2 District

1. **Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2 1/2) stories or thirty-five (35) feet.
2. **Lot Area, Width, & Depth:** Every lot shall have a minimum width of eighty (80) feet and a minimum lot area of not less than three-fourths (0.75) acre thirty-two thousand, six hundred seventy - 32,670 square feet), exclusive of road right-of-way, and shall be in addition to any easement of records.
3. **Front Yard:** There shall be a front yard of not less than thirty (30) feet in depth, provided however, that where normal lots comprising forty (40) percent or more of the frontage are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these regulations.
4. **Side Yard:** Side yards shall not be less than fifteen (15) feet on one side and ten (10) on the other side.
5. **Rear Yard:** There shall be a rear yard of not less than thirty (30) feet in depth.
6. **Dwelling Bulk:** Dwellings or structures shall have a minimum area of sixteen hundred (1,600) square feet of living space by outside dimensions, exclusive of porches, garages, and cellars or basements for each family.
7. **Parking Requirements:** Parking requirements shall be as regulated in Article 11 of these regulations.
8. **Signs:** Signs shall be as regulated in Article 12 of these regulations.
9. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 907 Medium Density Residential District (R-3)

- A. Section 906 Medium Density Residential (R-3) was removed from the zoning resolution effective the 6th day of July 2004. Those undeveloped properties zoned R-3 prior to its removal from the resolution will be governed by the R-3 regulations

Section 908 Single Family Residential District (RS)

Permitted uses, dimensional requirements, and other regulations of the RS Single Family Residential District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Single Family dwellings.*
2. Accessory uses and structures *
3. Agriculture uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code
4. **Public Administration**
 - a) NAICS Code 921110 Executive Offices
 - b) NAICS Code 921120 Legislative Bodies
 - c) NAICS Code 921130 Public Finance Activities
 - d) NAICS Code 921140 Executive and Legislative Offices, Combined
 - e) NAICS Code 921150 American Indian and Alaska Native Tribal Governments
 - f) NAICS Code 921190 Other General Government Support
 - g) NAICS Code 922110 Courts
 - h) NAICS Code 922120 Police Protection
 - i) NAICS Code 922130 Legal Counsel and Prosecution
 - j) NAICS Code 922150 Parole Offices and Probation Offices
 - k) NAICS Code 922160 Fire Protection
 - l) NAICS Code 922190 Other Justice, Public Order, and Safety Activities
 - m) NAICS Code 923110 Administration of Education Programs
 - n) NAICS Code 923120 Administration of Public Health Programs
 - o) NAICS Code 923130 Administration of Human Resource Programs
(except Education, Public Health, and Veterans' Affairs Programs)
 - p) NAICS Code 923140 Administration of Veterans' Affairs
 - q) NAICS Code 924110 Administration of Air and Water Resource and Solid Waste
Management Programs
 - r) NAICS Code 924120 Administration of Conservation Programs
 - s) NAICS Code 925110 Administration of Housing Programs
 - t) NAICS Code 925120 Administration of Urban Planning and Community and Rural Development
 - u) NAICS Code 926110 Administration of General Economic Programs
 - v) NAICS Code 926120 Regulation and Administration of Transportation Programs
 - w) NAICS Code 926130 Regulation and Administration of Communications, Electric, Gas, and
Other Utilities
 - x) NAICS Code 926140 Regulation of Agricultural Marketing and Commodities
 - y) NAICS Code 926150 Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors
 - z) NAICS Code 927110 Space Research and Technology
 - aa) NAICS Code 928110 National Security
 - bb) NAICS Code 928120 International Affairs

*A public water and sewer system is required to accommodate these uses under RS density.

B. Conditionally Permitted Uses:

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Home Occupations
2. **Agriculture, Forestry, Fishing, and Hunting**
 - a) NAICS Code 111110 Soybean Farming
 - b) NAICS Code 111120 Oilseed (except Soybean) Farming
 - c) NAICS Code 111130 Dry Pea and Bean Farming
 - d) NAICS Code 111140 Wheat Farming
 - e) NAICS Code 111150 Corn Farming
 - f) NAICS Code 111160 Rice Farming
 - g) NAICS Code 111191 Oilseed and Grain Combination Farming

h)	NAICS Code 111199	All Other Grain Farming
i)	NAICS Code 111211	Potato Farming
j)	NAICS Code 111219	Other Vegetable (except Potato) and Melon Farming
k)	NAICS Code 111310	Orange Groves
l)	NAICS Code 111320	Citrus (except Orange) Groves
m)	NAICS Code 111331	Apple Orchards
n)	NAICS Code 111332	Grape Vineyards
o)	NAICS Code 111333	Strawberry Farming
p)	NAICS Code 111334	Berry (except Strawberry) Farming
q)	NAICS Code 111335	Tree Nut Farming
r)	NAICS Code 111336	Fruit and Tree Nut Combination Farming
s)	NAICS Code 111339	Other Noncitrus Fruit Farming
t)	NAICS Code 111411	Mushroom Production
u)	NAICS Code 111419	Other Food Crops Grown Under Cover
v)	NAICS Code 111421	Nursery and Tree Production
w)	NAICS Code 111422	Floriculture Production
x)	NAICS Code 111910	Tobacco Farming
y)	NAICS Code 111920	Cotton Farming
z)	NAICS Code 111930	Sugarcane Farming
aa)	NAICS Code 111940	Hay Farming
bb)	NAICS Code 111991	Sugar Beet Farming
cc)	NAICS Code 111992	Peanut Farming
dd)	NAICS Code 111998	All Other Miscellaneous Crop Farming
ee)	NAICS Code 112111	Beef Cattle Ranching and Farming
ff)	NAICS Code 112112	Cattle Feedlots
gg)	NAICS Code 112120	Dairy Cattle and Milk Production
hh)	NAICS Code 112130	Dual-Purpose Cattle Ranching and Farming
ii)	NAICS Code 112210	Hog and Pig Farming
jj)	NAICS Code 112310	Chicken Egg Production
kk)	NAICS Code 112320	Broilers and Other Meat Type Chicken Production
ll)	NAICS Code 112330	Turkey Production
mm)	NAICS Code 112340	Poultry Hatcheries
nn)	NAICS Code 112390	Other Poultry Production
oo)	NAICS Code 112410	Sheep Farming
pp)	NAICS Code 112420	Goat Farming
qq)	NAICS Code 112511	Finfish Farming and Fish Hatcheries
rr)	NAICS Code 112512	Shellfish Farming
ss)	NAICS Code 112519	Other Animal Aquaculture
tt)	NAICS Code 112910	Apiculture
uu)	NAICS Code 112920	Horses and Other Equine Production
vv)	NAICS Code 112930	Fur-Bearing Animal and Rabbit Production
ww)	NAICS Code 112990	All Other Animal Production
xx)	NAICS Code 113110	Timber Tract Operations
yy)	NAICS Code 113210	Forest Nurseries and Gathering of Forest Products
zz)	NAICS Code 113310	Logging
aaa)	NAICS Code 114111	Finfish Fishing
bbb)	NAICS Code 114112	Shellfish Fishing
ccc)	NAICS Code 114119	Other Marine Fishing
ddd)	NAICS Code 114210	Hunting and Trapping
eee)	NAICS Code 115111	Cotton Ginning
fff)	NAICS Code 115112	Soil Preparation, Planting, and Cultivating
ggg)	NAICS Code 115113	Crop Harvesting, Primarily by Machine
hhh)	NAICS Code 115114	Postharvest Crop Activities (except Cotton Ginning)
iii)	NAICS Code 115115	Farm Labor Contractors and Crew Leaders
jjj)	NAICS Code 115116	Farm Management Services
kkk)	NAICS Code 115210	Support Activities for Animal Production
lll)	NAICS Code 115310	Support Activities for Forestry

3. Educational Services

- a) NAICS Code 611110 Elementary and Secondary Schools
- b) NAICS Code 611210 Junior Colleges
- c) NAICS Code 611310 Colleges, Universities, and Professional Schools
- d) NAICS Code 611410 Business and Secretarial Schools
- e) NAICS Code 611420 Computer Training
- f) NAICS Code 611430 Professional and Management Development Training
- g) NAICS Code 611511 Cosmetology and Barber Schools
- h) NAICS Code 611512 Flight Training
- i) NAICS Code 611513 Apprenticeship Training
- j) NAICS Code 611519 Other Technical and Trade Schools
- k) NAICS Code 611610 Fine Arts Schools
- l) NAICS Code 611620 Sports and Recreation Instruction
- m) NAICS Code 611630 Language Schools
- n) NAICS Code 611691 Exam Preparation and Tutoring
- o) NAICS Code 611692 Automobile Driving Schools
- p) NAICS Code 611699 All Other Miscellaneous Schools and Instruction
- q) NAICS Code 611710 Educational Support Services

4. Arts, Entertainment, and Recreation

- a) NAICS Code 712190 Nature Parks and other similar institutions.
- b) NAICS Code 713940 Fitness and recreational sports centers.*
- c) NAICS Code 713990 All Other Amusement and Recreation Industries

5. Other Services (except Public Administration)

- a) NAICS Code 813110 Religious Organizations

C. General Requirements of the RS District:

1. Lots-Of-Record in the Platted Area Commonly Known as “ETNA PROPER” or “OLD ETNA”

Consisting of Lots Numbered 1 through 134:

- a) **Height Limit:** No building shall be erected or enlarged to exceed two and one half (2 ½) stories or thirty-five (35) feet.
- b) **Lot Area, Width & Depth:** Every lot shall have a minimum width of sixty-five (65) feet and a depth of at least one hundred thirty (130) feet.
- c) **Front Yard:** There shall be a front yard of not less than fifteen (15) feet in depth, provided however, that where normal lots comprising forty (40%) percent or more of the frontage are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these regulations.
- d) **Side Yards:** Side yards shall not be less than five (5) feet on each side.
- e) **Rear Yards:** There shall be a rear yard of not less than fifteen (15) feet.
- f) **Dwelling Bulk:** Dwellings or structures shall have a minimum of one thousand (1,000) square feet of living space by outside dimensions, exclusive of porches, decks, garages, and cellars or basements.

2. For Lots-Of-Record in Platted Subdivisions Existing At The Time This Amendment Became Effective (1/1/91):

- a) **Height Limit:** No building shall be erected or enlarged to exceed two and one half (2 ½) stories or thirty-five (35) feet
- b) **Lot Area, Width & Depth:** Every lot shall have a minimum width of sixty-five (65) feet and a minimum lot area of not less than one-fourth (1/4) acre - ten thousand, eight hundred and ninety (10,890) square feet, exclusive of road right-of-way, and shall be in addition to any easement of record. No lot should have a depth of more than three (3) times its width, nor should it have a depth of less than one hundred-twenty (120) feet.
- c) **Front Yard:** There shall be a front yard of not less than twenty-five (25) feet in depth, provided however, that where normal lots comprising forty (40%) percent or more of the frontage are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these regulations.
- d) **Side Yards:** Side yards shall not be less than ten (10) feet on each side.
- e) **Rear Yards:** There shall be a rear yard of not less than twenty-five (25) feet.

- f) **Dwelling Bulk:** Dwellings or structures shall have a minimum of one thousand four hundred and fifty (1,450) square feet of living space by outside dimensions, exclusive of porches, decks, garages, and cellars or basements.
3. **For New Subdivisions Not In Existence When This Amendment Became Effective (Platted after 1/1/91):**
- a. **Height Limit:** No building shall be erected or enlarged to exceed two and one half (2 ½) stories or thirty-five (35) feet.
 - b. **Lot Area, Width & Depth:** Every lot shall have a minimum width of seventy (70) feet and a minimum lot area of not less than one-third (1/3) acre - fourteen thousand, five hundred and twenty (14,520) square feet, exclusive of road right-of-way, and shall be in addition to any easement of record. No lot should have a depth of more than three (3) times its width, nor should it have a depth of less than one hundred-twenty (120) feet.
 - c. **Front Yard:** There shall be a front yard of not less than twenty-five (25) feet in depth, provided however, that where normal lots comprising forty (40%) percent or more of the frontage are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such developed front yards shall establish the front yard depth for the entire frontage, except as provided elsewhere in these regulations.
 - d. **Side Yards:** Side yards shall not be less than twelve (12) feet on each side.
 - e. **Rear Yards:** There shall be a rear yard of not less than twenty-five (25) feet.
 - f. **Dwelling Bulk:** Dwellings or structures shall have a minimum of fifteen- hundred (1,500) square feet of living space by outside dimensions, exclusive of porches, decks, garages, and cellars or basements.
4. **Parking Requirements:** Parking requirements shall be as regulated in Article 11 of this zoning resolution.
5. **Signs:** Signs shall be as regulated in Article 12 of this zoning resolution
6. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 909 Mobile Home Park District (MHP)

Permitted uses, dimensional requirements, and other regulations of the MHP, Mobile Home Park District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. A Mobile Home, as defined in the Etna Township Zoning Resolution, Article - 2, Definitions, Mobile Home;
2. Agriculture uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code.
3. Buildings or permanent type structures used exclusively to provide services for occupants of the park, such as a recreation building, swimming pool and bath house, laundry room, mobile home park office, or storage rooms.
4. Accessory buildings or structures that are clearly incidental and attached to a mobile home, such as a carport, cabana, or Florida room.
5. Enclosed storage facilities for household or personal effects of park residents only, on each mobile home site. Such storage facilities will comply with all applicable Township building regulations and must be permanently anchored;
6. Advertising signs subject to all the provisions as defined in the Etna Township Zoning Resolution, Article - 12 Signs, Table 1205-A and/or Table 1205-B.

B. Prohibited Uses:

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

1. Boats and recreational vehicles of any type, except those owned by the occupants of the park and stored in the area within the park designed and intended as a common storage area for such vehicles.
2. Repair and/or sale of vehicles of any type, including mobile homes, except for the repair or sale of any individual vehicle by the owner or occupant thereof.
3. Building or permanent type structures for uses other than those listed as permitted uses.
4. Any advertising sign other than that listed as a permitted use.

C. General Requirements of the MHP District

1. **Park Size:** A mobile home park shall contain a minimum of ten (10) acres and maximum of fifty (50) acres of land area.
2. **Density:** The density of any Mobile Home Park shall be no more than four (4) mobile homes per acre. The density of any specific area within a Mobile Home Park shall not exceed six (6) mobile homes per acre.
3. **Width and Depth:** The minimum width of the mobile Home Park shall not be less than two hundred fifty (250) feet. The ratio of width to depth shall not exceed one to five (1:5).
4. **Common Storage:** A screened open storage area for boats and recreational vehicles must be provided for the exclusive use of the residents of the park. Screening type and material will be subject to the provisions as defined in the Etna Township Zoning Resolution, Article – 16 Buffering, Landscaping and Resource Preservation. The Common Storage area shall consist of no less than two hundred (200) square feet of open storage space.
5. **Perimeter yard:** A perimeter yard is required for each Mobile Home Park District. All parking, buildings, structures, and Mobile Homes will be situated so as to provide a setback of at least twenty-five (25) feet from all lot lines. The perimeter yard cannot be used for anything other than passive open space or a required roadway entrance into the Mobile Home Park District.
6. **Required Trash Areas:** A common trash area must be supplied, as defined in the Etna Township Zoning Resolution, Article – 10 Supplementary District Regulations, Section 1006 Required Trash Areas.
7. **Height Limit:** No building or structure will be erected or enlarged within the Mobile Home Park District to exceed a height of thirty-five (35) feet.
8. **Home Pads, Anchoring, Home Site and Area, Skirting:** Each mobile home shall be placed on and anchored securely with a minimum of six tie-down rings, on a concrete pad of a minimum of six inches of concrete. Each mobile home will be skirted to entirely enclose the bottom section, within 90 days of placement. Skirting will be constructed of material specifically designed for that purpose.
9. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 910 Professional-Research-Office District (PRO)

Permitted uses, dimensional requirements and other regulations of the PRO, Professional-Research-Office District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Accessory uses and structures.
2. Agriculture uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code
3. **Finance and Insurance**
 - a) NAICS Code 521110 Monetary Authorities - Central Bank
 - b) NAICS Code 522110 Commercial Banking
 - c) NAICS Code 522120 Savings Institutions
 - d) NAICS Code 522130 Credit Unions
 - e) NAICS Code 522190 Other Depository Credit Intermediation
 - f) NAICS Code 522210 Credit Card Issuing
 - g) NAICS Code 522220 Sales Financing
 - h) NAICS Code 522291 Consumer Lending
 - i) NAICS Code 522292 Real Estate Credit
 - j) NAICS Code 522293 International Trade Financing
 - k) NAICS Code 522294 Secondary Market Financing
 - l) NAICS Code 522298 All Other Nondepository Credit Intermediation
 - m) NAICS Code 522310 Mortgage and Nonmortgage Loan Brokers
 - n) NAICS Code 522320 Financial Transactions Processing, Reserve, and Clearinghouse Activities
 - o) NAICS Code 522390 Other Activities Related to Credit Intermediation
 - p) NAICS Code 523110 Investment Banking and Securities Dealing
 - q) NAICS Code 523120 Securities Brokerage
 - r) NAICS Code 523130 Commodity Contracts Dealing
 - s) NAICS Code 523140 Commodity Contracts Brokerage
 - t) NAICS Code 523210 Securities and Commodity Exchanges
 - u) NAICS Code 523910 Miscellaneous Intermediation
 - v) NAICS Code 523920 Portfolio Management
 - w) NAICS Code 523930 Investment Advice
 - x) NAICS Code 523991 Trust, Fiduciary, and Custody Activities
 - y) NAICS Code 523999 Miscellaneous Financial Investment Activities
 - z) NAICS Code 524113 Direct Life Insurance Carriers
 - aa) NAICS Code 524114 Direct Health and Medical Insurance Carriers
 - bb) NAICS Code 524126 Direct Property and Casualty Insurance Carriers
 - cc) NAICS Code 524127 Direct Title Insurance Carriers
 - dd) NAICS Code 524128 Other Direct Insurance (except Life, Health, and Medical) Carriers
 - ee) NAICS Code 524130 Reinsurance Carriers
 - ff) NAICS Code 524210 Insurance Agencies and Brokerages
 - gg) NAICS Code 524291 Claims Adjusting
 - hh) NAICS Code 524292 Third Party Administration of Insurance and Pension Funds
 - ii) NAICS Code 524298 All Other Insurance Related Activities
 - jj) NAICS Code 525110 Pension Funds
 - kk) NAICS Code 525120 Health and Welfare Funds
 - ll) NAICS Code 525190 Other Insurance Funds
 - mm) NAICS Code 525910 Open-End Investment Funds
 - nn) NAICS Code 525920 Trusts, Estates, and Agency Accounts
 - oo) NAICS Code 525990 Other Financial Vehicles
4. **Professional, Scientific, and Technical Services**
 - a) NAICS Code 541110 Offices of Lawyers
 - b) NAICS Code 541120 Offices of Notaries
 - c) NAICS Code 541191 Title Abstract and Settlement Offices
 - d) NAICS Code 541199 All Other Legal Services
 - e) NAICS Code 541211 Offices of Certified Public Accountants

- f) NAICS Code 541213 Tax Preparation Services
 - g) NAICS Code 541214 Payroll Services
 - h) NAICS Code 541219 Other Accounting Services
 - i) NAICS Code 541310 Architectural Services
 - j) NAICS Code 541320 Landscape Architectural Services
 - k) NAICS Code 541330 Engineering Services
 - l) NAICS Code 541340 Drafting Services
 - m) NAICS Code 541350 Building Inspection Services
 - n) NAICS Code 541360 Geophysical Surveying and Mapping Services
 - o) NAICS Code 541370 Surveying and Mapping (except Geophysical) Services
 - p) NAICS Code 541380 Testing Laboratories
 - q) NAICS Code 541410 Interior Design Services
 - r) NAICS Code 541420 Industrial Design Services
 - s) NAICS Code 541430 Graphic Design Services
 - t) NAICS Code 541490 Other Specialized Design Services
 - u) NAICS Code 541511 Custom Computer Programming Services
 - v) NAICS Code 541512 Computer Systems Design Services
 - w) NAICS Code 541513 Computer Facilities Management Services
 - x) NAICS Code 541519 Other Computer Related Services
 - y) NAICS Code 541611 Administrative Management and General Management Consulting Services
 - z) NAICS Code 541612 Human Resources and Executive Search Consulting Services
 - aa) NAICS Code 541613 Marketing Consulting Services
 - bb) NAICS Code 541614 Process, Physical Distribution, and Logistics Consulting Services
 - cc) NAICS Code 541618 Other Management Consulting Services
 - dd) NAICS Code 541620 Environmental Consulting Services
 - ee) NAICS Code 541690 Other Scientific and Technical Consulting Services
 - ff) NAICS Code 541711 Research and Development in Biotechnology
 - gg) NAICS Code 541712 Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)
 - hh) NAICS Code 541720 Research and Development in the Social Sciences and Humanities
 - ii) NAICS Code 541810 Advertising Agencies
 - jj) NAICS Code 541820 Public Relations Agencies
 - kk) NAICS Code 541830 Media Buying Agencies
 - ll) NAICS Code 541840 Media Representatives
 - mm) NAICS Code 541850 Display Advertising
 - nn) NAICS Code 541860 Direct Mail Advertising
 - oo) NAICS Code 541870 Advertising Material Distribution Services
 - pp) NAICS Code 541890 Other Services Related to Advertising
 - qq) NAICS Code 541910 Marketing Research and Public Opinion Polling
 - rr) NAICS Code 541921 Photography Studios, Portrait
 - ss) NAICS Code 541922 Commercial Photography
 - tt) NAICS Code 541930 Translation and Interpretation Services
 - uu) NAICS Code 541990 All Other Professional, Scientific, and Technical Services
- 5. Management of Companies and Enterprises**
- a) NAICS Code 551111 Offices of Bank Holding Companies
 - b) NAICS Code 551112 Offices of Other Holding Companies
 - c) NAICS Code 551114 Corporate, Subsidiary, and Regional Managing Offices
- 6. Administrative and Support and Waste Management and Remediation Services**
- a) NAICS Code 561110 Office Administrative Services
 - b) NAICS Code 561112 Offices of Other Holding Companies
 - c) NAICS Code 561210 Facilities Support Services
 - d) NAICS Code 561310 Employment Placement Agencies
 - e) NAICS Code 561312 Executive Search Services
 - f) NAICS Code 561320 Temporary Help Services
 - g) NAICS Code 561330 Professional Employer Organizations
 - h) NAICS Code 561410 Document Preparation Services
 - i) NAICS Code 561421 Telephone Answering Services
 - j) NAICS Code 561422 Telemarketing Bureaus

- k) NAICS Code 561431 Private Mail Centers
- l) NAICS Code 561439 Other Business Service Centers (including Copy Shops)
- m) NAICS Code 561440 Collection Agencies
- n) NAICS Code 561450 Credit Bureaus
- o) NAICS Code 561491 Repossession Services
- p) NAICS Code 561492 Court Reporting and Stenotype Services
- q) NAICS Code 561499 All Other Business Support Services
- r) NAICS Code 561510 Travel Agencies
- s) NAICS Code 561520 Tour Operators
- t) NAICS Code 561591 Convention and Visitors Bureaus
- u) NAICS Code 561599 All Other Travel Arrangement and Reservation Services
- v) NAICS Code 561611 Investigation Services
- w) NAICS Code 561612 Security Guards and Patrol Services
- x) NAICS Code 561613 Armored Car Services
- y) NAICS Code 561621 Security Systems Services (except Locksmiths)
- z) NAICS Code 561622 Locksmiths
- aa) NAICS Code 561710 Exterminating and Pest Control Services
- bb) NAICS Code 561720 Janitorial Services
- cc) NAICS Code 561740 Carpet and Upholstery Cleaning Services
- dd) NAICS Code 561790 Other Services to Buildings and Dwellings
- ee) NAICS Code 561910 Packaging and Labeling Services
- ff) NAICS Code 561920 Convention and Trade Show Organizers
- gg) NAICS Code 561990 All Other Support Services

7. Educational Services

- a) NAICS Code 611110 Elementary and Secondary Schools
- b) NAICS Code 611210 Junior Colleges
- c) NAICS Code 611310 Colleges, Universities, and Professional Schools
- d) NAICS Code 611410 Business and Secretarial Schools
- e) NAICS Code 611420 Computer Training
- f) NAICS Code 611430 Professional and Management Development Training
- g) NAICS Code 611511 Cosmetology and Barber Schools
- h) NAICS Code 611512 Flight Training
- i) NAICS Code 611513 Apprenticeship Training
- j) NAICS Code 611519 Other Technical and Trade Schools
- k) NAICS Code 611610 Fine Arts Schools
- l) NAICS Code 611620 Sports and Recreation Instruction
- m) NAICS Code 611630 Language Schools
- n) NAICS Code 611691 Exam Preparation and Tutoring
- o) NAICS Code 611692 Automobile Driving Schools
- p) NAICS Code 611699 All Other Miscellaneous Schools and Instruction
- q) NAICS Code 611710 Educational Support Services

8. Health Care and Social Assistance

- a) NAICS Code 621111 Offices of Physicians (except Mental Health Specialists)
- b) NAICS Code 621112 Offices of Physicians, Mental Health Specialists
- c) NAICS Code 621210 Offices of Dentists
- d) NAICS Code 621310 Offices of Chiropractors
- e) NAICS Code 621320 Offices of Optometrists
- f) NAICS Code 621330 Offices of Mental Health Practitioners (except Physicians)
- g) NAICS Code 621340 Offices of Physical, Occupational and Speech Therapists, and Audiologists
- h) NAICS Code 621391 Offices of Podiatrists
- i) NAICS Code 621399 Offices of All Other Miscellaneous Health Practitioners
- j) NAICS Code 621420 Outpatient Mental Health and Substance Abuse Centers
- k) NAICS Code 621491 HMO Medical Centers
- l) NAICS Code 621492 Kidney Dialysis Centers
- m) NAICS Code 621493 Freestanding Ambulatory Surgical and Emergency Centers
- n) NAICS Code 621498 All Other Outpatient Care Centers
- o) NAICS Code 621511 Medical Laboratories
- p) NAICS Code 621512 Diagnostic Imaging Centers

- q) NAICS Code 621610 Home Health Care Services
- r) NAICS Code 621910 Ambulance Services
- s) NAICS Code 621991 Blood and Organ Banks
- t) NAICS Code 621999 All Other Miscellaneous Ambulatory Health Care Services
- u) NAICS Code 624110 Child and Youth Services
- v) NAICS Code 624120 Services for the Elderly and Persons with Disabilities
- w) NAICS Code 624190 Other Individual and Family Services
- x) NAICS Code 624210 Community Food Services
- y) NAICS Code 624230 Emergency and Other Relief Services
- z) NAICS Code 624310 Vocational Rehabilitation Services
- aa) NAICS Code 624410 Child Day Care Services

9. Administration

- a) NAICS Code 921110 Executive Offices
- b) NAICS Code 921120 Legislative Bodies
- c) NAICS Code 921130 Public Finance Activities
- d) NAICS Code 921140 Executive and Legislative Offices, Combined
- e) NAICS Code 921150 American Indian and Alaska Native Tribal Governments
- f) NAICS Code 921190 Other General Government Support
- g) NAICS Code 922110 Courts
- h) NAICS Code 922120 Police Protection
- i) NAICS Code 922130 Legal Counsel and Prosecution
- j) NAICS Code 922150 Parole Offices and Probation Offices
- k) NAICS Code 922160 Fire Protection
- l) NAICS Code 922190 Other Justice, Public Order, and Safety Activities
- m) NAICS Code 923110 Administration of Education Programs
- n) NAICS Code 923120 Administration of Public Health Programs
- o) NAICS Code 923130 Administration of Human Resource Programs
(except Education, Public Health, and Veterans' Affairs Programs)
- p) NAICS Code 923140 Administration of Veterans' Affairs
- q) NAICS Code 924110 Administration of Air and Water Resource and Solid Waste
Management Programs
- r) NAICS Code 924120 Administration of Conservation Programs
- s) NAICS Code 925110 Administration of Housing Programs
- t) NAICS Code 925120 Administration of Urban Planning and Community and Rural Development
- u) NAICS Code 926110 Administration of General Economic Programs
- v) NAICS Code 926120 Regulation and Administration of Transportation Programs
- w) NAICS Code 926130 Regulation and Administration of Communications, Electric, Gas, and
Other Utilities
- x) NAICS Code 926140 Regulation of Agricultural Marketing and Commodities
- y) NAICS Code 926150 Regulation, Licensing, and Inspection of Miscellaneous Commercial
Sectors
- z) NAICS Code 927110 Space Research and Technology
- aa) NAICS Code 928110 National Security
- bb) NAICS Code 928120 International Affairs

B. Conditionally Permitted Uses:

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Agriculture, Forestry, Fishing, and Hunting

- a) NAICS Code 111110 Soybean Farming
- b) NAICS Code 111120 Oilseed (except Soybean) Farming
- c) NAICS Code 111130 Dry Pea and Bean Farming
- d) NAICS Code 111140 Wheat Farming
- e) NAICS Code 111150 Corn Farming
- f) NAICS Code 111160 Rice Farming
- g) NAICS Code 111191 Oilseed and Grain Combination Farming
- h) NAICS Code 111199 All Other Grain Farming
- i) NAICS Code 111211 Potato Farming

- j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
 - k) NAICS Code 111310 Orange Groves
 - l) NAICS Code 111320 Citrus (except Orange) Groves
 - m) NAICS Code 111331 Apple Orchards
 - n) NAICS Code 111332 Grape Vineyards
 - o) NAICS Code 111333 Strawberry Farming
 - p) NAICS Code 111334 Berry (except Strawberry) Farming
 - q) NAICS Code 111335 Tree Nut Farming
 - r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
 - s) NAICS Code 111339 Other Noncitrus Fruit Farming
 - t) NAICS Code 111411 Mushroom Production
 - u) NAICS Code 111419 Other Food Crops Grown Under Cover
 - v) NAICS Code 111421 Nursery and Tree Production
 - w) NAICS Code 111422 Floriculture Production
 - x) NAICS Code 111910 Tobacco Farming
 - y) NAICS Code 111920 Cotton Farming
 - z) NAICS Code 111930 Sugarcane Farming
 - aa) NAICS Code 111940 Hay Farming
 - bb) NAICS Code 111991 Sugar Beet Farming
 - cc) NAICS Code 111992 Peanut Farming
 - dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
 - ee) NAICS Code 112111 Beef Cattle Ranching and Farming
 - ff) NAICS Code 112112 Cattle Feedlots
 - gg) NAICS Code 112120 Dairy Cattle and Milk Production
 - hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
 - ii) NAICS Code 112210 Hog and Pig Farming
 - jj) NAICS Code 112310 Chicken Egg Production
 - kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
 - ll) NAICS Code 112330 Turkey Production
 - mm) NAICS Code 112340 Poultry Hatcheries
 - nn) NAICS Code 112390 Other Poultry Production
 - oo) NAICS Code 112410 Sheep Farming
 - pp) NAICS Code 112420 Goat Farming
 - qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
 - rr) NAICS Code 112512 Shellfish Farming
 - ss) NAICS Code 112519 Other Animal Aquaculture
 - tt) NAICS Code 112910 Apiculture
 - uu) NAICS Code 112920 Horses and Other Equine Production
 - vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
 - ww) NAICS Code 112990 All Other Animal Production
 - xx) NAICS Code 113110 Timber Tract Operations
 - yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
 - zz) NAICS Code 113310 Logging
 - aaa) NAICS Code 114111 Finfish Fishing
 - bbb) NAICS Code 114112 Shellfish Fishing
 - ccc) NAICS Code 114119 Other Marine Fishing
 - ddd) NAICS Code 114210 Hunting and Trapping
 - eee) NAICS Code 115111 Cotton Ginning
 - fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
 - ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
 - hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
 - iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
 - jjj) NAICS Code 115116 Farm Management Services
 - kkk) NAICS Code 115210 Support Activities for Animal Production
 - lll) NAICS Code 115310 Support Activities for Forestry
2. **Professional, Scientific, and Technical Services**
- a) NAICS Code 541940 Veterinary Services
3. **Health Care and Social Assistance**
- a) NAICS Code 621410 Family Planning Center

b)	NAICS Code 622110	General Medical and Surgical Hospitals
c)	NAICS Code 622210	Psychiatric and Substance Abuse Hospitals
d)	NAICS Code 622310	Specialty (except Psychiatric and Substance Abuse) Hospitals
e)	NAICS Code 623110	Nursing Care Facilities
f)	NAICS Code 623210	Residential Mental Retardation Facilities
g)	NAICS Code 623220	Residential Mental Health and Substance Abuse Facilities
h)	NAICS Code 623311	Continuing Care Retirement Communities
i)	NAICS Code 623312	Homes for the Elderly
j)	NAICS Code 623990	Other Residential Care Facilities
k)	NAICS Code 624221	Temporary Shelters
l)	NAICS Code 624229	Other Community Housing Services

C. General Requirements of the PRO District

- 1. Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2 ½) stories or thirty-five (35) feet.
- 2. Lot Area, Width & Depth:** Every lot shall have a minimum width of one hundred thirty (130) feet and a minimum lot area of not less than one-half (.5) acre (twenty-one thousand, seven hundred eighty – 21,780 square feet) All lot area measurements shall be exclusive of road right-of-way, and shall be in addition to any easements of record.
- 3. Front Yard:** There shall be a front yard of not less than thirty (30) feet in depth.
- 4. Side Yard:** There shall be side yards of not less than twelve (12) feet.
- 5. Rear Yard:** There shall be a rear yard of not less than thirty (30) feet.
- 6. Parking Requirements:** Parking requirements shall be as regulated in Article 11 of these regulations.
- 7. Signs:** Signs shall be as regulated in Article 12 of these regulations.
- 8. Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 911 Local Business District (LB)

Permitted Uses, dimensional requirements, and other regulations of the LB, Local Business District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

- A. Building Size Limits:** Buildings containing Wholesale Trade or Retail Trade permitted uses in Section 909 shall contain no more than 16,250 gross square feet of floor area per parcel. Buildings containing all other permitted uses in Section 909 shall have no limit on building size.
- B. Permitted Uses:** After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:
1. Accessory uses and structures.
 2. Agriculture uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code
 3. **Retail Trade**
 - a) NAICS Code 445110 Supermarkets and other grocery (except Convenience) Stores
 - b) NAICS Code 445120 Convenience Store
 - c) NAICS Code 445230 Fruit and vegetable markets
 - d) NAICS Code 445210 Meat Market
 - e) NAICS Code 446110 Pharmacies and Drug Stores
 4. **Finance and Insurance**
 - a) NAICS Code 522110 Commercial banking
 - b) NAICS Code 522120 Savings Institutions
 - c) NAICS Code 522130 Credit Unions
 - d) NAICS Code 522310 Mortgage and Nonmortgage Loan Brokers
 - e) NAICS Code 524210 Insurance Agencies and brokerages
 5. **Real Estate and Rental and Leasing**
 - a) NAICS Code 531120 Lessors of nonresidential buildings (except miniwarehouses) Banquet Facility
 6. **Educational Services**
 - a) NAICS Code 611110 Elementary and Secondary Schools
 - b) NAICS Code 611210 Junior Colleges
 - c) NAICS Code 611310 Colleges, Universities, and Professional Schools
 - d) NAICS Code 611410 Business and Secretarial Schools
 - e) NAICS Code 611420 Computer Training
 - f) NAICS Code 611430 Professional and Management Development Training
 - g) NAICS Code 611511 Cosmetology and Barber Schools
 - h) NAICS Code 611512 Flight Training
 - i) NAICS Code 611513 Apprenticeship Training
 - j) NAICS Code 611519 Other Technical and Trade Schools
 - k) NAICS Code 611610 Fine Arts Schools
 - l) NAICS Code 611620 Sports and Recreation Instruction
 - m) NAICS Code 611630 Language Schools
 - n) NAICS Code 611691 Exam Preparation and Tutoring
 - o) NAICS Code 611692 Automobile Driving Schools
 - p) NAICS Code 611699 All Other Miscellaneous Schools and Instruction
 - q) NAICS Code 611710 Educational Support Services
 7. **Arts, Entertainment, and Recreation**
 - a) NAICS Code 712190 Nature Parks and other similar institutions.
 8. **Accommodation and Food Services**
 - a) NAICS Code 722110 Full-Service Restaurants.
 - b) NAICS Code 722211 Limited-Service Restaurants.
 9. **Other Services (Except Public Administration)**
 - a) NAICS Code 811192 Car washes
 - b) NAICS Code 811430 Footwear and leather goods repair
 - c) NAICS Code 812111 Barber Shops
 - d) NAICS Code 812112 Beauty salons
 - e) NAICS Code 812113 Nail salons
 - f) NAICS Code 812210 Funeral homes and funeral services

- g) NAICS Code 812220 Cemeteries and Crematories
- h) NAICS Code 812310 Coin-operated laundries and drycleaners
- i) NAICS Code 812320 Drycleaning and laundry services (Except coin-operated)
- j) NAICS Code 813110 Religious Organizations
- k) NAICS Code 813410 Civic and Social Organizations

C. Conditionally Permitted Uses: After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Agriculture, Forestry, Fishing, and Hunting.

- a) NAICS Code 111110 Soybean Farming
- b) NAICS Code 111120 Oilseed (except Soybean) Farming
- c) NAICS Code 111130 Dry Pea and Bean Farming
- d) NAICS Code 111140 Wheat Farming
- e) NAICS Code 111150 Corn Farming
- f) NAICS Code 111160 Rice Farming
- g) NAICS Code 111191 Oilseed and Grain Combination Farming
- h) NAICS Code 111199 All Other Grain Farming
- i) NAICS Code 111211 Potato Farming
- j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
- k) NAICS Code 111310 Orange Groves
- l) NAICS Code 111320 Citrus (except Orange) Groves
- m) NAICS Code 111331 Apple Orchards
- n) NAICS Code 111332 Grape Vineyards
- o) NAICS Code 111333 Strawberry Farming
- p) NAICS Code 111334 Berry (except Strawberry) Farming
- q) NAICS Code 111335 Tree Nut Farming
- r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
- s) NAICS Code 111339 Other Noncitrus Fruit Farming
- t) NAICS Code 111411 Mushroom Production
- u) NAICS Code 111419 Other Food Crops Grown Under Cover
- v) NAICS Code 111421 Nursery and Tree Production
- w) NAICS Code 111422 Floriculture Production
- x) NAICS Code 111910 Tobacco Farming
- y) NAICS Code 111920 Cotton Farming
- z) NAICS Code 111930 Sugarcane Farming
- aa) NAICS Code 111940 Hay Farming
- bb) NAICS Code 111991 Sugar Beet Farming
- cc) NAICS Code 111992 Peanut Farming
- dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
- ee) NAICS Code 112111 Beef Cattle Ranching and Farming
- ff) NAICS Code 112112 Cattle Feedlots
- gg) NAICS Code 112120 Dairy Cattle and Milk Production
- hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
- ii) NAICS Code 112210 Hog and Pig Farming
- jj) NAICS Code 112310 Chicken Egg Production
- kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
- ll) NAICS Code 112330 Turkey Production
- mm) NAICS Code 112340 Poultry Hatcheries
- nn) NAICS Code 112390 Other Poultry Production
- oo) NAICS Code 112410 Sheep Farming
- pp) NAICS Code 112420 Goat Farming
- qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
- rr) NAICS Code 112512 Shellfish Farming
- ss) NAICS Code 112519 Other Animal Aquaculture
- tt) NAICS Code 112910 Apiculture
- uu) NAICS Code 112920 Horses and Other Equine Production
- vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
- ww) NAICS Code 112990 All Other Animal Production

- xx) NAICS Code 113110 Timber Tract Operations
 - yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
 - zz) NAICS Code 113310 Logging
 - aaa) NAICS Code 114111 Finfish Fishing
 - bbb) NAICS Code 114112 Shellfish Fishing
 - ccc) NAICS Code 114119 Other Marine Fishing
 - ddd) NAICS Code 114210 Hunting and Trapping
 - eee) NAICS Code 115111 Cotton Ginning
 - fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
 - ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
 - hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
 - iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
 - jjj) NAICS Code 115116 Farm Management Services
 - kkk) NAICS Code 115210 Support Activities for Animal Production
 - lll) NAICS Code 115310 Support Activities for Forestry
2. **Health Care and Social Assistance**
- a) NAICS Code 623312 Homes for the Elderly
 - b) NAICS Code 623990 Other residential care facilities.
3. **Arts, Entertainment, and Recreation**
- a) NAICS Code 713940 Fitness and Recreational Sports Centers
 - b) NAICS Code 713990 All other amusement and recreation industries

D. General Requirements of the LB District

1. **Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2 1/2) stories or thirty-five (35) feet.
2. **Lot Area, Width & Depth:** Every lot shall have a minimum width of one hundred (100) feet and a minimum lot area of not less than one-half (.5) acre (twenty-one thousand, seven hundred eighty – 21,780 square feet) exclusive of road right-of-way and shall be in addition to any easement of record.
3. **Front Yard:** There shall be a front yard of not less than twelve (12) feet in depth.
4. **Side Yard:** There shall be side yards of twelve (12) feet on each side.
5. **Rear Yard:** There shall be a rear yard of not less than twelve (12) feet in depth.
6. **Parking Requirements:** Parking requirements shall be as regulated in Article 11 of these regulations.
7. **Signs:** Signs shall be as regulated in Article 12 of these regulations.
8. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 912 General Business District (GB)

A. Building Size Limits:

1. General Business - 1 (GB-1):

- a) Building size limits - Buildings containing Wholesale Trade or Retail Trade permitted uses in Section 910 shall contain no more than 65,000 gross square feet of floor area per parcel in GB-1 district. Buildings containing all other permitted uses in Section 910 shall have no limit on building size.

2. General Business - 2 (GB-2):

- a) Building size limits - Buildings containing Wholesale Trade or Retail Trade permitted uses in Section 910 shall contain no more than 130,000 gross square feet of floor area per parcel in GB-2 district. Buildings containing all other permitted uses in Section 910 shall have no limit on building size.

3. General Business - 3 (GB-3):

- a) Building size limits – No limit on building size in the GB-3 district.

- B. Permitted Uses:** Within the General Business Districts (GB-1, GB-2, and GB-3) the following uses, according to their North American Industrial Classification System (NAICS) code number, may be permitted in strict compliance with the approved district standards.

The full text of the listings in the 2007 NAICS or subsequent edition as specifically referenced and subsequently adopted shall be used to define the uses permitted within the GB district as set forth below and is hereby adopted as part of Section 910.

Uses not specifically authorized by the express terms of this article of the Zoning Resolution shall be prohibited.

NOTE: Adult Entertainment Facilities as defined in and in strict compliance with the standards in Article 15 of these regulations are permitted.

After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Accessory uses and structures
2. Agriculture uses exempted from township zoning authority per Chapter 519 of the Ohio Revised
3. **Construction**
 - a) NAICS Code 236115 New Single-family housing construction (except Operative Builders)
 - b) NAICS Code 236116 New Multi-family housing construction (except Operative Builders)
 - c) NAICS Code 236117 New Housing Operative Builders
 - d) NAICS Code 236118 Residential Remodelers
 - e) NAICS Code 238130 Framing Contractors
 - f) NAICS Code 238140 Masonry Contractors
 - g) NAICS Code 238150 Glass and Glazing Contractors
 - h) NAICS Code 238160 Roofing contractors
 - i) NAICS Code 238170 Siding Contractors
 - j) NAICS Code 238190 Other Foundation, Structure, and Building Exterior Contractors
 - k) NAICS Code 238210 Electrical Contractors
 - l) NAICS Code 238220 Plumbing, Heating, and Air-Conditioning Contractors
 - m) NAICS Code 238290 Other Building Equipment Contractors
 - n) NAICS Code 238310 Drywall and Insulation Contractors
 - o) NAICS Code 238320 Painting and Wall Covering Contractors
 - p) NAICS Code 238330 Flooring Contractors
 - q) NAICS Code 238340 Tile and Terrazzo Contractors
 - r) NAICS Code 238350 Finish Carpentry Contractors
 - s) NAICS Code 238390 Other Building Finishing Contractors
 - t) NAICS Code 238910 Site Preparation Contractors
 - u) NAICS Code 238990 All Other Specialty Trade Contractors
4. **Manufacturing**
 - a) NAICS Code 311811 Retail Bakeries
 - b) NAICS Code 323114 Quick Printing
 - c) NAICS Code 339116 Dental Laboratories
5. **Wholesale Trade**
 - a) NAICS Code 423110 Automobile and Other Motor Vehicle Merchant Wholesalers

b)	NAICS Code 423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers
c)	NAICS Code 423130	Tire and Tube Merchant Wholesalers
d)	NAICS Code 423210	Furniture Merchant Wholesalers
e)	NAICS Code 423220	Home Furnishing Merchant Wholesalers
f)	NAICS Code 423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers
g)	NAICS Code 423320	Brick, Stone, and Related Construction Material Merchant Wholesalers
h)	NAICS Code 423330	Roofing, Siding, and Insulation Material Merchant Wholesalers
i)	NAICS Code 423390	Other Construction Material Merchant Wholesalers
j)	NAICS Code 423410	Photographic Equipment and Supplies Merchant Wholesalers
k)	NAICS Code 423420	Office Equipment Merchant Wholesalers
l)	NAICS Code 423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers
m)	NAICS Code 423440	Other Commercial Equipment Merchant Wholesalers
n)	NAICS Code 423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers
o)	NAICS Code 423460	Ophthalmic Goods Merchant Wholesalers
p)	NAICS Code 423490	Other Professional Equipment and Supplies Merchant Wholesalers
q)	NAICS Code 423510	Metal Service Centers and Other Metal Merchant Wholesalers
r)	NAICS Code 423520	Coal and Other Mineral and Ore Merchant Wholesalers
s)	NAICS Code 423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers
t)	NAICS Code 423620	Electrical and Electronic Appliance, Television, and Radio Set Merchant Wholesalers
u)	NAICS Code 423690	Other Electronic Parts and Equipment Merchant Wholesalers
v)	NAICS Code 423710	Hardware Merchant Wholesalers
w)	NAICS Code 423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers
x)	NAICS Code 423730	Warm Air Heating and Air-Conditioning Equipment and Supplies Merchant Wholesalers
y)	NAICS Code 423740	Refrigeration Equipment and Supplies Merchant Wholesalers
z)	NAICS Code 423810	Construction and Mining (except Oil Well) Machinery and Equipment Merchant Wholesalers
aa)	NAICS Code 423820	Farm and Garden Machinery and Equipment Merchant Wholesalers
bb)	NAICS Code 423830	Industrial Machinery and Equipment Merchant Wholesalers
cc)	NAICS Code 423840	Industrial Supplies Merchant Wholesalers
dd)	NAICS Code 423850	Service Establishment Equipment and Supplies Merchant Wholesalers
ee)	NAICS Code 423860	Transportation Equipment and Supplies (except Motor Vehicle) Merchant Wholesalers
ff)	NAICS Code 423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers
gg)	NAICS Code 423920	Toy and Hobby Goods and Supplies Merchant Wholesalers
hh)	NAICS Code 423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers
ii)	NAICS Code 423990	Other Miscellaneous Durable Goods Merchant Wholesalers
jj)	NAICS Code 424110	Printing and Writing Paper Merchant Wholesalers
kk)	NAICS Code 424120	Stationery and Office Supplies Merchant Wholesalers
ll)	NAICS Code 424130	Industrial and Personal Service Paper Merchant Wholesalers
mm)	NAICS Code 424210	Drugs and Druggists' Sundries Merchant Wholesalers
nn)	NAICS Code 424310	Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers
oo)	NAICS Code 424320	Men's and Boys' Clothing and Furnishings Merchant Wholesalers
pp)	NAICS Code 424330	Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers
qq)	NAICS Code 424340	Footwear Merchant Wholesalers
rr)	NAICS Code 424410	General Line Grocery Merchant Wholesalers
ss)	NAICS Code 424420	Packaged Frozen Food Merchant Wholesalers
tt)	NAICS Code 424430	Dairy Product (except Dried or Canned) Merchant Wholesalers
uu)	NAICS Code 424440	Poultry and Poultry Product Merchant Wholesalers
vv)	NAICS Code 424450	Confectionery Merchant Wholesalers
ww)	NAICS Code 424460	Fish and Seafood Merchant Wholesalers
xx)	NAICS Code 424470	Meat and Meat Product Merchant Wholesalers

yy)	NAICS Code 424480	Fresh Fruit and Vegetable Merchant Wholesalers
zz)	NAICS Code 424490	Other Grocery and Related Products Merchant Wholesalers
aaa)	NAICS Code 424510	Grain and Field Bean Merchant Wholesalers
bbb)	NAICS Code 424520	Livestock Merchant Wholesalers
ccc)	NAICS Code 424590	Other Farm Product Raw Material Merchant Wholesalers
ddd)	NAICS Code 424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers
eee)	NAICS Code 424810	Beer and Ale Merchant Wholesalers
fff)	NAICS Code 424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers
ggg)	NAICS Code 424910	Farm Supplies Merchant Wholesalers
hhh)	NAICS Code 424920	Book, Periodical, and Newspaper Merchant Wholesalers
iii)	NAICS Code 424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers
jjj)	NAICS Code 424940	Tobacco and Tobacco Product Merchant Wholesalers
kkk)	NAICS Code 424990	Other Miscellaneous Nondurable Goods Merchant Wholesalers
lll)	NAICS Code 425110	Business to Business Electronic Markets
mmm)	NAICS Code 425120	Wholesale Trade Agents and Brokers
6.	Retail Trade	
a)	NAICS Code 441110	New Car Dealers
b)	NAICS Code 441120	Used Car Dealers
c)	NAICS Code 441210	Recreational Vehicle Dealers
d)	NAICS Code 441221	Motorcycle Dealers
e)	NAICS Code 441222	Boat Dealers
f)	NAICS Code 441229	All Other Motor Vehicle Dealers
g)	NAICS Code 441310	Automotive Parts and Accessories Stores
h)	NAICS Code 441320	Tire Dealers
i)	NAICS Code 442110	Furniture Stores
j)	NAICS Code 442210	Floor Covering Stores
k)	NAICS Code 442291	Window Treatment Stores
l)	NAICS Code 442299	All Other Home Furnishings Stores
m)	NAICS Code 443111	Household Appliance Stores
n)	NAICS Code 443112	Radio, Television, and Other Electronics Stores
o)	NAICS Code 443120	Computer and Software Stores
p)	NAICS Code 443130	Camera and Photographic Supplies Stores
q)	NAICS Code 444110	Home Centers
r)	NAICS Code 444120	Paint and Wallpaper Stores
s)	NAICS Code 444130	Hardware Stores
t)	NAICS Code 444190	Other Building Material Dealers
u)	NAICS Code 444210	Outdoor Power Equipment Stores
v)	NAICS Code 444220	Nursery, Garden Center, and Farm Supply Stores
w)	NAICS Code 445110	Supermarkets and Other Grocery (except Convenience) Stores
x)	NAICS Code 445120	Convenience Stores
y)	NAICS Code 445210	Meat Markets
z)	NAICS Code 445220	Fish and Seafood Markets
aa)	NAICS Code 445230	Fruit and Vegetable Markets
bb)	NAICS Code 445291	Baked Goods Stores
cc)	NAICS Code 445292	Confectionery and Nut Stores
dd)	NAICS Code 445299	All Other Specialty Food Stores
ee)	NAICS Code 445310	Beer, Wine, and Liquor Stores
ff)	NAICS Code 446110	Pharmacies and Drug Stores
gg)	NAICS Code 446120	Cosmetics, Beauty Supplies, and Perfume Stores
hh)	NAICS Code 446130	Optical Goods Stores
ii)	NAICS Code 446191	Food (Health) Supplement Stores
jj)	NAICS Code 446199	All Other Health and Personal Care Stores
kk)	NAICS Code 447110	Gasoline Stations with Convenience Stores
ll)	NAICS Code 447190	Other Gasoline Stations
mm)	NAICS Code 448110	Men's Clothing Stores
nn)	NAICS Code 448120	Women's Clothing Stores
oo)	NAICS Code 448130	Children's and Infants' Clothing Stores
pp)	NAICS Code 448140	Family Clothing Stores
qq)	NAICS Code 448150	Clothing Accessories Stores

rr)	NAICS Code 448190	Other Clothing Stores
ss)	NAICS Code 448210	Shoe Stores
tt)	NAICS Code 448310	Jewelry Stores
uu)	NAICS Code 448320	Luggage and Leather Goods Stores
vv)	NAICS Code 451110	Sporting Goods Stores
ww)	NAICS Code 451120	Hobby, Toy, and Game Stores
xx)	NAICS Code 451130	Sewing, Needlework, and Piece Goods Stores
yy)	NAICS Code 451140	Musical Instrument and Supplies Stores
zz)	NAICS Code 451211	Book Stores
aaa)	NAICS Code 451212	News Dealers and Newsstands
bbb)	NAICS Code 451220	Prerecorded Tape, Compact Disc, and Record Stores
ccc)	NAICS Code 452111	Department Stores (except Discount Department Stores)
ddd)	NAICS Code 452112	Discount Department Stores
eee)	NAICS Code 452910	Warehouse Clubs and Supercenters
fff)	NAICS Code 452990	All Other General Merchandise Stores
ggg)	NAICS Code 453110	Florists
hhh)	NAICS Code 453210	Office Supplies and Stationery Stores
iii)	NAICS Code 453220	Gift, Novelty, and Souvenir Stores
jjj)	NAICS Code 453310	Used Merchandise Stores
kkk)	NAICS Code 453910	Pet and Pet Supplies Stores
lll)	NAICS Code 453920	Art Dealers
mmm)	NAICS Code 453930	Manufactured (Mobile) Home Dealers
nnn)	NAICS Code 453991	Tobacco Stores
ooo)	NAICS Code 453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)
ppp)	NAICS Code 454111	Electronic Shopping
qqq)	NAICS Code 454112	Electronic Auctions
rrr)	NAICS Code 454113	Mail-Order Houses
sss)	NAICS Code 454210	Vending Machine Operators
ttt)	NAICS Code 454311	Heating Oil Dealers
uuu)	NAICS Code 454312	Liquefied Petroleum Gas (Bottled Gas) Dealers
vvv)	NAICS Code 454319	Other Fuel Dealers
www)	NAICS Code 454390	Other Direct Selling Establishments

7. Transportation and Warehousing

a)	NAICS Code 485113	Bus and Other Motor Vehicle Transit Systems
b)	NAICS Code 485119	Other Urban Transit Systems
c)	NAICS Code 485210	Interurban and Rural Bus Transportation
d)	NAICS Code 485310	Taxi Service
e)	NAICS Code 485320	Limousine Service
f)	NAICS Code 485410	School and Employee Bus Transportation
g)	NAICS Code 485510	Charter Bus Industry
h)	NAICS Code 485991	Special Needs Transportation
i)	NAICS Code 485999	All Other Transit and Ground Passenger Transportation
j)	NAICS Code 487110	Scenic and Sightseeing Transportation, Land
k)	NAICS Code 487210	Scenic and Sightseeing Transportation, Water
l)	NAICS Code 487990	Scenic and Sightseeing Transportation, Other
m)	NAICS Code 491110	Postal Service
n)	NAICS Code 492110	Couriers
o)	NAICS Code 492210	Local Messengers and Local Delivery

8. Information

a)	NAICS Code 512240	Sound Recording Studios
b)	NAICS Code 512290	Other Sound Recording Industries
c)	NAICS Code 517110	Wired Telecommunications Carriers
d)	NAICS Code 517310	Telecommunications Resellers
e)	NAICS Code 517510	Cable and Other Program Distribution
f)	NAICS Code 517911	Telecommunications Resellers
g)	NAICS Code 518210	Data processing, Hosting, and Related Services
h)	NAICS Code 519120	Libraries and Archives
i)	NAICS Code 519130	Internet Publishing and Broadcasting and Web Search Portals (pt)

9. Finance and Insurance

- a) NAICS Code 521110 Monetary Authorities - Central Bank
- b) NAICS Code 522110 Commercial Banking
- c) NAICS Code 522120 Savings Institutions
- d) NAICS Code 522130 Credit Unions
- e) NAICS Code 522190 Other Depository Credit Intermediation
- f) NAICS Code 522210 Credit Card Issuing
- g) NAICS Code 522220 Sales Financing
- h) NAICS Code 522291 Consumer Lending
- i) NAICS Code 522292 Real Estate Credit
- j) NAICS Code 522293 International Trade Financing
- k) NAICS Code 522294 Secondary Market Financing
- l) NAICS Code 522298 All Other Nondepository Credit Intermediation
- m) NAICS Code 522310 Mortgage and Nonmortgage Loan Brokers
- n) NAICS Code 522320 Financial Transactions Processing, Reserve, and Clearinghouse Activities
- o) NAICS Code 522390 Other Activities Related to Credit Intermediation
- p) NAICS Code 523110 Investment Banking and Securities Dealing
- q) NAICS Code 523120 Securities Brokerage
- r) NAICS Code 523130 Commodity Contracts Dealing
- s) NAICS Code 523140 Commodity Contracts Brokerage
- t) NAICS Code 523210 Securities and Commodity Exchanges
- u) NAICS Code 523910 Miscellaneous Intermediation
- v) NAICS Code 523920 Portfolio Management
- w) NAICS Code 523930 Investment Advice
- x) NAICS Code 523991 Trust, Fiduciary, and Custody Activities
- y) NAICS Code 523999 Miscellaneous Financial Investment Activities
- z) NAICS Code 524113 Direct Life Insurance Carriers
- aa) NAICS Code 524114 Direct Health and Medical Insurance Carriers
- bb) NAICS Code 524126 Direct Property and Casualty Insurance Carriers
- cc) NAICS Code 524127 Direct Title Insurance Carriers
- dd) NAICS Code 524128 Other Direct Insurance (except Life, Health, and Medical) Carriers
- ee) NAICS Code 524130 Reinsurance Carriers
- ff) NAICS Code 524210 Insurance Agencies and Brokerages
- gg) NAICS Code 524291 Claims Adjusting
- hh) NAICS Code 524292 Third Party Administration of Insurance and Pension Funds
- ii) NAICS Code 524298 All Other Insurance Related Activities
- jj) NAICS Code 525110 Pension Funds
- kk) NAICS Code 525120 Health and Welfare Funds
- ll) NAICS Code 525190 Other Insurance Funds
- mm) NAICS Code 525910 Open-End Investment Funds
- nn) NAICS Code 525920 Trusts, Estates, and Agency Accounts
- oo) NAICS Code 525990 Other Financial Vehicles

10. Real Estate and Rental and Leasing

- a) NAICS Code 531130 Lessors of Miniwarehouses and Self-Storage Units
- b) NAICS Code 532111 Passenger Car Rental
- c) NAICS Code 532112 Passenger Car Leasing
- d) NAICS Code 532120 Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing
- e) NAICS Code 532210 Consumer Electronics and Appliances Rental
- f) NAICS Code 532220 Formal Wear and Costume Rental
- g) NAICS Code 532230 Video Tape and Disc Rental
- h) NAICS Code 532291 Home Health Equipment Rental
- i) NAICS Code 532292 Recreational Goods Rental
- j) NAICS Code 532299 All Other Consumer Goods Rental
- k) NAICS Code 532310 General Rental Centers

11. Professional, Scientific, and Technical Services

- a) NAICS Code 541110 Offices of Lawyers
- b) NAICS Code 541120 Offices of Notaries
- c) NAICS Code 541191 Title Abstract and Settlement Offices

- d) NAICS Code 541199 All Other Legal Services
- e) NAICS Code 541211 Offices of Certified Public Accountants
- f) NAICS Code 541213 Tax Preparation Services
- g) NAICS Code 541214 Payroll Services
- h) NAICS Code 541219 Other Accounting Services
- i) NAICS Code 541310 Architectural Services
- j) NAICS Code 541320 Landscape Architectural Services
- k) NAICS Code 541330 Engineering Services
- l) NAICS Code 541340 Drafting Services
- m) NAICS Code 541350 Building Inspection Services
- n) NAICS Code 541360 Geophysical Surveying and Mapping Services
- o) NAICS Code 541370 Surveying and Mapping (except Geophysical) Services
- p) NAICS Code 541380 Testing Laboratories
- q) NAICS Code 541410 Interior Design Services
- r) NAICS Code 541420 Industrial Design Services
- s) NAICS Code 541430 Graphic Design Services
- t) NAICS Code 541490 Other Specialized Design Services
- u) NAICS Code 541511 Custom Computer Programming Services
- v) NAICS Code 541512 Computer Systems Design Services
- w) NAICS Code 541513 Computer Facilities Management Services
- x) NAICS Code 541519 Other Computer Related Services
- y) NAICS Code 541611 Administrative Management and General Management Consulting Services
- z) NAICS Code 541612 Human Resources and Executive Search Consulting Services
- aa) NAICS Code 541613 Marketing Consulting Services
- bb) NAICS Code 541614 Process, Physical Distribution, and Logistics Consulting Services
- cc) NAICS Code 541618 Other Management Consulting Services
- dd) NAICS Code 541620 Environmental Consulting Services
- ee) NAICS Code 541690 Other Scientific and Technical Consulting Services
- ff) NAICS Code 541711 Research and Development in Biotechnology
- gg) NAICS Code 541712 Research and Development in the Physical, Engineering, and Life Sciences (except Biotechnology)
- hh) NAICS Code 541720 Research and Development in the Social Sciences and Humanities
- ii) NAICS Code 541810 Advertising Agencies
- jj) NAICS Code 541820 Public Relations Agencies
- kk) NAICS Code 541830 Media Buying Agencies
- ll) NAICS Code 541840 Media Representatives
- mm) NAICS Code 541850 Display Advertising
- nn) NAICS Code 541860 Direct Mail Advertising
- oo) NAICS Code 541870 Advertising Material Distribution Services
- pp) NAICS Code 541890 Other Services Related to Advertising
- qq) NAICS Code 541910 Marketing Research and Public Opinion Polling
- rr) NAICS Code 541921 Photography Studios, Portrait
- ss) NAICS Code 541922 Commercial Photography
- tt) NAICS Code 541930 Translation and Interpretation Services
- uu) NAICS Code 541990 All Other Professional, Scientific, and Technical Services

12. Management of Companies and Enterprises

- a) NAICS Code 551111 Offices of Bank Holding Companies
- b) NAICS Code 551112 Offices of Other Holding Companies
- c) NAICS Code 551114 Corporate, Subsidiary, and Regional Managing Offices

13. Administrative and Support and Waste Management and Remediation Services

- a.) NAICS Code 561110 Office Administrative Services
- b) NAICS Code 561112 Offices of Other Holding Companies
- c) NAICS Code 561210 Facilities Support Services
- d) NAICS Code 561310 Employment Placement Agencies
- e) NAICS Code 561312 Executive Search Services
- f) NAICS Code 561320 Temporary Help Services
- g) NAICS Code 561330 Professional Employer Organizations
- h) NAICS Code 561410 Document Preparation Services

- i) NAICS Code 561421 Telephone Answering Services
- j) NAICS Code 561422 Telemarketing Bureaus
- k) NAICS Code 561431 Private Mail Centers
- l) NAICS Code 561439 Other Business Service Centers (including Copy Shops)
- m) NAICS Code 561440 Collection Agencies
- n) NAICS Code 561450 Credit Bureaus
- o) NAICS Code 561491 Repossession Services
- p) NAICS Code 561492 Court Reporting and Stenotype Services
- q) NAICS Code 561499 All Other Business Support Services
- r) NAICS Code 561510 Travel Agencies
- s) NAICS Code 561520 Tour Operators
- t) NAICS Code 561591 Convention and Visitors Bureaus
- u) NAICS Code 561599 All Other Travel Arrangement and Reservation Services
- v) NAICS Code 561611 Investigation Services
- w) NAICS Code 561612 Security Guards and Patrol Services
- x) NAICS Code 561613 Armored Car Services
- y) NAICS Code 561621 Security Systems Services (except Locksmiths)
- z) NAICS Code 561622 Locksmiths
- aa) NAICS Code 561710 Exterminating and Pest Control Services
- bb) NAICS Code 561720 Janitorial Services
- cc) NAICS Code 561730 Landscaping Services
- dd) NAICS Code 561740 Carpet and Upholstery Cleaning Services
- ee) NAICS Code 561790 Other Services to Buildings and Dwellings
- ff) NAICS Code 561910 Packaging and Labeling Services
- gg) NAICS Code 561920 Convention and Trade Show Organizers
- hh) NAICS Code 561990 All Other Support Services

14. Educational Services

- a) NAICS Code 611110 Elementary and Secondary Schools
- b) NAICS Code 611210 Junior Colleges
- c) NAICS Code 611310 Colleges, Universities, and Professional Schools
- d) NAICS Code 611410 Business and Secretarial Schools
- e) NAICS Code 611420 Computer Training
- f) NAICS Code 611430 Professional and Management Development Training
- g) NAICS Code 611511 Cosmetology and Barber Schools
- h) NAICS Code 611512 Flight Training
- i) NAICS Code 611513 Apprenticeship Training
- j) NAICS Code 611519 Other Technical and Trade Schools
- k) NAICS Code 611610 Fine Arts Schools
- l) NAICS Code 611620 Sports and Recreation Instruction
- m) NAICS Code 611630 Language Schools
- n) NAICS Code 611691 Exam Preparation and Tutoring
- o) NAICS Code 611692 Automobile Driving Schools
- p) NAICS Code 611699 All Other Miscellaneous Schools and Instruction
- q) NAICS Code 611710 Educational Support Services

15. Health Care and Social Assistance

- a) NAICS Code 621111 Offices of Physicians (except Mental Health Specialists)
- b) NAICS Code 621112 Offices of Physicians, Mental Health Specialists
- c) NAICS Code 621210 Offices of Dentists
- d) NAICS Code 621310 Offices of Chiropractors
- e) NAICS Code 621320 Offices of Optometrists
- f) NAICS Code 621330 Offices of Mental Health Practitioners (except Physicians)
- g) NAICS Code 621340 Offices of Physical, Occupational and Speech Therapists, and Audiologists
- h) NAICS Code 621391 Offices of Podiatrists
- i) NAICS Code 621399 Offices of All Other Miscellaneous Health Practitioners
- j) NAICS Code 621420 Outpatient Mental Health and Substance Abuse Centers
- k) NAICS Code 621491 HMO Medical Centers
- l) NAICS Code 621492 Kidney Dialysis Centers
- m) NAICS Code 621493 Freestanding Ambulatory Surgical and Emergency Centers

- n) NAICS Code 621498 All Other Outpatient Care Centers
- o) NAICS Code 621511 Medical Laboratories
- p) NAICS Code 621512 Diagnostic Imaging Centers
- q) NAICS Code 621610 Home Health Care Services
- r) NAICS Code 621910 Ambulance Services
- s) NAICS Code 621991 Blood and Organ Banks
- t) NAICS Code 621999 All Other Miscellaneous Ambulatory Health Care Services
- u) NAICS Code 624110 Child and Youth Services
- v) NAICS Code 624120 Services for the Elderly and Persons with Disabilities
- w) NAICS Code 624190 Other Individual and Family Services
- x) NAICS Code 624210 Community Food Services
- y) NAICS Code 624230 Emergency and Other Relief Services
- z) NAICS Code 624310 Vocational Rehabilitation Services
- aa) NAICS Code 624410 Child Day Care Services

16. Arts, Entertainment, Recreation

- a) NAICS Code 711110 Theater Companies and Dinner Theaters
- b) NAICS Code 713940 Fitness and Recreational Sports Centers
- c) NAICS Code 713950 Bowling Centers

17. Accommodation and Food Services

- a) NAICS Code 721110 Hotels (except Casino Hotels) and Motels
- b) NAICS Code 721191 Bed-and-Breakfast Inns
- c) NAICS Code 722110 Full-Service Restaurants
- d) NAICS Code 722211 Limited-Service Restaurants
- e) NAICS Code 722212 Cafeterias
- f) NAICS Code 722213 Snack and Nonalcoholic Beverage Bars
- g) NAICS Code 722310 Food Service Contractors
- h) NAICS Code 722320 Caterers
- i) NAICS Code 722330 Mobile Food Services
- j) NAICS Code 722410 Drinking Places (Alcoholic Beverages)

18. Other Services (except Public Administration)

NOTE: The following services are permitted only if performed completely indoors.

Exception: Parking lots permitted under 812930 and Cemeteries permitted under 81220 may be outdoors.

- a) NAICS Code 811111 General Automotive Repair
- b) NAICS Code 811112 Automotive Exhaust System Repair
- c) NAICS Code 811113 Automotive Transmission Repair
- d) NAICS Code 811118 Other Automotive Mechanical and Electrical Repair and Maintenance
- e) NAICS Code 811121 Automotive Body, Paint, and Interior Repair and Maintenance
- f) NAICS Code 811122 Automotive Glass Replacement Shops
- g) NAICS Code 811191 Automotive Oil Change and Lubrication Shops
- h) NAICS Code 811192 Car Washes
- i) NAICS Code 811198 All Other Automotive Repair and Maintenance
- j) NAICS Code 811211 Consumer Electronics Repair and Maintenance
- k) NAICS Code 811212 Computer and Office Machine Repair and Maintenance
- l) NAICS Code 811213 Communication Equipment Repair and Maintenance
- m) NAICS Code 811219 Other Electronic and Precision Equipment Repair and Maintenance
- n) NAICS Code 811310 Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
- o) NAICS Code 811411 Home and Garden Equipment Repair and Maintenance
- p) NAICS Code 811412 Appliance Repair and Maintenance
- q) NAICS Code 811420 Reupholstery and Furniture Repair
- r) NAICS Code 811430 Footwear and Leather Goods Repair
- s) NAICS Code 811490 Other Personal and Household Goods Repair and Maintenance
- t) NAICS Code 812111 Barber Shops
- u) NAICS Code 812112 Beauty Salons
- v) NAICS Code 812113 Nail Salons
- w) NAICS Code 812191 Diet and Weight Reducing Centers

x)	NAICS Code 812199	Other Personal Care Services
y)	NAICS Code 812210	Funeral Homes and Funeral Services
z)	NAICS Code 812220	Cemeteries and Crematories
aa)	NAICS Code 812310	Coin-Operated Laundries and Drycleaners
bb)	NAICS Code 812320	Drycleaning and Laundry Services (except Coin-Operated)
cc)	NAICS Code 812331	Linen Supply
dd)	NAICS Code 812332	Industrial Launderers
ee)	NAICS Code 812910	Pet Care (except Veterinary) Services
ff)	NAICS Code 812921	Photofinishing Laboratories (except One-Hour)
gg)	NAICS Code 812922	One-Hour Photofinishing
hh)	NAICS Code 812930	Parking Lots and Garages
ii)	NAICS Code 812990	All Other Personal Services
jj)	NAICS Code 813110	Religious Organizations
kk)	NAICS Code 813211	Grantmaking Foundations
ll)	NAICS Code 813212	Voluntary Health Organizations
mm)	NAICS Code 813219	Other Grantmaking and Giving Services
nn)	NAICS Code 813311	Human Rights Organizations
oo)	NAICS Code 813312	Environment, Conservation and Wildlife Organizations
pp)	NAICS Code 813319	Other Social Advocacy Organizations
qq)	NAICS Code 813410	Civic and Social Organizations
rr)	NAICS Code 813910	Business Associations
ss)	NAICS Code 813920	Professional Organizations
tt)	NAICS Code 813930	Labor Unions and Similar Labor Organizations
uu)	NAICS Code 813940	Political Organizations
vv)	NAICS Code 813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)
ww)	NAICS Code 814110	Private Households
19. Administration		
a)	NAICS Code 921110	Executive Offices
b)	NAICS Code 921120	Legislative Bodies
c)	NAICS Code 921130	Public Finance Activities
d)	NAICS Code 921140	Executive and Legislative Offices, Combined
e)	NAICS Code 921150	American Indian and Alaska Native Tribal Governments
f)	NAICS Code 921190	Other General Government Support
g)	NAICS Code 922110	Courts
h)	NAICS Code 922120	Police Protection
i)	NAICS Code 922130	Legal Counsel and Prosecution
j)	NAICS Code 922150	Parole Offices and Probation Offices
k)	NAICS Code 922160	Fire Protection
l)	NAICS Code 922190	Other Justice, Public Order, and Safety Activities
m)	NAICS Code 923110	Administration of Education Programs
n)	NAICS Code 923120	Administration of Public Health Programs
o)	NAICS Code 923130	Administration of Human Resource Programs (except Education, Public Health, and Veterans' Affairs Programs)
p)	NAICS Code 923140	Administration of Veterans' Affairs
q)	NAICS Code 924110	Administration of Air and Water Resource and Solid Waste Management Programs
r)	NAICS Code 924120	Administration of Conservation Programs
s)	NAICS Code 925110	Administration of Housing Programs
t)	NAICS Code 925120	Administration of Urban Planning and Community and Rural Development
u)	NAICS Code 926110	Administration of General Economic Programs
v)	NAICS Code 926120	Regulation and Administration of Transportation Programs
w)	NAICS Code 926130	Regulation and Administration of Communications, Electric, Gas, and Other Utilities
x)	NAICS Code 926140	Regulation of Agricultural Marketing and Commodities
y)	NAICS Code 926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors
z)	NAICS Code 927110	Space Research and Technology

- aa) NAICS Code 928110 National Security
- bb) NAICS Code 928120 International Affairs

C. Conditionally Permitted Uses: Within the General Business Districts (GB1, GB2, and GB3) after obtaining a valid conditional use permit in accordance with Article 5, and other provisions of these regulations, the following uses may be conditionally permitted:

1. NAICS Code 11 Agriculture, Forestry, Fishing, and Hunting.
 - a) NAICS Code 111110 Soybean Farming
 - b) NAICS Code 111120 Oilseed (except Soybean) Farming
 - c) NAICS Code 111130 Dry Pea and Bean Farming
 - d) NAICS Code 111140 Wheat Farming
 - e) NAICS Code 111150 Corn Farming
 - f) NAICS Code 111160 Rice Farming
 - g) NAICS Code 111191 Oilseed and Grain Combination Farming
 - h) NAICS Code 111199 All Other Grain Farming
 - i) NAICS Code 111211 Potato Farming
 - j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
 - k) NAICS Code 111310 Orange Groves
 - l) NAICS Code 111320 Citrus (except Orange) Groves
 - m) NAICS Code 111331 Apple Orchards
 - n) NAICS Code 111332 Grape Vineyards
 - o) NAICS Code 111333 Strawberry Farming
 - p) NAICS Code 111334 Berry (except Strawberry) Farming
 - q) NAICS Code 111335 Tree Nut Farming
 - r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
 - s) NAICS Code 111339 Other Noncitrus Fruit Farming
 - t) NAICS Code 111411 Mushroom Production
 - u) NAICS Code 111419 Other Food Crops Grown Under Cover
 - v) NAICS Code 111421 Nursery and Tree Production
 - w) NAICS Code 111422 Floriculture Production
 - x) NAICS Code 111910 Tobacco Farming
 - y) NAICS Code 111920 Cotton Farming
 - z) NAICS Code 111930 Sugarcane Farming
 - aa) NAICS Code 111940 Hay Farming
 - bb) NAICS Code 111991 Sugar Beet Farming
 - cc) NAICS Code 111992 Peanut Farming
 - dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
 - ee) NAICS Code 112111 Beef Cattle Ranching and Farming
 - ff) NAICS Code 112112 Cattle Feedlots
 - gg) NAICS Code 112120 Dairy Cattle and Milk Production
 - hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
 - ii) NAICS Code 112210 Hog and Pig Farming
 - jj) NAICS Code 112310 Chicken Egg Production
 - kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
 - ll) NAICS Code 112330 Turkey Production
 - mm) NAICS Code 112340 Poultry Hatcheries
 - nn) NAICS Code 112390 Other Poultry Production
 - oo) NAICS Code 112410 Sheep Farming
 - pp) NAICS Code 112420 Goat Farming
 - qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
 - rr) NAICS Code 112512 Shellfish Farming
 - ss) NAICS Code 112519 Other Animal Aquaculture
 - tt) NAICS Code 112910 Apiculture
 - uu) NAICS Code 112920 Horses and Other Equine Production
 - vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
 - ww) NAICS Code 112990 All Other Animal Production
 - xx) NAICS Code 113110 Timber Tract Operations

- yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
 - zz) NAICS Code 113310 Logging
 - aaa) NAICS Code 114111 Finfish Fishing
 - bbb) NAICS Code 114112 Shellfish Fishing
 - ccc) NAICS Code 114119 Other Marine Fishing
 - ddd) NAICS Code 114210 Hunting and Trapping
 - eee) NAICS Code 115111 Cotton Ginning
 - fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
 - ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
 - hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
 - iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
 - jjj) NAICS Code 115116 Farm Management Services
 - kkk) NAICS Code 115210 Support Activities for Animal Production
 - lll) NAICS Code 115310 Support Activities for Forestry
2. **Manufacturing**
 - a) NAICS Code 332710 Machine Ships
 - 1.) Shall contain no more than 7,500 gross square feet of floor area per parcel
 3. **Wholesale Trade**
 - a) NAICS Code 423140 Motor Vehicle Parts (Used) Merchant Wholesalers
 - b) NAICS Code 424690 Other Chemical and Allied Products Merchant Wholesalers
 - c) NAICS Code 424710 Petroleum Bulk Stations and Terminals
 - d) NAICS Code 424720 Petroleum and Petroleum Products Merchant Wholesalers
 - e) NAICS Code 424950 Paint Varnish, and Supplies Merchant Wholesalers (Except Bulk Stations and Terminals)
 4. **Transportation and Warehousing**
 - a) NAICS Code 488410 Motor Vehicle Towing
 5. **Professional, Scientific, and Technical Services**
 - a) NAICS Code 541940 Veterinary Services
 6. **Information**
 - a) NAICS Code 515111 Radio Networks
 - b) NAICS Code 515112 Radio Stations
 - c) NAICS Code 515120 Television Broadcasting
 - d) NAICS Code 515210 Cable and Other Subscription Programming
 - e) NAICS Code 517210 Wireless Telecommunications Carriers (Except Satellite)(pt)
 7. **Arts, Entertainment, and Recreation**
 - a) NAICS Code 713120 Amusement Arcades
 - 1.) If they are located more than fifteen hundred (1,500) feet from any school or religious building.
 - b) NAICS Code 713990 All Other Amusement and Recreation Industries.
 - 1.) If they are located more than fifteen hundred (1,500) feet from any school or religious building.

D. General Requirements: Within the General Business Districts (GB1, GB2, and GB3)

1. **Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2 1/2) stories or thirty-five (35) feet.
2. **Lot Area, Width & Depth:** Every lot shall have a minimum width of two hundred (200) feet and a minimum lot area of not less than one (1) acre (forty-three thousand, five hundred and sixty - 43,560 square feet) exclusive of road right-of-way and shall be in addition to any easement of record.
3. **Front Yard:** There shall be a front yard of not less than forty (40) feet in depth.
4. **Side Yard:** There shall be side yards of not less than forty (40) feet each.
5. **Rear Yard:** There shall be a rear yard of not less than forty (40') feet.
6. **Parking Requirements:** Parking requirements shall be as regulated in Article 11 of these regulations.
7. **Signs:** Signs shall be as regulated in Article 12 of these regulations.
8. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 913 Accommodation Business District (AB)

Permitted uses, dimensional requirements, and other requirements of the AB, Accommodation Business District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Agricultural uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code.
2. **Retail Trade**
 - a) NAICS Code 445230 Fruit and Vegetable Markets
 - b) NAICS Code 453220 Gifts, Novelty, and Souvenir Stores
 - c) NAICS Code 447190 Other Gasoline Stations
 - d) NAICS Code 447110 Gasoline Stations with Convenience Stores.
3. **Accommodation and Food Services**
 - a) NAICS Code 721110 Hotels (Except Casino Hotels) and Motels)
 - b) NAICS Codes 722110 Full-Service Restaurants
 - c) NAICS Codes 722211 Limited-Service Restaurants
4. **Other Services (except Public Administration)**
 - a) NAICS Code 811111 General Automotive Repair
 - b) NAICS Code 811192 Car Washes
5. Accessory uses and structures.

B. Conditionally Permitted Uses:

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. **Agriculture, Forestry, Fishing, and Hunting**
 - a) NAICS Code 111110 Soybean Farming
 - b) NAICS Code 111120 Oilseed (except Soybean) Farming
 - c) NAICS Code 111130 Dry Pea and Bean Farming
 - d) NAICS Code 111140 Wheat Farming
 - e) NAICS Code 111150 Corn Farming
 - f) NAICS Code 111160 Rice Farming
 - g) NAICS Code 111191 Oilseed and Grain Combination Farming
 - h) NAICS Code 111199 All Other Grain Farming
 - i) NAICS Code 111211 Potato Farming
 - j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
 - k) NAICS Code 111310 Orange Groves
 - l) NAICS Code 111320 Citrus (except Orange) Groves
 - m) NAICS Code 111331 Apple Orchards
 - n) NAICS Code 111332 Grape Vineyards
 - o) NAICS Code 111333 Strawberry Farming
 - p) NAICS Code 111334 Berry (except Strawberry) Farming
 - q) NAICS Code 111335 Tree Nut Farming
 - r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
 - s) NAICS Code 111339 Other Noncitrus Fruit Farming
 - t) NAICS Code 111411 Mushroom Production
 - u) NAICS Code 111419 Other Food Crops Grown Under Cover
 - v) NAICS Code 111421 Nursery and Tree Production
 - w) NAICS Code 111422 Floriculture Production
 - x) NAICS Code 111910 Tobacco Farming
 - y) NAICS Code 111920 Cotton Farming
 - z) NAICS Code 111930 Sugarcane Farming
 - aa) NAICS Code 111940 Hay Farming
 - bb) NAICS Code 111991 Sugar Beet Farming
 - cc) NAICS Code 111992 Peanut Farming
 - dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
 - ee) NAICS Code 112111 Beef Cattle Ranching and Farming

- ff) NAICS Code 112112 Cattle Feedlots
 - gg) NAICS Code 112120 Dairy Cattle and Milk Production
 - hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
 - ii) NAICS Code 112210 Hog and Pig Farming
 - jj) NAICS Code 112310 Chicken Egg Production
 - kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
 - ll) NAICS Code 112330 Turkey Production
 - mm) NAICS Code 112340 Poultry Hatcheries
 - nn) NAICS Code 112390 Other Poultry Production
 - oo) NAICS Code 112410 Sheep Farming
 - pp) NAICS Code 112420 Goat Farming
 - qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
 - rr) NAICS Code 112512 Shellfish Farming
 - ss) NAICS Code 112519 Other Animal Aquaculture
 - tt) NAICS Code 112910 Apiculture
 - uu) NAICS Code 112920 Horses and Other Equine Production
 - vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
 - ww) NAICS Code 112990 All Other Animal Production
 - xx) NAICS Code 113110 Timber Tract Operations
 - yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
 - zz) NAICS Code 113310 Logging
 - aaa) NAICS Code 114111 Finfish Fishing
 - bbb) NAICS Code 114112 Shellfish Fishing
 - ccc) NAICS Code 114119 Other Marine Fishing
 - ddd) NAICS Code 114210 Hunting and Trapping
 - eee) NAICS Code 115111 Cotton Ginning
 - fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
 - ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
 - hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
 - iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
 - jjj) NAICS Code 115116 Farm Management Services
 - kkk) NAICS Code 115210 Support Activities for Animal Production
 - lll) NAICS Code 115310 Support Activities for Forestry
2. **Retail Trade**
- a) NAICS Code 441210 Recreational Vehicle Dealers
3. **Transportation and Warehousing**
- a) NAICS Code 488410 Motor Vehicle Towing
4. **Arts, Entertainment, and Recreation**
- a) NAICS Code 713120 Amusement Arcades.
 - 1.) If they are located more than fifteen hundred (1,500) feet from any school or religious building.
 - b) NAICS Code 713990 All Other Amusement and Recreation Industries.
 - 1.) If they are located more than fifteen hundred (1,500) feet from any school or religious building.
5. **Other Services (Except Public Administration)**
- a) NAICS Code 811490 Other Personal and Household Goods Repair and Maintenance
 - b) NAICS Code 812930 Parking Lots and Garages

C. General Requirements:

1. **Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2 1/2) stories or thirty-five (35) feet.
2. **Lot Area, Width & Depth:** Every lot shall have a minimum width of 150 hundred (150) feet and a minimum lot area of not less than one half (.5) acre (twenty one thousand, seven hundred eighty – 21,780 square feet).

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

3. **Front Yard:** There shall be a front yard of not less than thirty (30) feet in depth.
4. **Side Yard:** There shall be side yards of not less than thirty (30) feet each.
5. **Rear Yard:** There shall be a rear yard of not less than thirty (30) feet.

6. **Parking Requirements:** Parking requirements shall be as regulated in Article 11 of these regulations.
7. **Signs:** Signs shall be as regulated in Article 12 of these regulations.
8. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 914 Light Manufacturing District (M-1)

Permitted uses, dimensional requirements and other regulations of the M-1, District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Agriculture uses exempted from township zoning authority per 519 of the Ohio Revised.
2. Accessory uses and structures.
3. **Construction**
 - a) NAICS Code 236210 Industrial Building Construction
 - b) NAICS Code 236220 Commercial and Institutional Building Construction
 - c) NAICS Code 237110 Water and Sewer Line and Related Structures Construction
 - d) NAICS Code 237120 Oil and Gas Pipeline and Related Structures Construction
 - e) NAICS Code 237130 Power and Communication Line and Related Structures Construction.
 - f) NAICS Code 237210 Land Subdivision
 - g) NAICS Code 237310 Highway, Street, and Bridge Construction
 - h) NAICS Code 237990 Other Heavy and Civil Engineering Construction
 - i) NAICS Code 238110 Poured Concrete Foundation and Structure Contractors
 - j) NAICS Code 238120 Structural Steel and Precast Concrete Contractors
4. **Food Manufacturing**
 - a) NAICS Code 311111 Dog and Cat Food Manufacturing
 - b) NAICS Code 311119 Other Animal Food Manufacturing
 - c) NAICS Code 311211 Flour Milling
 - d) NAICS Code 311212 Rice Milling
 - e) NAICS Code 311213 Malt Manufacturing
 - f) NAICS Code 311221 Wet Corn Milling
 - g) NAICS Code 311222 Soybean Processing
 - h) NAICS Code 311223 Other Oilseed Processing
 - i) NAICS Code 311225 Fats and Oils Refining and Blending
 - j) NAICS Code 311230 Breakfast Cereal Manufacturing
 - k) NAICS Code 311320 Chocolate and Confectionery Manufacturing from Cacao Beans
 - l) NAICS Code 311330 Confectionery Manufacturing from Purchased Chocolate
 - m) NAICS Code 311340 Nonchocolate Confectionery Manufacturing
 - n) NAICS Code 311411 Frozen Fruit, Juice, and Vegetable Manufacturing
 - o) NAICS Code 311412 Frozen Specialty Food Manufacturing
 - p) NAICS Code 311421 Fruit and Vegetable Canning
 - q) NAICS Code 311422 Specialty Canning
 - r) NAICS Code 311423 Dried and Dehydrated Food Manufacturing
 - s) NAICS Code 311511 Fluid Milk Manufacturing
 - t) NAICS Code 311512 Creamery Butter Manufacturing
 - u) NAICS Code 311513 Cheese Manufacturing
 - v) NAICS Code 311514 Dry, Condensed, and Evaporated Dairy Product Manufacturing
 - w) NAICS Code 311520 Ice Cream and Frozen Dessert Manufacturing
 - x) NAICS Code 311615 Poultry Processing
 - y) NAICS Code 311711 Seafood Canning
 - z) NAICS Code 311712 Fresh and Frozen Seafood Processing
 - aa) NAICS Code 311811 Retail Bakeries
 - bb) NAICS Code 311812 Commercial Bakeries
 - cc) NAICS Code 311813 Frozen Cakes, Pies, and Other Pastries Manufacturing
 - dd) NAICS Code 311821 Cookie and Cracker Manufacturing
 - ee) NAICS Code 311822 Flour Mixes and Dough Manufacturing from Purchased Flour
 - ff) NAICS Code 311823 Dry Pasta Manufacturing
 - gg) NAICS Code 311830 Tortilla Manufacturing
 - hh) NAICS Code 311911 Roasted Nuts and Peanut Butter Manufacturing
 - ii) NAICS Code 311919 Other Snack Food Manufacturing
 - jj) NAICS Code 311920 Coffee and Tea Manufacturing

- kk) NAICS Code 311930 Flavoring Syrup and Concentrate Manufacturing
 - ll) NAICS Code 311941 Mayonnaise, Dressing, and Other Prepared Sauce Manufacturing
 - mm) NAICS Code 311942 Spice and Extract Manufacturing
 - nn) NAICS Code 311991 Perishable Prepared Food Manufacturing
 - oo) NAICS Code 311999 All Other Miscellaneous Food Manufacturing
- 5. Beverage and Tobacco Product Manufacturing**
- a) NAICS Code 312111 Soft Drink Manufacturing
 - b) NAICS Code 312112 Bottled Water Manufacturing
 - c) NAICS Code 312113 Ice Manufacturing
- 6. Apparel Manufacturing**
- a) NAICS Code 315211 Men's and Boys' Cut and Sew Apparel Contractors
 - b) NAICS Code 315212 Women's, Girls', and Infants' Cut and Sew Apparel Contractors
 - c) NAICS Code 315221 Men's and Boys' Cut and Sew Underwear and Nightwear Manufacturing
 - d) NAICS Code 315222 Men's and Boys' Cut and Sew Suit, Coat, and Overcoat Manufacturing
 - e) NAICS Code 315223 Men's and Boys' Cut and Sew Shirt (except Work Shirt) Manufacturing
 - f) NAICS Code 315224 Men's and Boys' Cut and Sew Trouser, Slack, and Jean Manufacturing
 - g) NAICS Code 315225 Men's and Boys' Cut and Sew Work Clothing Manufacturing
 - h) NAICS Code 315228 Men's and Boys' Cut and Sew Other Outerwear Manufacturing
 - i) NAICS Code 315231 Women's and Girls' Cut and Sew Lingerie, Loungewear, and Nightwear Manufacturing
 - j) NAICS Code 315232 Women's and Girls' Cut and Sew Blouse and Shirt Manufacturing
 - k) NAICS Code 315233 Women's and Girls' Cut and Sew Dress Manufacturing
 - l) NAICS Code 315234 Women's and Girls' Cut and Sew Suit, Coat, Tailored Jacket, and Skirt Manufacturing
 - m) NAICS Code 315239 Women's and Girls' Cut and Sew Other Outerwear Manufacturing
 - n) NAICS Code 315291 Infants' Cut and Sew Apparel Manufacturing
 - o) NAICS Code 315292 Fur and Leather Apparel Manufacturing
 - p) NAICS Code 315299 All Other Cut and Sew Apparel Manufacturing
 - q) NAICS Code 315991 Hat, Cap, and Millinery Manufacturing
 - r) NAICS Code 315992 Glove and Mitten Manufacturing
 - s) NAICS Code 315993 Men's and Boys' Neckwear Manufacturing
 - t) NAICS Code 315999 Other Apparel Accessories and Other Apparel Manufacturing
- 7. Leather and Allied Product Manufacturing**
- a) NAICS Code 316212 House Slipper Manufacturing
 - b) NAICS Code 316213 Men's Footwear (except Athletic) Manufacturing
 - c) NAICS Code 316214 Women's Footwear (except Athletic) Manufacturing
 - d) NAICS Code 316219 Other Footwear Manufacturing
 - e) NAICS Code 316991 Luggage Manufacturing
 - f) NAICS Code 316992 Women's Handbag and Purse Manufacturing
 - g) NAICS Code 316993 Personal Leather Good (except Women's Handbag and Purse) Manufacturing
- 8. Wood Product Manufacturing**
- a) NAICS Code 321211 Hardwood Veneer and Plywood Manufacturing
 - b) NAICS Code 321212 Softwood Veneer and Plywood Manufacturing
 - c) NAICS Code 321213 Engineered Wood Member (except Truss) Manufacturing
 - d) NAICS Code 321214 Truss Manufacturing
 - e) NAICS Code 321219 Reconstituted Wood Product Manufacturing
 - f) NAICS Code 321911 Wood Window and Door Manufacturing
 - g) NAICS Code 321912 Cut Stock, Resawing Lumber, and Planing
 - h) NAICS Code 321918 Other Millwork (including Flooring)
 - i) NAICS Code 321920 Wood Container and Pallet Manufacturing
 - j) NAICS Code 321991 Manufactured Home (Mobile Home) Manufacturing
 - k) NAICS Code 321992 Prefabricated Wood Building Manufacturing
 - l) NAICS Code 321999 All Other Miscellaneous Wood Product Manufacturing
- 9. Paper Manufacturing**
- a) NAICS Code 322211 Corrugated and Solid Fiber Box Manufacturing
 - b) NAICS Code 322212 Folding Paperboard Box Manufacturing
 - c) NAICS Code 322213 Setup Paperboard Box Manufacturing
 - d) NAICS Code 322214 Fiber Can, Tube, Drum, and Similar Products Manufacturing

- e) NAICS Code 322215 Nonfolding Sanitary Food Container Manufacturing
 - f) NAICS Code 322221 Coated and Laminated Packaging Paper and Plastics Film Manufacturing
 - g) NAICS Code 322222 Coated and Laminated Paper Manufacturing
 - h) NAICS Code 322223 Plastics, Foil, and Coated Paper Bag Manufacturing
 - i) NAICS Code 322224 Uncoated Paper and Multiwall Bag Manufacturing
 - j) NAICS Code 322225 Laminated Aluminum Foil Manufacturing for Flexible Packaging Uses
 - k) NAICS Code 322226 Surface-Coated Paperboard Manufacturing
 - l) NAICS Code 322231 Die-Cut Paper and Paperboard Office Supplies Manufacturing
 - m) NAICS Code 322232 Envelope Manufacturing
 - n) NAICS Code 322233 Stationery, Tablet, and Related Product Manufacturing
 - o) NAICS Code 322291 Sanitary Paper Product Manufacturing
 - p) NAICS Code 322299 All Other Converted Paper Product Manufacturing
- 10. Printing and Related Support Activities**
- a) NAICS Code 323110 Commercial Lithographic Printing
 - b) NAICS Code 323111 Commercial Gravure Printing
 - c) NAICS Code 323112 Commercial Flexographic Printing
 - d) NAICS Code 323113 Commercial Screen Printing
 - e) NAICS Code 323114 Quick Printing
 - f) NAICS Code 323115 Digital Printing
 - g) NAICS Code 323116 Manifold Business Forms Printing
 - h) NAICS Code 323117 Books Printing
 - i) NAICS Code 323118 Blankbook, Looseleaf Binders, and Devices Manufacturing
 - j) NAICS Code 323119 Other Commercial Printing
 - k) NAICS Code 323121 Tradebinding and Related Work
 - l) NAICS Code 323122 Prepress Services
- 11. Petroleum and Coal Products Manufacturing**
- a) NAICS Code 324110 Petroleum Refineries
- 12. Chemical Manufacturing**
- a) NAICS Code 325120 Industrial Gas Manufacturing
 - b) NAICS Code 325131 Inorganic Dye and Pigment Manufacturing
 - c) NAICS Code 325132 Synthetic Organic Dye and Pigment Manufacturing
 - d) NAICS Code 325188 All Other Basic Inorganic Chemical Manufacturing
 - e) NAICS Code 325191 Gum and Wood Chemical Manufacturing
 - f) NAICS Code 325192 Cyclic Crude and Intermediate Manufacturing
 - g) NAICS Code 325193 Ethyl Alcohol Manufacturing
 - h) NAICS Code 325199 All Other Basic Organic Chemical Manufacturing
 - i) NAICS Code 325211 Plastics Material and Resin Manufacturing
 - j) NAICS Code 325212 Synthetic Rubber Manufacturing
 - k) NAICS Code 325221 Cellulosic Organic Fiber Manufacturing
 - l) NAICS Code 325222 Noncellulosic Organic Fiber Manufacturing
 - m) NAICS Code 325411 Medicinal and Botanical Manufacturing
 - n) NAICS Code 325412 Pharmaceutical Preparation Manufacturing
 - o) NAICS Code 325413 In-Vitro Diagnostic Substance Manufacturing
 - p) NAICS Code 325414 Biological Product (except Diagnostic) Manufacturing
 - q) NAICS Code 325510 Paint and Coating Manufacturing
 - r) NAICS Code 325520 Adhesive Manufacturing
 - s) NAICS Code 325611 Soap and Other Detergent Manufacturing
 - t) NAICS Code 325612 Polish and Other Sanitation Good Manufacturing
 - u) NAICS Code 325613 Surface Active Agent Manufacturing
 - v) NAICS Code 325620 Toilet Preparation Manufacturing
 - w) NAICS Code 325910 Printing Ink Manufacturing
 - x) NAICS Code 325920 Explosives Manufacturing
 - y) NAICS Code 325991 Custom Compounding of Purchased Resins
 - z) NAICS Code 325992 Photographic Film, Paper, Plate, and Chemical Manufacturing
 - aa) NAICS Code 325998 All Other Miscellaneous Chemical Product and Preparation Manufacturing
- 13. Plastics and Rubber Products Manufacturing**
- a) NAICS Code 326111 Plastics Bag Manufacturing
 - b) NAICS Code 326112 Plastics Packaging Film and Sheet (including Laminated) Manufacturing

- c) NAICS Code 326113 Unlaminated Plastics Film and Sheet (except Packaging) Manufacturing
 - d) NAICS Code 326121 Unlaminated Plastics Profile Shape Manufacturing
 - e) NAICS Code 326122 Plastics Pipe and Pipe Fitting Manufacturing
 - f) NAICS Code 326130 Laminated Plastics Plate, Sheet (except Packaging), and Shape manufacturing
 - g) NAICS Code 326140 Polystyrene Foam Product Manufacturing
 - h) NAICS Code 326150 Urethane and Other Foam Product (except Polystyrene) Manufacturing
 - i) NAICS Code 326160 Plastics Bottle Manufacturing
 - j) NAICS Code 326191 Plastics Plumbing Fixture Manufacturing
 - k) NAICS Code 326192 Resilient Floor Covering Manufacturing
 - l) NAICS Code 326199 All Other Plastics Product Manufacturing
 - m) NAICS Code 326220 Rubber and Plastics Hoses and Belting Manufacturing
 - n) NAICS Code 326291 Rubber Product Manufacturing for Mechanical Use
 - o) NAICS Code 326299 All Other Rubber Product Manufacturing
- 14. Nonmetallic Mineral Product Manufacturing**
- a) NAICS Code 327111 Vitreous China Plumbing Fixture and China and Earthenware Bathroom Accessories Manufacturing
 - b) NAICS Code 327112 Vitreous China, Fine Earthenware, and Other Pottery Product Manufacturing
 - c) NAICS Code 327113 Porcelain Electrical Supply Manufacturing
 - d) NAICS Code 327121 Brick and Structural Clay Tile Manufacturing
 - e) NAICS Code 327122 Ceramic Wall and Floor Tile Manufacturing
 - f) NAICS Code 327123 Other Structural Clay Product Manufacturing
 - g) NAICS Code 327124 Clay Refractory Manufacturing
 - h) NAICS Code 327125 Nonclay Refractory Manufacturing
 - i) NAICS Code 327211 Flat Glass Manufacturing
 - j) NAICS Code 327212 Other Pressed and Blown Glass and Glassware Manufacturing
 - k) NAICS Code 327213 Glass Container Manufacturing
 - l) NAICS Code 327215 Glass Product Manufacturing Made of Purchased Glass
 - m) NAICS Code 327410 Lime Manufacturing
 - n) NAICS Code 327420 Gypsum Product Manufacturing
 - o) NAICS Code 327910 Abrasive Product Manufacturing
 - p) NAICS Code 327991 Cut Stone and Stone Product Manufacturing
 - q) NAICS Code 327992 Ground or Treated Mineral and Earth Manufacturing
 - r) NAICS Code 327993 Mineral Wool Manufacturing
 - s) NAICS Code 327999 All Other Miscellaneous Nonmetallic Mineral Product Manufacturing
- 15. Fabricated Metal Product Manufacturing**
- a) NAICS Code 332114 Custom Roll Forming
 - b) NAICS Code 332115 Crown and Closure Manufacturing
 - c) NAICS Code 332116 Metal Stamping
 - d) NAICS Code 332117 Powder Metallurgy Part Manufacturing
 - e) NAICS Code 332211 Cutlery and Flatware (except Precious) Manufacturing
 - f) NAICS Code 332212 Hand and Edge Tool Manufacturing
 - g) NAICS Code 332213 Saw Blade and Handsaw Manufacturing
 - h) NAICS Code 332214 Kitchen Utensil, Pot, and Pan Manufacturing
 - i) NAICS Code 332311 Prefabricated Metal Building and Component Manufacturing
 - j) NAICS Code 332312 Fabricated Structural Metal Manufacturing
 - k) NAICS Code 332313 Plate Work Manufacturing
 - l) NAICS Code 332321 Metal Window and Door Manufacturing
 - m) NAICS Code 332322 Sheet Metal Work Manufacturing
 - n) NAICS Code 332323 Ornamental and Architectural Metal Work Manufacturing
 - o) NAICS Code 332410 Power Boiler and Heat Exchanger Manufacturing
 - p) NAICS Code 332420 Metal Tank (Heavy Gauge) Manufacturing
 - q) NAICS Code 332431 Metal Can Manufacturing
 - r) NAICS Code 332439 Other Metal Container Manufacturing
 - s) NAICS Code 332510 Hardware Manufacturing
 - t) NAICS Code 332611 Spring (Heavy Gauge) Manufacturing
 - u) NAICS Code 332612 Spring (Light Gauge) Manufacturing
 - v) NAICS Code 332618 Other Fabricated Wire Product Manufacturing

- w) NAICS Code 332721 Precision Turned Product Manufacturing
- x) NAICS Code 332722 Bolt, Nut, Screw, Rivet, and Washer Manufacturing
- y) NAICS Code 332811 Metal Heat Treating
- z) NAICS Code 332812 Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
- aa) NAICS Code 332813 Electroplating, Plating, Polishing, Anodizing, and Coloring
- bb) NAICS Code 332911 Industrial Valve Manufacturing
- cc) NAICS Code 332912 Fluid Power Valve and Hose Fitting Manufacturing
- dd) NAICS Code 332913 Plumbing Fixture Fitting and Trim Manufacturing
- ee) NAICS Code 332919 Other Metal Valve and Pipe Fitting Manufacturing
- ff) NAICS Code 332991 Ball and Roller Bearing Manufacturing
- gg) NAICS Code 332992 Small Arms Ammunition Manufacturing
- hh) NAICS Code 332993 Ammunition (except Small Arms) Manufacturing
- ii) NAICS Code 332994 Small Arms Manufacturing
- jj) NAICS Code 332995 Other Ordnance and Accessories Manufacturing
- kk) NAICS Code 332996 Fabricated Pipe and Pipe Fitting Manufacturing
- ll) NAICS Code 332997 Industrial Pattern Manufacturing
- mm) NAICS Code 332998 Enameled Iron and Metal Sanitary Ware Manufacturing
- nn) NAICS Code 332999 All Other Miscellaneous Fabricated Metal Product Manufacturing

16. Machinery Manufacturing

- a) NAICS Code 333111 Farm Machinery and Equipment Manufacturing
- b) NAICS Code 333112 Lawn and Garden Tractor and Home Lawn and Garden Equipment Manufacturing
- c) NAICS Code 333120 Construction Machinery Manufacturing
- d) NAICS Code 333131 Mining Machinery and Equipment Manufacturing
- e) NAICS Code 333132 Oil and Gas Field Machinery and Equipment Manufacturing
- f) NAICS Code 333210 Sawmill and Woodworking Machinery Manufacturing
- g) NAICS Code 333220 Plastics and Rubber Industry Machinery Manufacturing
- h) NAICS Code 333291 Paper Industry Machinery Manufacturing
- i) NAICS Code 333292 Textile Machinery Manufacturing
- j) NAICS Code 333293 Printing Machinery and Equipment Manufacturing
- k) NAICS Code 333294 Food Product Machinery Manufacturing
- l) NAICS Code 333295 Semiconductor Machinery Manufacturing
- m) NAICS Code 333298 All Other Industrial Machinery Manufacturing
- n) NAICS Code 333311 Automatic Vending Machine Manufacturing
- o) NAICS Code 333312 Commercial Laundry, Drycleaning, and Pressing Machine Manufacturing
- p) NAICS Code 333313 Office Machinery Manufacturing
- q) NAICS Code 333314 Optical Instrument and Lens Manufacturing
- r) NAICS Code 333315 Photographic and Photocopying Equipment Manufacturing
- s) NAICS Code 333319 Other Commercial and Service Industry Machinery Manufacturing
- t) NAICS Code 333411 Air Purification Equipment Manufacturing
- u) NAICS Code 333412 Industrial and Commercial Fan and Blower Manufacturing
- v) NAICS Code 333414 Heating Equipment (except Warm Air Furnaces) Manufacturing
- w) NAICS Code 333415 Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing
- x) NAICS Code 333511 Industrial Mold Manufacturing
- y) NAICS Code 333512 Machine Tool (Metal Cutting Types) Manufacturing
- z) NAICS Code 333513 Machine Tool (Metal Forming Types) Manufacturing
- aa) NAICS Code 333514 Special Die and Tool, Die Set, Jig, and Fixture Manufacturing
- bb) NAICS Code 333515 Cutting Tool and Machine Tool Accessory Manufacturing
- cc) NAICS Code 333516 Rolling Mill Machinery and Equipment Manufacturing
- dd) NAICS Code 333518 Other Metalworking Machinery Manufacturing
- ee) NAICS Code 333611 Turbine and Turbine Generator Set Units Manufacturing
- ff) NAICS Code 333612 Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing
- gg) NAICS Code 333613 Mechanical Power Transmission Equipment Manufacturing
- hh) NAICS Code 333618 Other Engine Equipment Manufacturing
- ii) NAICS Code 333911 Pump and Pumping Equipment Manufacturing
- jj) NAICS Code 333912 Air and Gas Compressor Manufacturing
- kk) NAICS Code 333913 Measuring and Dispensing Pump Manufacturing

- ll) NAICS Code 333921 Elevator and Moving Stairway Manufacturing
- mm) NAICS Code 333922 Conveyor and Conveying Equipment Manufacturing
- nn) NAICS Code 333923 Overhead Traveling Crane, Hoist, and Monorail System Manufacturing
- oo) NAICS Code 333924 Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing
- pp) NAICS Code 333991 Power-Driven Handtool Manufacturing
- qq) NAICS Code 333992 Welding and Soldering Equipment Manufacturing
- rr) NAICS Code 333993 Packaging Machinery Manufacturing
- ss) NAICS Code 333994 Industrial Process Furnace and Oven Manufacturing
- tt) NAICS Code 333995 Fluid Power Cylinder and Actuator Manufacturing
- uu) NAICS Code 333996 Fluid Power Pump and Motor Manufacturing
- vv) NAICS Code 333997 Scale and Balance (except Laboratory) Manufacturing
- ww) NAICS Code 333999 All Other Miscellaneous General Purpose Machinery Manufacturing

17. Computer and Electronic Product Manufacturing

- a) NAICS Code 334111 Electronic Computer Manufacturing
- b) NAICS Code 334112 Computer Storage Device Manufacturing
- c) NAICS Code 334113 Computer Terminal Manufacturing
- d) NAICS Code 334119 Other Computer Peripheral Equipment Manufacturing
- e) NAICS Code 334210 Telephone Apparatus Manufacturing
- f) NAICS Code 334220 Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing
- g) NAICS Code 334290 Other Communications Equipment Manufacturing
- h) NAICS Code 334310 Audio and Video Equipment Manufacturing
- i) NAICS Code 334411 Electron Tube Manufacturing
- j) NAICS Code 334412 Bare Printed Circuit Board Manufacturing
- k) NAICS Code 334413 Semiconductor and Related Device Manufacturing
- l) NAICS Code 334414 Electronic Capacitor Manufacturing
- m) NAICS Code 334415 Electronic Resistor Manufacturing
- n) NAICS Code 334416 Electronic Coil, Transformer, and Other Inductor Manufacturing
- o) NAICS Code 334417 Electronic Connector Manufacturing
- p) NAICS Code 334418 Printed Circuit Assembly (Electronic Assembly) Manufacturing
- q) NAICS Code 334419 Other Electronic Component Manufacturing
- r) NAICS Code 334510 Electromedical and Electrotherapeutic Apparatus Manufacturing
- s) NAICS Code 334511 Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing
- t) NAICS Code 334512 Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use
- u) NAICS Code 334513 Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables
- v) NAICS Code 334514 Totalizing Fluid Meter and Counting Device Manufacturing
- w) NAICS Code 334515 Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals
- x) NAICS Code 334516 Analytical Laboratory Instrument Manufacturing
- y) NAICS Code 334517 Irradiation Apparatus Manufacturing
- z) NAICS Code 334518 Watch, Clock, and Part Manufacturing
- aa) NAICS Code 334519 Other Measuring and Controlling Device Manufacturing
- bb) NAICS Code 334611 Software Reproducing
- cc) NAICS Code 334612 Prerecorded Compact Disc (except Software), Tape, and Record Reproducing
- dd) NAICS Code 334613 Magnetic and Optical Recording Media Manufacturing

18. Electrical Equipment, Appliance, and Component Manufacturing

- a) NAICS Code 335110 Electric Lamp Bulb and Part Manufacturing
- b) NAICS Code 335121 Residential Electric Lighting Fixture Manufacturing
- c) NAICS Code 335122 Commercial, Industrial, and Institutional Electric Lighting Fixture Manufacturing
- d) NAICS Code 335129 Other Lighting Equipment Manufacturing
- e) NAICS Code 335211 Electric Housewares and Household Fan Manufacturing
- f) NAICS Code 335212 Household Vacuum Cleaner Manufacturing
- g) NAICS Code 335221 Household Cooking Appliance Manufacturing
- h) NAICS Code 335222 Household Refrigerator and Home Freezer Manufacturing

- i) NAICS Code 335224 Household Laundry Equipment Manufacturing
- j) NAICS Code 335228 Other Major Household Appliance Manufacturing
- k) NAICS Code 335311 Power, Distribution, and Specialty Transformer Manufacturing
- l) NAICS Code 335312 Motor and Generator Manufacturing
- m) NAICS Code 335313 Switchgear and Switchboard Apparatus Manufacturing
- n) NAICS Code 335314 Relay and Industrial Control Manufacturing
- o) NAICS Code 335911 Storage Battery Manufacturing
- p) NAICS Code 335912 Primary Battery Manufacturing
- q) NAICS Code 335921 Fiber Optic Cable Manufacturing
- r) NAICS Code 335929 Other Communication and Energy Wire Manufacturing
- s) NAICS Code 335931 Current-Carrying Wiring Device Manufacturing
- t) NAICS Code 335932 Noncurrent-Carrying Wiring Device Manufacturing
- u) NAICS Code 335991 Carbon and Graphite Product Manufacturing
- v) NAICS Code 335999 All Other Miscellaneous Electrical Equipment and Component Manufacturing

19. Transportation and Equipment Manufacturing

- a) NAICS Code 336311 Carburetor, Piston, Piston Ring, and Valve Manufacturing
- b) NAICS Code 336312 Gasoline Engine and Engine Parts Manufacturing
- c) NAICS Code 336321 Vehicular Lighting Equipment Manufacturing
- d) NAICS Code 336322 Other Motor Vehicle Electrical and Electronic Equipment Manufacturing
- e) NAICS Code 336330 Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing
- f) NAICS Code 336340 Motor Vehicle Brake System Manufacturing
- g) NAICS Code 336350 Motor Vehicle Transmission and Power Train Parts Manufacturing
- h) NAICS Code 336360 Motor Vehicle Seating and Interior Trim Manufacturing
- i) NAICS Code 336370 Motor Vehicle Metal Stamping
- j) NAICS Code 336391 Motor Vehicle Air-Conditioning Manufacturing
- k) NAICS Code 336399 All Other Motor Vehicle Parts Manufacturing
- l) NAICS Code 336411 Aircraft Manufacturing
- m) NAICS Code 336412 Aircraft Engine and Engine Parts Manufacturing
- n) NAICS Code 336413 Other Aircraft Parts and Auxiliary Equipment Manufacturing
- o) NAICS Code 336414 Guided Missile and Space Vehicle Manufacturing
- p) NAICS Code 336415 Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing
- q) NAICS Code 336419 Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing
- r) NAICS Code 336510 Railroad Rolling Stock Manufacturing
- s) NAICS Code 336611 Ship Building and Repairing
- t) NAICS Code 336612 Boat Building
- u) NAICS Code 336991 Motorcycle, Bicycle, and Parts Manufacturing
- v) NAICS Code 336992 Military Armored Vehicle, Tank, and Tank Component Manufacturing
- w) NAICS Code 336999 All Other Transportation Equipment Manufacturing

20. Furniture and Related Product Manufacturing

- a) NAICS Code 337110 Wood Kitchen Cabinet and Countertop Manufacturing
- b) NAICS Code 337121 Upholstered Household Furniture Manufacturing
- c) NAICS Code 337122 Nonupholstered Wood Household Furniture Manufacturing
- d) NAICS Code 337124 Metal Household Furniture Manufacturing
- e) NAICS Code 337125 Household Furniture (except Wood and Metal) Manufacturing
- f) NAICS Code 337127 Institutional Furniture Manufacturing
- g) NAICS Code 337129 Wood Television, Radio, and Sewing Machine Cabinet Manufacturing
- h) NAICS Code 337211 Wood Office Furniture Manufacturing
- i) NAICS Code 337212 Custom Architectural Woodwork and Millwork Manufacturing
- j) NAICS Code 337214 Office Furniture (except Wood) Manufacturing
- k) NAICS Code 337215 Showcase, Partition, Shelving, and Locker Manufacturing
- l) NAICS Code 337910 Mattress Manufacturing
- m) NAICS Code 337920 Blind and Shade Manufacturing

21. Miscellaneous Manufacturing

- a) NAICS Code 339111 Laboratory Apparatus and Furniture Manufacturing
- b) NAICS Code 339112 Surgical and Medical Instrument Manufacturing

- c) NAICS Code 339113 Surgical Appliance and Supplies Manufacturing
- d) NAICS Code 339114 Dental Equipment and Supplies Manufacturing
- e) NAICS Code 339115 Ophthalmic Goods Manufacturing
- f) NAICS Code 339116 Dental Laboratories
- g) NAICS Code 339911 Jewelry (except Costume) Manufacturing
- h) NAICS Code 339912 Silverware and Hollowware Manufacturing
- i) NAICS Code 339913 Jewelers' Material and Lapidary Work Manufacturing
- j) NAICS Code 339914 Costume Jewelry and Novelty Manufacturing
- k) NAICS Code 339920 Sporting and Athletic Goods Manufacturing
- l) NAICS Code 339931 Doll and Stuffed Toy Manufacturing
- m) NAICS Code 339932 Game, Toy, and Children's Vehicle Manufacturing
- n) NAICS Code 339941 Pen and Mechanical Pencil Manufacturing
- o) NAICS Code 339942 Lead Pencil and Art Good Manufacturing
- p) NAICS Code 339943 Marking Device Manufacturing
- q) NAICS Code 339944 Carbon Paper and Inked Ribbon Manufacturing
- r) NAICS Code 339950 Sign Manufacturing
- s) NAICS Code 339991 Gasket, Packing, and Sealing Device Manufacturing
- t) NAICS Code 339992 Musical Instrument Manufacturing
- u) NAICS Code 339993 Fastener, Button, Needle, and Pin Manufacturing
- v) NAICS Code 339994 Broom, Brush, and Mop Manufacturing
- w) NAICS Code 339995 Burial Casket Manufacturing
- x) NAICS Code 339999 All Other Miscellaneous Manufacturing

22. Transportation and Warehousing

- a) NAICS Code 484110 General Freight Trucking, Local
- b) NAICS Code 484121 General Freight Trucking, Long-Distance, Truckload
- c) NAICS Code 484122 General Freight Trucking, Long-Distance, Less Than Truckload
- d) NAICS Code 484210 Used Household and Office Goods Moving
- e) NAICS Code 484220 Specialized Freight (except Used Goods) Trucking, Local
- f) NAICS Code 484230 Specialized Freight (except Used Goods) Trucking, Long-Distance
- g) NAICS Code 488490 Other Support Activities for Road Transportation
- h) NAICS Code 488510 Freight Transportation Arrangement
- i) NAICS Code 488991 Packing and Crating
- j) NAICS Code 488999 All Other Support Activities for Transportation
- k) NAICS Code 493110 General Warehousing and Storage
- l) NAICS Code 493120 Refrigerated Warehousing and Storage
- m) NAICS Code 493130 Farm Product Warehousing and Storage

23. Real Estate and Rental and Leasing

- a) NAICS Code 532411 Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing
- b) NAICS Code 532412 Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing

24. Arts, Entertainment, Recreation

- a) NAICS Code 713940 Fitness and Recreational Sports Centers

B. Conditionally Permitted Uses:

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. Agriculture, Forestry, Fishing, and Hunting

- a) NAICS Code 111110 Soybean Farming
- b) NAICS Code 111120 Oilseed (except Soybean) Farming
- c) NAICS Code 111130 Dry Pea and Bean Farming
- d) NAICS Code 111140 Wheat Farming
- e) NAICS Code 111150 Corn Farming
- f) NAICS Code 111160 Rice Farming
- g) NAICS Code 111191 Oilseed and Grain Combination Farming
- h) NAICS Code 111199 All Other Grain Farming
- i) NAICS Code 111211 Potato Farming
- j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming

- k) NAICS Code 111310 Orange Groves
- l) NAICS Code 111320 Citrus (except Orange) Groves
- m) NAICS Code 111331 Apple Orchards
- n) NAICS Code 111332 Grape Vineyards
- o) NAICS Code 111333 Strawberry Farming
- p) NAICS Code 111334 Berry (except Strawberry) Farming
- q) NAICS Code 111335 Tree Nut Farming
- r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
- s) NAICS Code 111339 Other Noncitrus Fruit Farming
- t) NAICS Code 111411 Mushroom Production
- u) NAICS Code 111419 Other Food Crops Grown Under Cover
- v) NAICS Code 111421 Nursery and Tree Production
- w) NAICS Code 111422 Floriculture Production
- x) NAICS Code 111910 Tobacco Farming
- y) NAICS Code 111920 Cotton Farming
- z) NAICS Code 111930 Sugarcane Farming
- aa) NAICS Code 111940 Hay Farming
- bb) NAICS Code 111991 Sugar Beet Farming
- cc) NAICS Code 111992 Peanut Farming
- dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
- ee) NAICS Code 112111 Beef Cattle Ranching and Farming
- ff) NAICS Code 112112 Cattle Feedlots
- gg) NAICS Code 112120 Dairy Cattle and Milk Production
- hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
- ii) NAICS Code 112210 Hog and Pig Farming
- jj) NAICS Code 112310 Chicken Egg Production
- kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
- ll) NAICS Code 112330 Turkey Production
- mm) NAICS Code 112340 Poultry Hatcheries
- nn) NAICS Code 112390 Other Poultry Production
- oo) NAICS Code 112410 Sheep Farming
- pp) NAICS Code 112420 Goat Farming
- qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
- rr) NAICS Code 112512 Shellfish Farming
- ss) NAICS Code 112519 Other Animal Aquaculture
- tt) NAICS Code 112910 Apiculture
- uu) NAICS Code 112920 Horses and Other Equine Production
- vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
- ww) NAICS Code 112990 All Other Animal Production
- xx) NAICS Code 113110 Timber Tract Operations
- yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
- zz) NAICS Code 113310 Logging
- aaa) NAICS Code 114111 Finfish Fishing
- bbb) NAICS Code 114112 Shellfish Fishing
- ccc) NAICS Code 114119 Other Marine Fishing
- ddd) NAICS Code 114210 Hunting and Trapping
- eee) NAICS Code 115111 Cotton Ginning
- fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
- ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
- hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
- iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
- jjj) NAICS Code 115116 Farm Management Services
- kkk) NAICS Code 115210 Support Activities for Animal Production
- lll) NAICS Code 115310 Support Activities for Forestry

2. Manufacturing

- a) NAICS Code 324121 Asphalt Paving Mixture and Block Manufacturing
- b) NAICS Code 324122 Asphalt Shingle and Coating Materials Manufacturing
- c) NAICS Code 327310 Cement Manufacturing
- d) NAICS Code 327320 Ready-Mix Concrete Manufacturing

- e) NAICS Code 327331 Concrete Block and Brick Manufacturing
 - f) NAICS Code 327332 Concrete Pipe Manufacturing
 - g) NAICS Code 327390 Other Concrete Product Manufacturing
 - h) NAICS Code 332710 Machine Shops
- 1.) Shall contain no more than 7,500 gross square feet of floor area per parcel

3. Wholesale Trade

- a) NAICS Code 423930 Recyclable Material Merchant Wholesalers

4. Transportation and Warehousing

- a) NAICS Code 488410 Motor Vehicle Towing
- b) NAICS Code 493190 Other Warehousing and Storage

A. General Requirements

1. **Height Limit:** No portion of a building shall be erected or enlarged to exceed two and one-half (2 1/2) stories or thirty-five (35) feet.
2. **Lot Area, Width & Depth:** Every lot shall have a minimum width of two hundred fifty (250) feet and a minimum of not less than two (2) acres in area, exclusive of road right-of-way and shall be in addition to any easement of record. All lots must be serviced by public water and sewer.
3. **Front Yard:** There shall be a front yard of not less than fifty (50) feet in depth.
4. **Side Yard:** There shall be side yards of not less than thirty (30) feet in width.
5. **Rear Yard:** There shall be a rear yard of not less than twenty-five (25) feet in depth.
6. **Parking Requirements:** Shall be regulated by Article 11 of this zoning resolution.
7. **Signs:** Shall be regulated by Article 12 of this zoning resolution.
8. **Waste:** The storage and disposal of solid wastes and hazardous wastes resulting from the manufacturing process must meet all requirements established by the Ohio Environmental Protection Agency. However, deep injection wells and caustic settling ponds shall not be permitted.
9. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

Section 915 Manufacturing District (M-2)

Permitted uses, dimensional requirements and other regulations of the M-2 Manufacturing District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Agriculture uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code
2. M-1 permitted use activities
3. Accessory uses and structures.
4. **Utilities**
 - a) NAICS Code 221111 Hydroelectric Power Generation
 - b) NAICS Code 221112 Fossil Fuel Electric Power Generation
 - c) NAICS Code 221113 Nuclear Electric Power Generation
 - d) NAICS Code 221119 Other Electric Power Generation
 - e) NAICS Code 221121 Electric Bulk Power Transmission and Control
 - f) NAICS Code 221122 Electric Power Distribution
 - g) NAICS Code 221210 Natural Gas Distribution
 - h) NAICS Code 221310 Water Supply and Irrigation Systems
 - i) NAICS Code 221320 Sewage Treatment Facilities
 - j) NAICS Code 221330 Steam and Air-Conditioning Supply
5. **Manufacturing**
 - a) NAICS Code 316999 All other Leather good Manufacturing leather goods manufacturing
 - b) NAICS Code 312120 Breweries Beverage Industries.
 - c) NAICS Code 336111 Automobile Manufacturing
 - d) NAICS Code 336112 Light Truck and Utility Vehicle Manufacturing
 - e) NAICS Code 336120 Heavy Duty Truck Manufacturing
 - f) NAICS Code 336211 Motor Vehicle Body Manufacturing
 - g) NAICS Code 336212 Truck Trailer Manufacturing
 - h) NAICS Code 336213 Motor Home Manufacturing
 - i) NAICS Code 336214 Travel Trailer and Camper Manufacturing
6. **Administrative and Support and Waste Management and Remediation Service**
 - a) NAICS Code 562920 Materials Recovery Facilities
7. **Arts, Entertainment, and Recreation**
 - a) NAICS Code 713110 Amusement and Theme Parks

B. Conditionally Permitted Uses:

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

1. **Agriculture, Forestry, Fishing, and Hunting**
 - a) NAICS Code 111110 Soybean Farming
 - b) NAICS Code 111120 Oilseed (except Soybean) Farming
 - c) NAICS Code 111130 Dry Pea and Bean Farming
 - d) NAICS Code 111140 Wheat Farming
 - e) NAICS Code 111150 Corn Farming
 - f) NAICS Code 111160 Rice Farming
 - g) NAICS Code 111191 Oilseed and Grain Combination Farming
 - h) NAICS Code 111199 All Other Grain Farming
 - i) NAICS Code 111211 Potato Farming
 - j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
 - k) NAICS Code 111310 Orange Groves
 - l) NAICS Code 111320 Citrus (except Orange) Groves
 - m) NAICS Code 111331 Apple Orchards
 - n) NAICS Code 111332 Grape Vineyards
 - o) NAICS Code 111333 Strawberry Farming
 - p) NAICS Code 111334 Berry (except Strawberry) Farming
 - q) NAICS Code 111335 Tree Nut Farming

r)	NAICS Code 111336	Fruit and Tree Nut Combination Farming
s)	NAICS Code 111339	Other Noncitrus Fruit Farming
t)	NAICS Code 111411	Mushroom Production
u)	NAICS Code 111419	Other Food Crops Grown Under Cover
v)	NAICS Code 111421	Nursery and Tree Production
w)	NAICS Code 111422	Floriculture Production
x)	NAICS Code 111910	Tobacco Farming
y)	NAICS Code 111920	Cotton Farming
z)	NAICS Code 111930	Sugarcane Farming
aa)	NAICS Code 111940	Hay Farming
bb)	NAICS Code 111991	Sugar Beet Farming
cc)	NAICS Code 111992	Peanut Farming
dd)	NAICS Code 111998	All Other Miscellaneous Crop Farming
ee)	NAICS Code 112111	Beef Cattle Ranching and Farming
ff)	NAICS Code 112112	Cattle Feedlots
gg)	NAICS Code 112120	Dairy Cattle and Milk Production
hh)	NAICS Code 112130	Dual-Purpose Cattle Ranching and Farming
ii)	NAICS Code 112210	Hog and Pig Farming
jj)	NAICS Code 112310	Chicken Egg Production
kk)	NAICS Code 112320	Broilers and Other Meat Type Chicken Production
ll)	NAICS Code 112330	Turkey Production
mm)	NAICS Code 112340	Poultry Hatcheries
nn)	NAICS Code 112390	Other Poultry Production
oo)	NAICS Code 112410	Sheep Farming
pp)	NAICS Code 112420	Goat Farming
qq)	NAICS Code 112511	Finfish Farming and Fish Hatcheries
rr)	NAICS Code 112512	Shellfish Farming
ss)	NAICS Code 112519	Other Animal Aquaculture
tt)	NAICS Code 112910	Apiculture
uu)	NAICS Code 112920	Horses and Other Equine Production
vv)	NAICS Code 112930	Fur-Bearing Animal and Rabbit Production
ww)	NAICS Code 112990	All Other Animal Production
xx)	NAICS Code 113110	Timber Tract Operations
yy)	NAICS Code 113210	Forest Nurseries and Gathering of Forest Products
zz)	NAICS Code 113310	Logging
aaa)	NAICS Code 114111	Finfish Fishing
bbb)	NAICS Code 114112	Shellfish Fishing
ccc)	NAICS Code 114119	Other Marine Fishing
ddd)	NAICS Code 114210	Hunting and Trapping
eee)	NAICS Code 115111	Cotton Ginning
fff)	NAICS Code 115112	Soil Preparation, Planting, and Cultivating
ggg)	NAICS Code 115113	Crop Harvesting, Primarily by Machine
hhh)	NAICS Code 115114	Postharvest Crop Activities (except Cotton Ginning)
iii)	NAICS Code 115115	Farm Labor Contractors and Crew Leaders
jjj)	NAICS Code 115116	Farm Management Services
kkk)	NAICS Code 115210	Support Activities for Animal Production
lll)	NAICS Code 115310	Support Activities for Forestry

2. Manufacturing

a)	NAICS Code 331311	Alumina Refining
b)	NAICS Code 331312	Primary Aluminum Production
c)	NAICS Code 331314	Secondary Smelting and Alloying of Aluminum
d)	NAICS Code 331315	Aluminum Sheet, Plate, and Foil Manufacturing
e)	NAICS Code 331316	Aluminum Extruded Product Manufacturing
f)	NAICS Code 331319	Other Aluminum Rolling and Drawing
g)	NAICS Code 331411	Primary Smelting and Refining of Copper
h)	NAICS Code 331419	Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum)
i)	NAICS Code 331421	Copper Rolling, Drawing, and Extruding
j)	NAICS Code 331422	Copper Wire (except Mechanical) Drawing

k)	NAICS Code 331423	Secondary Smelting, Refining, and Alloying of Copper
l)	NAICS Code 331491	Nonferrous Metal (except Copper and Aluminum) Rolling, Drawing, and Extruding
m)	NAICS Code 331492	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
n)	NAICS Code 331524	Aluminum Foundries (except Die-Casting)
o)	NAICS Code 331525	Copper Foundries (except Die-Casting)
p)	NAICS Code 331528	Other Nonferrous Foundries (except Die-Casting)
q)	NAICS Code 332111	Iron and Steel Forging
r)	NAICS Code 332112	Nonferrous Forging
s)	NAICS Code 331111	Iron and Steel Mills.
t)	NAICS Code 331112	Electrometallurgical Ferroalloy Product Manufacturing
u)	NAICS Code 331210	Iron and Steel Pipe and Tube Manufacturing from Purchased Steel
v)	NAICS Code 331221	Rolled Steel Shape Manufacturing
w)	NAICS Code 331222	Steel Wire Drawing
x)	NAICS Code 321113	Sawmills
y)	NAICS Code 324121	Asphalt Paving Mixture and Block Manufacturing
z)	NAICS Code 324122	Asphalt Shingle and Coating Materials Manufacturing
aa)	NAICS Code 327320	Ready-Mix Concrete Manufacturing
bb)	NAICS Code 327331	Concrete Block and Brick Manufacturing
cc)	NAICS Code 327332	Concrete Pipe Manufacturing
dd)	NAICS Code 327390	Other Concrete Product Manufacturing

C. General Requirements

Before any operation begins, and in order to continue, the facility must meet any and all other local, county, state and federal regulations (including, but not limited to; health, safety, and transportation and environmental safety).

- 1. Height Limit:** No portion of a building shall be erected or enlarged to exceed three (3) stories or forty-five (45) feet.
- 2. Lot Area, Width & Depth:** Every lot shall have a minimum width of five hundred (500) feet and a minimum of not less than five (5) acres in area, exclusive of road right-of-way and shall be in addition to any easements of record. All lots must be serviced by public water and sewer.
- 3. Front Yard:** There shall be a front yard of not less than one hundred (100) feet in depth.
- 4. Side Yard:** There shall be side yards of not less than thirty-five (35) feet in width.
- 5. Rear Yard:** There shall be a rear yard of not less than fifty (50) feet in depth.
- 6. Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.
- 7. Parking Requirements:** Shall be regulated by Article 11 of this zoning resolution.
- 8. Signs:** Shall be regulated by Article 12 of this zoning resolution.
- 9. Waste:** The storage and disposal of solid wastes and hazardous wastes resulting from the manufacturing process must meet all requirements established by the Ohio Environmental Protection Agency. However, deep injection wells and caustic settling ponds shall not be permitted.
- 10. Maximum Lot Occupancy:** The maximum percentage of the lot area, which may be occupied, by both principal and/or accessory buildings shall be seventy (70) percent.
- 11. Drainage:** The rate of runoff from a developed site shall be no greater after development than it was prior to development. The method used to determine this shall be in accordance with the latest guidelines established by the United States Soil Conservation Service.

Section 916 Manufacturing District (M-3)

Permitted uses, dimensional requirements and other regulations of the M-3 Manufacturing District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Agriculture uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code
2. Accessory uses and structures.
3. Manufacturing
 - a) NAICS Code 313111 Yarn Spinning Mills
 - b) NAICS Code 313112 Yarn Texturizing, Throwing, and Twisting Mills
 - c) NAICS Code 313113 Thread Mills
 - d) NAICS Code 313210 Broadwoven Fabric Mills
 - e) NAICS Code 313221 Narrow Fabric Mills
 - f) NAICS Code 313222 Schiffli Machine Embroidery
 - g) NAICS Code 313230 Nonwoven Fabric Mills
 - h) NAICS Code 313241 Weft Knit Fabric Mills
 - i) NAICS Code 313249 Other Knit Fabric and Lace Mills
 - j) NAICS Code 313311 Broadwoven Fabric Finishing Mills
 - k) NAICS Code 313312 Textile and Fabric Finishing (except Broadwoven Fabric) Mills
 - l) NAICS Code 313320 Fabric Coating Mills
 - m) NAICS Code 314110 Carpet and Rug Mills
 - n) NAICS Code 314121 Curtain and Drapery Mills
 - o) NAICS Code 314129 Other Household Textile Product Mills
 - p) NAICS Code 314911 Textile Bag Mills
 - q) NAICS Code 314912 Canvas and Related Product Mills
 - r) NAICS Code 314991 Rope, Cordage, and Twine Mills
 - s) NAICS Code 314992 Tire Cord and Tire Fabric Mills
 - t) NAICS Code 314999 All Other Miscellaneous Textile Product Mills
 - u) NAICS Code 315111 Sheer Hosiery Mills
 - v) NAICS Code 315119 Other Hosiery and Sock Mills
 - w) NAICS Code 315191 Outerwear Knitting Mills
 - x) NAICS Code 315192 Underwear and Nightwear Knitting Mills
 - y) NAICS Code 332994 Small Arms Manufacturing

B. Conditionally Permitted Uses: After obtaining a valid conditional use permit in accordance with Article 5 of this Zoning Resolution, and any other provisions of this Zoning Resolution, the following uses may be conditionally permitted:

1. **Agriculture, Forestry, Fishing, and Hunting**
 - a) NAICS Code 111110 Soybean Farming
 - b) NAICS Code 111120 Oilseed (except Soybean) Farming
 - c) NAICS Code 111130 Dry Pea and Bean Farming
 - d) NAICS Code 111140 Wheat Farming
 - e) NAICS Code 111150 Corn Farming
 - f) NAICS Code 111160 Rice Farming
 - g) NAICS Code 111191 Oilseed and Grain Combination Farming
 - h) NAICS Code 111199 All Other Grain Farming
 - i) NAICS Code 111211 Potato Farming
 - j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
 - k) NAICS Code 111310 Orange Groves
 - l) NAICS Code 111320 Citrus (except Orange) Groves
 - m) NAICS Code 111331 Apple Orchards
 - n) NAICS Code 111332 Grape Vineyards
 - o) NAICS Code 111333 Strawberry Farming
 - p) NAICS Code 111334 Berry (except Strawberry) Farming
 - q) NAICS Code 111335 Tree Nut Farming

- r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
- s) NAICS Code 111339 Other Noncitrus Fruit Farming
- t) NAICS Code 111411 Mushroom Production
- u) NAICS Code 111419 Other Food Crops Grown Under Cover
- v) NAICS Code 111421 Nursery and Tree Production
- w) NAICS Code 111422 Floriculture Production
- x) NAICS Code 111910 Tobacco Farming
- y) NAICS Code 111920 Cotton Farming
- z) NAICS Code 111930 Sugarcane Farming
- aa) NAICS Code 111940 Hay Farming
- bb) NAICS Code 111991 Sugar Beet Farming
- cc) NAICS Code 111992 Peanut Farming
- dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
- ee) NAICS Code 112111 Beef Cattle Ranching and Farming
- ff) NAICS Code 112112 Cattle Feedlots
- gg) NAICS Code 112120 Dairy Cattle and Milk Production
- hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
- ii) NAICS Code 112210 Hog and Pig Farming
- jj) NAICS Code 112310 Chicken Egg Production
- kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
- ll) NAICS Code 112330 Turkey Production
- mm) NAICS Code 112340 Poultry Hatcheries
- nn) NAICS Code 112390 Other Poultry Production
- oo) NAICS Code 112410 Sheep Farming
- pp) NAICS Code 112420 Goat Farming
- qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
- rr) NAICS Code 112512 Shellfish Farming
- ss) NAICS Code 112519 Other Animal Aquaculture
- tt) NAICS Code 112910 Apiculture
- uu) NAICS Code 112920 Horses and Other Equine Production
- vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
- ww) NAICS Code 112990 All Other Animal Production
- xx) NAICS Code 113110 Timber Tract Operations
- yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
- zz) NAICS Code 113310 Logging
- aaa) NAICS Code 114111 Finfish Fishing
- bbb) NAICS Code 114112 Shellfish Fishing
- ccc) NAICS Code 114119 Other Marine Fishing
- ddd) NAICS Code 114210 Hunting and Trapping
- eee) NAICS Code 115111 Cotton Ginning
- fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
- ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
- hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
- iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
- jjj) NAICS Code 115116 Farm Management Services
- kkk) NAICS Code 115210 Support Activities for Animal Production
- lll) NAICS Code 115310 Support Activities for Forestry

2. Adult entertainment facilities. Provided that it meets the conditions set forth in Article 15 of this Zoning Resolution

3. **Manufacturing**

- a) NAICS Code 324121 Asphalt Paving Mixture and Block Manufacturing.
- b) NAICS Code 324122 Asphalt Shingle and Coating Materials Manufacturing
- c) NAICS Code 327310 Cement Manufacturing
- d) NAICS Code 327320 Ready-Mix Concrete Manufacturing
- e) NAICS Code 327331 Concrete Block and Brick Manufacturing
- f) NAICS Code 327332 Concrete Pipe Manufacturing
- g) NAICS Code 327390 Other Concrete Product Manufacturing
- h) NAICS Code 331511 Iron Foundries
- i) NAICS Code 331512 Steel Investment Foundries

- j) NAICS Code 331513 Steel Foundries (except Investment)
- k) NAICS Code 331521 Aluminum Die-Casting Foundries
- l) NAICS Code 331522 Nonferrous (except Aluminum) Die-Casting Foundries
- m) NAICS Code 331312 Primary Aluminum Production
- n) NAICS Code 331314 Secondary Smelting and Alloying of Aluminum
- o) NAICS Code 331423 Secondary Smelting, Refining, and Alloying of Copper
- p) NAICS Code 332111 Iron and Steel Forging
- q) NAICS Code 332112 Nonferrous Forging

4. **Arts, Entertainment, and Recreation**

- a) NAICS Code 711310 Promoters of Performing Arts, Sports, and Similar Events with Facilities.

C. General Requirements

Before any operation begins, and in order to continue, the facility must meet any and all other local, county, state and federal regulations (including, but not limited to; health, safety, and transportation and environmental safety).

1. **Height Limit:** No habitable portion of a building shall be erected or enlarged to exceed four (4) stories or forty-five (45) feet.
2. **Lot Area, Width & Depth:** Every lot shall have a minimum width of five hundred (500) feet and a minimum of not less than ten (10) acres in area, exclusive of road right-of-way and shall be in addition to any easements of record. All lots must be serviced by public water and sewer.
3. **Front Yard:** There shall be a front yard of not less than one hundred (100) feet in depth.
4. **Side Yard:** There shall be a side yard of not less than one hundred (100) feet in width.
5. **Rear Yard:** There shall be a rear yard of not less than one hundred (100) feet in depth.
6. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.
7. **Parking Requirements:** Shall be regulated by Article 11 of this Zoning Resolution.
8. **Signs:** Shall be regulated by Article 12 of this Zoning Resolution.
9. **Waste:** The storage and disposal of solid wastes and hazardous wastes resulting from the manufacturing process must meet all requirements established by the Ohio Environmental Protection Agency. However, deep injection wells and caustic settling ponds shall not be permitted.
10. **Maximum Lot Occupancy:** The maximum percentage of the total area, which may be occupied, by both principal and accessory buildings shall be sixty (60) percent.
11. **Drainage:** The rate of runoff from a developed site shall be no greater after development than it was prior to development. The method used to determine this shall be in accordance with the latest guidelines established by the United States Soil Conservation Service.

Section 917 Agricultural District (AG)

Permitted uses, dimensional requirements and other regulations of the AG, Agricultural District; uses not specifically authorized by the express terms of this section of the Zoning Resolution shall be prohibited. The following regulations shall apply:

A. Permitted Uses: After obtaining a valid zoning certificate in accordance with these regulations, the following uses are permitted:

1. Single-family dwellings.
2. Accessory uses and structures.
3. Home Occupation
4. Agriculture uses exempted from township zoning authority per Chapter 519 of the Ohio Revised Code.
5. Agriculture, Forestry, Fishing, and Hunting
 - a) NAICS Code 111110 Soybean Farming
 - b) NAICS Code 111120 Oilseed (except Soybean) Farming
 - c) NAICS Code 111130 Dry Pea and Bean Farming
 - d) NAICS Code 111140 Wheat Farming
 - e) NAICS Code 111150 Corn Farming
 - f) NAICS Code 111160 Rice Farming
 - g) NAICS Code 111191 Oilseed and Grain Combination Farming
 - h) NAICS Code 111199 All Other Grain Farming
 - i) NAICS Code 111211 Potato Farming
 - j) NAICS Code 111219 Other Vegetable (except Potato) and Melon Farming
 - k) NAICS Code 111310 Orange Groves
 - l) NAICS Code 111320 Citrus (except Orange) Groves
 - m) NAICS Code 111331 Apple Orchards
 - n) NAICS Code 111332 Grape Vineyards
 - o) NAICS Code 111333 Strawberry Farming
 - p) NAICS Code 111334 Berry (except Strawberry) Farming
 - q) NAICS Code 111335 Tree Nut Farming
 - r) NAICS Code 111336 Fruit and Tree Nut Combination Farming
 - s) NAICS Code 111339 Other Noncitrus Fruit Farming
 - t) NAICS Code 111411 Mushroom Production
 - u) NAICS Code 111419 Other Food Crops Grown Under Cover
 - v) NAICS Code 111421 Nursery and Tree Production
 - w) NAICS Code 111422 Floriculture Production
 - x) NAICS Code 111910 Tobacco Farming
 - y) NAICS Code 111920 Cotton Farming
 - z) NAICS Code 111930 Sugarcane Farming
 - aa) NAICS Code 111940 Hay Farming
 - bb) NAICS Code 111991 Sugar Beet Farming
 - cc) NAICS Code 111992 Peanut Farming
 - dd) NAICS Code 111998 All Other Miscellaneous Crop Farming
 - ee) NAICS Code 112111 Beef Cattle Ranching and Farming
 - ff) NAICS Code 112112 Cattle Feedlots
 - gg) NAICS Code 112120 Dairy Cattle and Milk Production
 - hh) NAICS Code 112130 Dual-Purpose Cattle Ranching and Farming
 - ii) NAICS Code 112210 Hog and Pig Farming
 - jj) NAICS Code 112310 Chicken Egg Production
 - kk) NAICS Code 112320 Broilers and Other Meat Type Chicken Production
 - ll) NAICS Code 112330 Turkey Production
 - mm) NAICS Code 112340 Poultry Hatcheries
 - nn) NAICS Code 112390 Other Poultry Production
 - oo) NAICS Code 112410 Sheep Farming
 - pp) NAICS Code 112420 Goat Farming
 - qq) NAICS Code 112511 Finfish Farming and Fish Hatcheries
 - rr) NAICS Code 112512 Shellfish Farming
 - ss) NAICS Code 112519 Other Animal Aquaculture
 - tt) NAICS Code 112910 Apiculture

- uu) NAICS Code 112920 Horses and Other Equine Production
 - vv) NAICS Code 112930 Fur-Bearing Animal and Rabbit Production
 - ww) NAICS Code 112990 All Other Animal Production
 - xx) NAICS Code 113110 Timber Tract Operations
 - yy) NAICS Code 113210 Forest Nurseries and Gathering of Forest Products
 - zz) NAICS Code 113310 Logging
 - aaa) NAICS Code 114111 Finfish Fishing
 - bbb) NAICS Code 114112 Shellfish Fishing
 - ccc) NAICS Code 114119 Other Marine Fishing
 - ddd) NAICS Code 114210 Hunting and Trapping
 - eee) NAICS Code 115111 Cotton Ginning
 - fff) NAICS Code 115112 Soil Preparation, Planting, and Cultivating
 - ggg) NAICS Code 115113 Crop Harvesting, Primarily by Machine
 - hhh) NAICS Code 115114 Postharvest Crop Activities (except Cotton Ginning)
 - iii) NAICS Code 115115 Farm Labor Contractors and Crew Leaders
 - jjj) NAICS Code 115116 Farm Management Services
 - kkk) NAICS Code 115210 Support Activities for Animal Production
 - lll) NAICS Code 115310 Support Activities for Forestry
- 6. Transportation and Warehousing**
- a) NAICS Code 493130 Farm Product Warehousing and Storage
- 7. Educational Services**
- a) NAICS Code 611110 Elementary and Secondary Schools
 - b) NAICS Code 611210 Junior Colleges
 - c) NAICS Code 611310 Colleges, Universities, and Professional Schools
 - d) NAICS Code 611410 Business and Secretarial Schools
 - e) NAICS Code 611420 Computer Training
 - f) NAICS Code 611430 Professional and Management Development Training
 - g) NAICS Code 611511 Cosmetology and Barber Schools
 - h) NAICS Code 611512 Flight Training
 - i) NAICS Code 611513 Apprenticeship Training
 - j) NAICS Code 611519 Other Technical and Trade Schools
 - k) NAICS Code 611610 Fine Arts Schools
 - l) NAICS Code 611620 Sports and Recreation Instruction
 - m) NAICS Code 611630 Language Schools
 - n) NAICS Code 611691 Exam Preparation and Tutoring
 - o) NAICS Code 611692 Automobile Driving Schools
 - p) NAICS Code 611699 All Other Miscellaneous Schools and Instruction
 - q) NAICS Code 611710 Educational Support Services
- 8. Arts, Entertainment, and Recreation**
- a) NAICS Code 712190 Nature Parks and other similar institutions
 - b) NAICS Code 713940 Fitness and recreational sports centers.
- 9. Other Services**
- a) NAICS Code 812220 Cemeteries and Crematories
 - b) NAICS Code 813110 Religious Organizations

B. Conditionally Permitted Uses:

After obtaining a valid conditional use permit in accordance with Article 5, and the other provisions of these regulations, the following uses may be conditionally permitted:

- 1. Manufacturing**
 - a) NAICS Code 321113 Sawmills
- 2. Arts, Entertainment, and Recreation**
 - a) NAICS Code 713910 Golf Courses and Country Clubs
 - b) NAICS Code 713990 All Other Amusement and Recreation Industries
- 3. Accommodation and Food Services**
 - a) NAICS Code 721211 RV (recreational vehicle) Parks and Campgrounds
 - b) NAICS Code 721214 Recreational and Vacation Camps (except Campgrounds)

C. General Requirements

1. **Height Limit:** No building shall be erected or enlarged to exceed two and one-half (2 1/2) stories or thirty-five (35) feet.
2. **Lot Area, Width & Depth:** Every lot shall have a minimum width of two hundred and fifty (250) feet and a minimum lot area of not less than five (5) acres (two-hundred, seventeen thousand, eight hundred - 217,800 square feet), exclusive of road right-of-way, and shall be in addition to any easements of record.
3. **Front Yard:** There shall be a front yard of not less than forty (40) feet in depth for dwelling structures.
4. **Side Yard:** There shall be a side yard of not less than thirty (30) feet (each side) for dwelling structures.
5. **Rear Yard:** There shall be a rear yard of not less than forty (40) feet in depth for dwelling structures.
6. **Dwelling Bulk:** Dwellings or structures shall have a minimum area of eighteen hundred (1,800) square feet of living space by outside dimensions, exclusive of porches, garages, and cellars or basements.
7. **Parking Requirements:** Parking requirements shall be as regulated in Article 11 of these regulations.
8. **Signs:** Signs shall be as regulated in Article 12 of these regulations.
9. **Buffering, Landscaping, and Resource Preservation:** Buffering, Landscaping, and Resource Preservation shall be as regulated in Article 16 of these regulations.

ARTICLE - 10

Supplementary District Regulations

Section 1000 Intent

The purpose of supplementary district regulations is to set specific conditions for various uses, classification of uses, or areas where problems are frequently encountered and to further promote public health, safety, convenience, comfort, prosperity, or general welfare.

Section 1001 Conversion of Dwelling to More Units

A residence may not be converted to accommodate an increased number of dwelling units unless:

- A. The yard dimensions still meet the yard dimensions required by the zoning regulations for new structures in that district.
- B. The lot area per family equals the lot area requirements for a new structure in that district.
- C. The lot area per dwelling unit is not reduced to less than that which is required for new construction in that district.
- D. The conversion is in compliance with all other relevant codes and resolutions.

Section 1002 Private Swimming Pools

No private swimming pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet shall be allowed in any district where residences are permitted, except as an accessory use and unless it complies with the following conditions and requirements:

- A. The pool is intended and is to be used solely for the enjoyment of occupants and guests of the property on which it is located.
- B. It may not be located closer than ten (10) feet to any property line or infringe upon any front yard setback.
- C. The swimming pool, or the area on which the swimming pool is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than 48 inches in height and maintained in good condition with a self closing, self latching, locking gate. Openings in the fence or barrier shall not permit the passage of a four inch-diameter sphere. If the structure of an above ground pool meets the requirements of this section, no additional fencing or wall shall be required. Gates shall be constructed to ensure a human being cannot crawl under the gate when it is closed.
- D. A permit from the zoning inspector is required before construction of the pool begins.

Section 1003 Community or Club Swimming Pools

Community and club swimming pools, where permitted, shall comply with the following conditions and requirements:

- A. The pool is intended solely for the enjoyment of the members of families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.
- B. 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.
- C. The swimming pool and all of the area used by the bathers, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than 72 inches in height and maintained in good condition with a gate and lock. If the structure of an above ground pool meets the requirements of this section, no additional fencing or wall shall be required. Gates shall be constructed to ensure a human being cannot crawl under the gate when it is closed.
- D. A permit from the zoning inspector is required before construction of the pool begins.

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 upon completion of the construction work. Storage of such facilities or equipment beyond the completion date of the project shall require a zoning permit authorized by the zoning inspector. No commercial vehicle with a net capacity rating in excess of two and one half (2 ½) tons, including commercial tractors, automobiles, trucks, buses, house trailers, semi-trailers, temporary storage containers, or pods shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials, and equipment to a premises where labor using such tools, materials and equipment is to be performed during the actual time of parking.

Section 1005 Accessory Structures

Accessory structures, with the exception of fences, may not infringe upon any front yard setbacks or be within 5' of any rear or side property line.

Section 1006 Required Trash Areas

All commercial, industrial, and multi-family residential uses which provide trash and/or garbage collection areas shall be fully enclosed by a solid wall or fence, maintained in good condition, with a gate. Said fence or wall shall be at least 96" in height 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 shall be required.

Section 1007 Supplemental Yard and Height Regulations

In addition to all yard regulations specified in the official schedule of district regulations and in other sections of this resolution, the provisions of Sections 1008 through 1014, inclusive shall be used for interpretation and clarification.

Section 1008 Setback Requirements for Corner Buildings

On a corner lot, the principal building and its accessory structures shall comply with the restrictions of the clear sight distances of Section 1607. (Resolution 06-09-19-02)

Section 1009 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. In addition, each structure upon a single lot of record shall provide a minimum separation between structures of thirty (30) feet.

Section 1010 Architectural Projections

Open structures such as porches, canopies, balconies, platforms, carports, patios, decks, and similar architectural projections shall be considered parts of the building to which they are attached and shall not project into front, side, or rear yard setbacks.

Section 1011 Exceptions to Height Regulations

The height limitations contained in the official schedule of district regulations 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 to the safe landing and take-off of aircraft at an established airport.

Section 1012 *Special Provisions All Districts and Uses*

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions, which could adversely affect the surrounding areas or adjoining premises. Any use permitted by this resolution may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits are in place. Acceptable limits are established by the performance requirements in Sections 1013 through 1020, inclusive.

Section 1013 *Fire Hazards*

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance in compliance with the West Licking Fire District Code.

Section 1014 *Radioactivity or Electrical Disturbances*

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

Section 1015 *Noise*

No objectionable noise that constitutes a nuisance that is audible, due to volume, frequency, beat and/or duration, beyond the lot of the noise source, shall be muffled or otherwise controlled. Weather sirens and related apparatuses used solely for public safety in addition to passing motor vehicles utilizing public roadways, construction equipment, lawn equipment, agricultural equipment, and pets are exempt.

Section 1016 *Vibration*

No vibration shall be permitted which is discernible without instruments on any adjoining lot or property.

Section 1017 *Air Pollution*

Air pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

Section 1018 *Glare*

Direct or reflected glare (light trespass) from the source lot shall not be detectible from any adjoining lot or street. Any lights used to illuminate outdoor areas on a lot shall be so arranged as to reflect the light away from the adjoining property and make use of fully-shielded fixtures to limit light pollution. Agricultural uses are exempt from this standard.

Section 1019 *Erosion*

No erosion, by either wind or water, shall be permitted which will carry objectionable substances onto neighboring properties.

Section 1020 *Water Pollution*

Water pollution shall be subject to the requirements and regulations established by the Director of the Ohio Environmental Protection Agency.

Section 1021 *Enforcement Provisions*

The zoning inspector, prior to the issuance of a zoning permit, may 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. Additionally, the Zoning Inspector may require permits from any Local, State, or Federal agency with regulatory jurisdiction and required permitting procedures prior to issuing a zoning permit.

Section 1022 Measurement Procedures

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

Section 1023 Required Lot Frontage

Except as permitted by other provisions of these regulations, no lot shall have less than the required frontage (lot width) as measured along the edge of the road right-of-way of an existing public street. For cul-de-sac lots: the minimum road frontage requirement for lots fronting on a cul-de-sac shall be sixty (60) feet with the district's width requirement being met at the set back line.

Section 1024 Temporary Dwellings

Temporary dwellings are permitted, with a zoning permit, in any district where dwellings are permitted and may be occupied during the construction or reconstruction of the principal dwelling for a period not to exceed eighteen (18) months. After a said eighteen (18) month period the temporary structure shall be vacated and removed from the lot. Requests for extensions shall be considered a variance and referred to the Board of Zoning Appeals.

Section 1025 Principal Structure Limitation

- A. Residential and Agricultural Districts.** In a residential or agricultural district, a dwelling located on a lot of record shall be deemed a principal structure. For permitted uses in a residential or agricultural district other than a dwelling, the term "principal structure" shall mean the structure in which is conducted the main or principal use of the property on which such structure is located.
- B. Business and Manufacturing Districts.** In a business or manufacturing district, a principal structure means a structure in which is conducted the main or principal use of the property on which such structure is located. When a dwelling is the only structure located on a lot of record in a business district, and that dwelling is converted to a business use, it is at that point and for ever more considered a structure for business use only, and cannot be used as a dwelling without being subject to the applicant obtaining a conditional use permit or variance.
- C. Number of Principal Structures.** Except as provided for by any other provisions of this resolution:
 - 1. Only one principal structure used as a dwelling shall be permitted on any lot of record in any residential or agricultural district. In planned unit developments where multi-family uses are permitted, principle structures and dwellings shall be permitted as established by the planned unit development regulations.
 - 2. More than one principal structure used for business purposes, except dwellings, may be placed on lots of record in any business or manufacturing district, providing each principal structure occupies a portion of the lot equal to, or greater than the minimum size lot specified for the district in which it is located. All other requirements (front yard setback, side yard setback, height, etc.) of the district in which the lot is located must be met per structure.

Section 1026 Ponds, Lakes, Water Retention/Detention Areas (hereinafter referred to as ponds)

It is not the intent of this section to give instructions on how to construct a pond but should be considered a supplement to the Natural Resources Conservation Service Standard 378 publication.

- A.** No pond shall be constructed in any zoning district, with the exception of districts zoned for agricultural purposes, using dikes, dams, or sidewalls which extend above the grade level existing prior to site preparation grading.
- B.** A pond, lake, or other area designed for the permanent or temporary storage of water must lie within the boundaries of a single lot of record and may not be subdivided in such a manner that it lies within the boundaries of more than one lot of record.

- C. Ponds constructed within an agricultural district which extend above the natural grade, must maintain a distance of at least 100 feet, measured from the nearest edge of the pond, from adjacent properties.
- D. Ponds constructed within an agricultural district which do not extend above the natural grade, must maintain a distance of at least 50 feet, measured from the nearest edge of the pond, from adjacent properties.
- E. Ponds constructed within any other zoning district must maintain a minimum of 50 feet, measured from the nearest edge of the pond, from any adjacent residential property.
- F. With the exception of ponds in districts zoned for agricultural purposes, functional pond aeration/fountains sized at ½ HP per ¼ acre, or equivalent, shall be included in all retention ponds.
- G. Any pond located upon a lot of record being subdivided shall conform to a-f above.

Section 1027 *Surface Drainage*

All grading shall be done in such a way as to not impede, increase, or alter the natural flow of drainage on adjacent properties.

Section 1028 - *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. However, one boat and one travel trailer or motorized camper may be stored in the rear yard, if not creating a nuisance to any neighbor upon inspection by the zoning inspector, if the vehicles have a current license. Travel trailers or motorized campers or motor homes belonging to residential visitors are exempt from permit for thirty (30) days.

ARTICLE - 11

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 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. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this resolution.
3. Whenever a building or structure constructed after the effective date of this resolution is changed or enlarged in floor area, 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 on floor area, the 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 1101 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 1117 of this resolution.

Section 1102 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 or clearance of not less than fifteen (15) feet. One (1) off-street loading space shall be provided and maintained on the same lot for every separate occupant requiring delivery of goods and having a modified gross floor area of up to five thousand (5,000) square feet. One (1) loading space shall be provided for each additional ten thousand (10,000) square feet or fractions thereof.

Section 1103 Paving

The required number of parking and loading spaces as set forth in Section 1102 and 1117, together with driveways, aisles, and other circulation areas, shall be paved with concrete or asphalt.

Section 1104 Drainage

All parking and loading areas shall provide for proper drainage of surface water to prevent the drainage of such water into adjacent properties or walkways.

Section 1105 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 1106 Lighting

Any parking area, which is intended to be used during non-daylight hours, shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property.

Section 1107 Location of Parking Spaces

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

1. Parking spaces for 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.

Section 1108 Screening and/or Landscaping

Whenever a parking area is located in or adjacent to a residential district, it may be effectively screened on all sides, which adjoin or face any property used for residential purposes, by an acceptably designed wall, fence, or planting screen. Such fence, wall, or planting screen shall be not less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen, and the lot lines of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover, and maintained in good condition. In the event that terrain or other natural features are such that the erection of such fence, wall, or planting screen will not serve the intended purposes, then no such fence, wall, or planting screen and landscaping shall be required.

Section 1109 Disabled Vehicles

The parking of a disabled vehicle within a residential or commercial district for a period of more than two (2) weeks shall be prohibited, unless such vehicle is stored in an enclosed garage or accessory building.

Section 1110 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, school, hospital, or other institution for human care located on an adjoining lot, unless separated by an acceptably designed screen. If on the same lot with a one-family residence, the parking area shall not be located within the front yard required for such building. 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 1111 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 1112 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 parking vehicle from extending beyond the property line.

Section 1113 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 1/2) feet for sixty (60) degree parking, and thirteen (13) feet for forty-five (45) degree parking.

Section 1114 Access

Any parking area shall be designed in such a manner that any vehicle leaving or entering the parking area from or into a public or private street shall be traveling in a forward motion. Access driveways for parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access or driveway from a public or private street.

Section 1115 Width of Access Driveway

The entrances and exits to the parking area shall be clearly marked. Interior vehicular circulation by way of access roads shall maintain the following minimum standards; for one-way traffic a minimum width of fourteen (14) feet except for forty-five (45) degree parking in which case the minimum width of the access road shall be seventeen (17) feet. Access roads for the two-way traffic shall have a minimum width of twenty-four (24) feet. Parking areas having more than one aisle or driveway shall have directional signs or markings in each aisle or driveway.

Section 1116 Striping

All parking areas with a capacity over twelve (12) vehicles shall be striped with double lines six (6) inches both sides of center between stalls to facilitate the movement into and out of the parking stalls.

Section 1117 Parking Space Requirements

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

Section 1118 Residential

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
1. Single-family or two-family dwellings	Two for each unit
2. Apartments or multi-family dwellings	Two for each unit
3. Boarding houses, rooming houses, dormitories and fraternity houses which have sleeping rooms.	One for each sleeping room or two for each permanent occupant.
4. Mobile homes.	Two for each unit.

Section 1119 Commercial

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
1. Automobile service garage, which also provides repair.	Two for each gasoline pump and four for each service bay.
2. Hotels, motels.	One for each sleeping room plus one space for each two employees.
3. Funeral parlors, mortuaries and similar type uses.	One for each one-hundred (100) square feet of floor area in slumber rooms, parlors, or service rooms.

Section 1120 Recreational or Entertainment

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
1. Dining rooms, restaurants, taverns, night clubs, etc.	One for each two-hundred (200) square feet of floor area.
2. Bowling alleys.	Four for each alley or lane plus one additional space for each one hundred (100) square feet of area used for restaurant, cocktail lounge, or similar uses.
3. Dance floors, skating rinks.	One for each one hundred (100) square feet of floor area used for the activity.
4. Outdoor swimming pools, public or community or club.	One for each five (5) persons capacity, plus one for each four (4) seats or one for each thirty (30) square feet of floor area used for seating purposes, whichever is greater.
5. Auditoriums, sport arenas, theaters, and similar uses.	One for each four (4) seats.
6. Retail stores.	One for each two hundred fifty (250) square feet of floor area.
7. Banks, financial institutions, and similar uses.	One for each two hundred fifty (250) square feet of floor area.
8. Offices, public or professional, administration, or service buildings.	One for each two hundred fifty (250) square feet of floor area.
9. All other types of business or commercial uses permitted in business district.	One for each three hundred (300) square feet of floor area.

Section 1121 Institutional

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
1. Churches and other places of religious assembly.	One for each five (5) seats.
2. Hospitals.	One for each bed.
3. Sanitariums, home for the aged, nursing homes, asylums, and similar uses.	One for each two beds.
4. Medical and dental clinics.	One for every two hundred (200) square feet of floor area of examination or treating room, office, and waiting room.
5. Libraries, museums, and art galleries.	One for each four hundred (400) square feet of floor area.

Section 1122 Schools (Public, Parochial, or Private)

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
1. Elementary and junior high schools.	Two for each classroom and one for every eight (8) seats in the auditorium or assembly halls.
2. High schools.	One for every ten (10) students and one for each teacher and employee.
3. Business, technical and trade schools.	One for each two (2) students.
4. Colleges, universities.	One for each four (4) students.
5. Kindergartens, child care centers, nursery schools, and similar uses.	Two for each classroom, but not less than six (6) for the building.

Section 1123 Manufacturing

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
1. All types of manufacturing, storage, and wholesale uses permitted in the manufacturing district.	One for every two (2) employees (on the largest shift for which the building is designed) plus one for each motor vehicle used in the business.
2. Cartage, express, parcel delivery, and freight terminals	One for every two (2) employees (on the largest shift for which the building is designed) plus one for each motor vehicle maintained on the premises.

Section 1124 General Interpretation of Article 11

In the interpretation of Article 11, 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 upon an appeal from a decision of the zoning inspector.
2. Fractional numbers shall be increased to the next whole number.
3. Where there is an adequate public transit system or where for any other reason parking demand is unusually low, then the parking space provisions cited above may be reduced proportionately by the Board upon an appeal from a decision of the zoning inspector.

ARTICLE - 12

SIGNAGE

Section 1200 Intent

The regulations set forth in this Resolution pertaining to signs are intended to:

- A. Encourage the effective use of signs as a means of communication for businesses, organizations, and individuals in Etna Township;
- B. Maintain and enhance the aesthetic and natural environment in the Township;
- C. Provide a means of way-finding in the community, thus reducing traffic confusion and congestion;
- D. Provide for adequate business identification, advertising, and communication;
- E. Prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the Township;
- F. Protect the health, safety, and welfare of the public by minimizing the hazards to pedestrian and vehicular traffic;
- G. Differentiate among those signs that, because of their location, may distract drivers on public streets or rights-of-way and those that may provide information to them while they remain in their cars but out of active traffic;
- H. Minimize the possible adverse effects of signs on nearby public and private property;
- I. Prohibit most signs with commercial messages in residential zoning districts, while allowing those commercial messages that relate to commercial activities lawfully conducted on individual properties within such districts; and
- J. Provide broadly for the expression of individual opinions through the use of signs on private property.

Section 1201 Applicability

- A. The regulations contained within this article shall apply to all signs and to all zoning districts.
- B. Unless otherwise provided by this article, all signs shall require a zoning permit and a payment of fees. No zoning permit is required for the maintenance of a sign or for a change of copy on existing legal signs, provided the change of copy does not alter the size, dimensions, height, or location of the sign. A zoning permit will be required if a sign without electronic message center technology is altered to include electronic message center technology.

Section 1202 Compliance Required

- A. It shall hereafter be unlawful for any person to erect, place, or maintain a sign in the Township except in accordance with the provisions of these regulations.
- B. 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, state, or National Electric Code in effect.
- C. No sign of any classification shall be installed, erected, or attached to a structure in any form, shape, or manner that is in violation of Licking County's or Ohio's building or fire codes.
- D. All signs shall comply with the Ohio Revised Code, the Ohio Administrative Code, and the Ohio Department of Transportation regarding the erection and control of outdoor advertising.

Section 1203 Computations

The following principles shall control the computation of sign area and sign height.

- A. The area of a sign face, which is also the sign area of a wall sign or other sign with only one face, shall be computed by means of the smallest quadrilateral that shall encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color that is an integral part of the background of the display or used to differentiate the sign from backdrop or structure against which it is placed. This does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets Zoning Resolution regulations and is clearly incidental to the display itself. See Figure 12A.
- B. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.
- C. The sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the area of all sign faces visible from any one point.

- D. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than 24 inches apart, the sign area shall be computed by the measurement of one of the faces.
- E. The Etna Township Zoning Inspector shall review all sign proposals and verify height and area computations prior to issuing a permit of compliance.

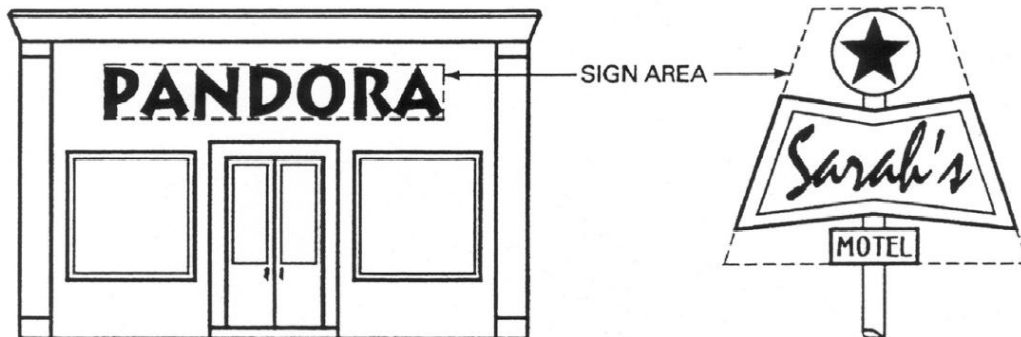


Figure 12A - Measurement of sign area.

Section 1204 Prohibited Signs

All signs, except those expressly permitted under this article or exempt from regulation under the Section 1205 (Signs Partially Exempt from this article), are prohibited in the Township. Such signs include, but are not limited to:

- A. Signs in any public right-of-way except:
 1. Signs owned by the Township, a governmental entity adjacent to the Township, Licking County, State of Ohio, or the federal government;
 2. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message necessary to identify the use;
 3. Signs installed by a transit company with a franchise or other right to operate in Licking County, where such signs are installed along its routes and relate to schedules or other information about the transit route.
- B. Abandoned Signs
 1. Any sign now or hereafter existing that no longer advertises a bona fide business or a product sold for a period of two years shall be deemed abandoned.
 2. Such a sign, and the sign's structural framework, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or structure upon which the sign may be found within 30 days after notification to the owner from the Zoning Inspector.
 3. All signs shall be in conformance with Subsection 1206.C (Maintenance of Signs).
- C. Any signs which by reason of its size, shape, location, content, coloring or manner of illumination:
 1. Constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers or by obstructing or detracting from the visibility of any official traffic sign or control device on public streets and roads.
 2. May be confused with a traffic control sign, signal or device or the light of an emergency or road equipment vehicle.
 3. Cause glare or reflection which might constitute a nuisance upon any sidewalk or adjacent properties.
- D. Signs which obstruct free ingress and egress from a required door, window, fire escape, or other required exit way;
- E. Beacons and searchlights except as needed by emergency medical services, police, fire, or other emergency purposes or as required by the Federal Aviation Administration (FAA);
- F. Any sign that contains or consists of strings of lights, flags, pennants, ribbons, streamers, spinners, or other similar moving devices for the purpose of commercial advertising or attracting attention for commercial purposes;
- G. Signs that consist of or are illuminated by lights that move, revolve, or flash are prohibited in all districts;
- H. Air activated graphics or balloons bearing a message except where otherwise permitted as temporary signs;

- I. Any sign, which rotates, revolves, or otherwise moves unless otherwise expressly permitted under this article;
- J. Signs placed on vehicles or trailers that are parked or located for the primary purpose of displaying such signs. This does not apply to non-commercial speech signs, or lettering on vehicles operating during the normal course of business;
- K. Signs imitating or resembling official traffic or governmental signs or signals;
- L. Portable or daisy signs, unless permitted elsewhere in this article.
- M. Signs which are sexually-oriented, explicit, obscene, suggestive, or convey visual information that may be prohibited under the obscenity statutes of Ohio;
- N. Signs attached to, painted to, or drawn upon any utility pole, fence, bench, trash receptacle, vending machine, tree, rock, or other natural feature unless otherwise expressly permitted under this article;
- O. Window signs in any district which covers more than 50 percent of total window area to allow police and emergency service personnel safe visibility into the building;
- P. Exterior Neon signs;
- Q. Graffiti;
- R. Roof signs;
- S. Signs accompanied by audio or music.

Section 1205 Signs Partially Exempt from this Article

A. Scope of Partial Exemption

1. Signs listed in this section shall be exempt from all regulations within this article including the zoning permit requirements of this article but shall, to the maximum extent allowed by law, be subject to the standards within Section 1204 of this article.
2. Where a sign is erected pursuant to a statute or a court order, the sign may exceed the size standards of this article or otherwise deviate from the standards set forth in this article to the extent that the statute or court order expressly required the larger size or other deviation.
3. Any sign exceeding the limitations within Subsection 1205.B.9 - 1205.B.12 shall not be permitted unless provided for elsewhere in this Article.

B. Applicability

The following sign types and changes shall be exempted from all regulations within this article including the zoning permit requirements but, to the maximum extent allowed by law, shall be in conformance with Section 1204 of this article:

1. Signs bearing no commercial message and installed by employees or officials of a township, city, county, state or federal agency in the course of their governmental duties;
2. Other signs directing and guiding traffic or parking and bearing no commercial message, but may include a company logo;
3. Signs required by a state or federal statute;
4. Signs required by an order of a court of competent jurisdiction;
5. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message is necessary to identify the use;
6. Signs installed by a transit company with a franchise or other right to operate in Licking County, where such signs are installed along its routes and relate to schedules or other information about the transit route;
7. Flags, emblems and insignias of national, state or local political subdivisions or any other non-commercial flags;
8. Commemorative plaques placed by recognized historical agencies; such a sign shall bear no commercial message unless it meets all of the standards for a sign bearing a commercial message at that location;
9. Signs that do not exceed eight square feet in sign area and six feet in height that give notice of Neighborhood Crime Watch Programs being in effect;
10. Name and/or address descriptions mounted to the front wall of a building or to a lamppost in the front yard not to exceed four square feet in sign area and not to exceed one sign per home or business;
11. Directional freestanding signs not to exceed two signs per driveway indicating entrance and exit locations with a maximum permitted sign area of three square feet and a maximum height of four feet;
12. Interior window signs not to exceed 50% of the window surface for the purposes of fire and police protection.

13. Agricultural signs that are located on a lot equal to or greater than 5 acres when the use of the sign relates directly and immediately to the use of agricultural purposes on the lot on which the sign is located.
14. Signs used for farm markets, as defined in Ohio Revised Code Section 519.21(C). This exemption for farm market signs does not apply to setbacks, size, and height requirements.

Section 1206 Administration and Enforcement

A. Removal of Signs

1. If a violation of this article exists, the Zoning Inspector shall prepare and serve upon the property owner and occupant, if applicable, a notice which describes the sign and specifies the violation involved. This notice shall require that a permanent sign be removed or the violation corrected within the next ten days or that a temporary sign shall be removed or the violation corrected within 24 hours. If no emergency exists and the notice is not complied with, the Zoning Inspector will institute legal proceedings for removal of the sign and for a possible violation of the Zoning Resolution pursuant to the Ohio Revised Code.
2. All notices issued by a Zoning Inspector may be served by certified mail or delivery to the property owner, current occupant, or to a person temporarily or permanently in charge of the establishment or the sign owner in the case of temporary signs. Any time periods provided in this section shall be deemed to commence on the date of the service of the notice.

B. Maintenance of Signs

1. All signs as herein permitted shall be constructed and maintained and illuminated in a safe manner, comply with applicable codes and kept in good repair.
 - a) Exposed surfaces shall be clean, free from debris, and painted, if paint is required.
 - b) Defective, missing, or damaged parts shall be replaced.
 - c) The Zoning Inspector shall have the right to order the repair or removal of any sign that is defective, damaged, or substantially deteriorated. Such sign shall be repaired or removed by the owner, agent, or person having the beneficial use of the sign within 30 days after notification to the owner from the Zoning Inspector.
2. Signs shall not be constructed, maintained, and/or illuminated in such a manner as to create or allow an obstruction of vision to drivers, pedestrians, or the general public, or create a fire or safety hazard. Signs shall be subject to the Clear Sight Triangle regulations within Section 1607.

- C.** Failure to comply with any of the provisions of the article shall be deemed a violation and shall be punishable under Section 311 of this resolution.

Section 1207 General Sign Standards

Every sign shall be designed, erected, altered, reconstructed, moved and maintained in accordance with the provisions of this section unless specifically modified by another section of Article 12 (Signage).

A. Changeable Copy & Electronic Message Center Area

1. Permanent, on-premises signs may incorporate up to 50% of the total sign area of each proposed sign for changeable copy and/or electronic message center signs.
2. Permanent, off-premises signs may incorporate up to 100% of the total sign area of each proposed sign for changeable copy and/or electronic message center signs.
3. Temporary Signs may incorporate up to 100% of the total sign area of each proposed sign for changeable copy and/or electronic message center signs. If electronic message center signage is used as a temporary sign, only one message shall be displayed, and there shall be no changing of the message. Also see subsections 1207.E & 1207.F as well as Section 1210.

B. Dangerous or Defective Signs Not Permitted

A sign in dangerous or defective condition shall not be permitted on any premises. Any such sign constitutes a nuisance and shall be removed or repaired as required under Section 1206 (Administration and Enforcement).

C. Landscaping Required for Permanent Freestanding On-Premises Signs

A permanent freestanding on-premises sign shall require a single continuous landscaped area to be maintained around the base of the sign in accordance with the following standards:

1. The minimum landscaped area shall be equal to the total sign area of the sign.
2. The base of the sign shall be completely surrounded by landscaping.

3. The landscaped area shall include two or more of the following plant materials: shrubs, trees, grass, flowers, mulch, and/or decorative stone permanently located and properly maintained with dead vegetation replaced as soon as weather permits. The use of exposed concrete, asphalt or any other paved surface inside the required landscaped area beneath the sign is prohibited.

D. Special Yard Provisions

Permanent on-premises signs, where permitted, shall be erected or placed in conformity with the side and rear yard requirements of the district in which located, except that in any Residential District on-premises signs shall not be erected or placed within twenty (20) feet of a side or rear lot line.

E. Brightness

1. Any illuminated sign or lighting device shall employ a light emitting constant intensity/brightness.
2. No sign shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (Lux) meter at a preset distance depending on a sign area, measured as follows:

The measurement distance shall be calculated with the following formula: The square root of the product of the sign area multiplied by one hundred. The measurement distance will be rounded up or down to the nearest whole number.

Example using a 12 sq. ft. sign: $\sqrt{(12 \text{ Sq. Ft.} \times 100)} = 34.6 = \text{Measurement Distance of 35 feet}$

3. No sign shall exceed an illumination level of 5000 nits during daylight hours (a half hour before sunrise until a half-hour after sunset) nor a level of 500 nits during nighttime hours (a half hour after sunset until a half hour before sunrise).

F. Electronic Message Centers

Electronic message center signs shall be permitted as follows:

1. On-premises electronic message center signs shall only be permitted in commercial and industrial zoning districts, by right.
2. Off-premises electronic message center signs shall be permitted in accordance with any other permanent off-premises signage as regulated in Section 1211.
3. Electronic message center signs shall display static images only. Such static images shall hold on the display face for a minimum period of ten seconds before instantaneously transitioning to another static image.
4. Transitions from one static image to the next on such signs shall appear instantaneously without the appearance of flashing, blinking, fading, or movement of any kind.
5. Such signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions and continually keeps the sign in conformance with the regulations within sub-section 1207.E.2.
6. Each sign message shall be complete in itself and shall not continue on a subsequent sign message.
7. Each sign must be equipped with a default mechanism which will cause the sign to revert immediately to a black screen if the sign malfunctions.
8. Prior to the issuance of a zoning permit, the applicant shall submit a signed certification from the sign manufacturer that the sign is factory pre-set to comply as a default mechanism with the 0.3 foot candles above ambient light requirements within subsections 1207.E.2 & 1207.F.5. The certification shall also state that the sign is equipped with the ability to comply with all other applicable standards of this article.
9. The applicant shall also provide a signed letter from the sign owner and person operating the display, if the operator is not the sign owner, stating that they have read and understand the regulations within Article 12 and that they will operate the sign in compliance with the signage requirements and that the owner or operator shall provide proof of such compliance upon request by the Township.

G. External Lighting

Any sign which is lit by external lighting shall be required to use fully shielded fixtures so as to only allow the light to be directed onto the sign area it is intended.

H. Sign Construction and Installation

All signs shall be constructed of durable materials, anchored to the ground or structure as permitted by the regulations herein. Such signs shall also be installed and braced so that the sign will not sway, flap, or otherwise move or be blown out.

Section 1208 Permanent Signs Permitted in Agricultural and Residential Zoning Districts

The following provisions shall apply to permanent on-premises signs in agricultural and residential zoning districts.

A. Subdivision or Development Signs

A permanent freestanding sign or wall signs may be permitted for any subdivision or multi-family dwelling development provided that the signs meet the following requirements:

1. General Standards Applicable to All Subdivision or Development Signs
 - a. The signs may be permitted at each development entrance along a township, county, or state road;
 - b. The signs shall be setback 10 feet from the public right-of-way and 20 feet from any adjacent property lines;
 - c. Each sign may have a maximum sign area of 40 square feet not including any fence or wall on which the sign is located;
 - d. No sign or any portion of the structure shall exceed six feet in height;
 - e. No sign shall bear a commercial message; and
 - f. Illuminated signs shall only use external lighting sources.
2. Freestanding Signs
 - a. A maximum of one permanent freestanding sign may be permitted for each entrance.
 - b. If an applicant proposes to use a freestanding sign, no wall signs shall be permitted.
3. Wall Signs
 - a. A maximum of two wall signs may be permitted for each entrance.
 - b. The signs shall be mounted to a wall or fence.
 - c. If an applicant proposes to use a wall sign, no freestanding sign shall be permitted.

B. Signs for Public, Institutional, and Nonresidential Uses

One permanent sign may be permitted for any public, institutional, or nonresidential use provided that the sign meets the following requirements:

1. The sign shall be set back 12 feet from the public right-of-way and 20 feet from any adjacent property lines.
2. The maximum sign area shall be 32 square feet;
3. The sign may include a changeable copy sign provided that it does not comprise more than 50% of the total sign area and, if an electronic message center, shall comply with the technical specifications of Subsection 1209 (B) of this resolution;
4. No such sign or any portion of the structure shall exceed eight feet in height;
5. Except for any changeable copy or electronic message center signage, the sign may only be illuminated through external lighting.

Section 1209 Permanent Signs Permitted in Nonresidential Zoning Districts

The following provisions shall apply to permanent, on-premises signs in nonresidential districts, but shall not include the Agricultural District.

A. Automated Teller Machines

Automated Teller Machines (ATM) or similar devices either attached to a primary structure or enclosed within an independent freestanding structure shall be permitted two square feet of sign area for every one foot width of the ATM structure with a maximum total sign area of 20 square feet.

B. Electronic Message Centers

Electronic message center signs shall be permitted as follows:

1. Such signs in commercially zoned districts shall be permitted, by right, so long as such signs display static images only. Such static images shall hold on the display face for a period of ten seconds before instantaneously transitioning to another static image.
2. Transitions from one static image to the next on such signs shall appear instantaneously without the appearance of flashing, blinking, or movement of any kind.
3. Such signs shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with natural ambient light conditions.

C. Freestanding Signage

1. One sign shall be permitted for each commercially developed parcel.

2. Where a commercially developed parcel has street frontage in excess of 250 feet, one additional freestanding sign may be permitted provided there is a minimum of 150 feet between the signs and the sign is set back a minimum of 50 feet from any adjacent lot line.
3. The permitted aggregate sign area for freestanding signs shall be 100 square feet.
4. The maximum height of any freestanding sign shall be fifteen feet.
5. All freestanding signs shall be set back a minimum of 20 feet from the public right-of-way and any adjacent lot lines. All freestanding signs must comply with the Clear Sight Triangle regulations within Section 1607.
6. The signs may be internally or externally illuminated.
7. An additional display may be used for the display of fuel prices or convenience items. A maximum of two additional displays, separated by a four to six inch band, shall be permitted provided the individual display areas do not exceed 24 inches tall by 60 inches wide. The area of the additional fuel or convenience signs shall not be included in the calculation for total sign area of the business. See Figure 12.B.



Figure 12B - Illustration of permitted fuel or convenience sign display areas.

D. Major Development Signs

Signs that are accessory to permitted uses with at least 30,000 sq. ft. of commercial, institutional, recreational, multi-family, office, or industrial floor area located on one parcel, including but not limited to shopping centers, office buildings, office parks or campuses, or multi-tenant buildings shall be permitted in accordance with the following:

1. The street frontage must abut a major arterial, minor arterial or major collector roadway as determined or defined by the Licking County Subdivision Regulations.
2. The sign shall be located in a landscaped area that meets the requirements of Subsection 1207.C.
3. Freestanding Major Development signs shall comply with the limitations within Subsection 1209.C except as provided in Table 12-1 below.

Table 12-1 – Maximum Sign Area & Height for Major Development Signs		
Gross Building Square Footage	Square Feet of Sign Area	Maximum Sign Height
30,000 to 64,999 Square Feet	120	16 Feet
65,000 to 129,999 Square Feet	140	18 Feet
130,000 Square Feet or larger	160	20 Feet

4. The Major Development signs shall be set back a minimum of 20 feet from the public right-of-way and 100 feet from any adjacent lot lines. All Major Development signs must comply with the Clear Sight Triangle regulations within Section 1607.
5. The Major Development signs may be internally or externally illuminated.

E. Other Permitted Sign Types

In addition to ATM, Electronic Message Centers, Freestanding, and Major Development signs; awning signs, under-marquee signs, and wall signs shall be permitted in the nonresidential zoning districts based on the following provisions.

1. Total Sign Area Allowed

The maximum total sign area for all awnings, under marquee, and wall signs shall be based on a ratio of one square foot of sign area for each linear foot of building fronting on public right-of-way. Premises fronting on more than one public right-of-way shall not combine permissible sign area for two or more building frontages for the purpose of placing the combined area of the signs on one building side.

2. Permanent Awning Signs

- a.** A maximum of one awning sign shall be permitted for an individual business or establishment.
- b.** If illuminated, such awning shall be lit externally through gooseneck lighting or through other concealed lighting sources.
- c.** An awning sign shall not project higher than the top of the awning to which sign text is affixed.

3. Permanent Under-Marquee Signs

- a.** No more than one under-marquee sign is permitted for an individual business or establishment.
- b.** Signs attached to the underside of a marquee shall have a sign area no greater than four square feet.
- c.** Such signs shall have a minimum clearance of nine feet from the bottom of the sign to the immediate structure, sidewalk, or other walking surface below.
- d.** If illuminated, under marquee signs shall be lit through concealed lighting sources.

4. Permanent Wall Signs

- a.** Wall signs shall not be painted directly onto the building.
- b.** A wall sign shall not project above the top of the wall to which attached or be more than 15 feet in height, whichever is less.
- c.** A wall sign shall not project more than 18 inches from the wall of the building upon which it is mounted.
- d.** A wall sign shall be inclined from the vertical only to the extent necessary for conformity to the general contour of the wall to which the sign is mounted.
- e.** A wall sign shall not extend beyond the limits of any wall to which they are attached.
- f.** A wall sign shall not mask or interrupt a major architectural feature; such as, but not limited to, doors, windows, or trim.
- g.** A wall sign shall have hidden structural supports and shall be mounted in such a way as to not allow movement by atmospheric conditions.
- h.** If illuminated, such lighting shall not produce glare and all lighting elements, including wiring, shall be concealed from view.

5. Menu Boards

One, single-sided Menu Board shall be permitted per parcel under the following provisions:

- a.** The Menu Board is accessory to a principal permitted use.
- b.** The maximum sign area shall be 32 square feet.
- c.** The maximum sign height shall be eight feet.
- d.** The Menu Board shall be skirted to the ground and have foundation landscape plantings.
- e.** Menu Boards shall be set back a minimum of 15 feet from the street right-of-way line and any lot lines.
- f.** The sign may be internally or externally illuminated.
- g.** Such signs shall not count toward other sign area requirements in the applicable district.

Section 1210 Temporary Signs

A. General Definitions Related to Temporary Signs

1. Temporary signs shall be as defined in this Resolution and may include, but are not limited to; political signs, real estate signs, and special event signs.
2. Temporary signs with a commercial message include, but are not limited to; real estate signs, signs that reference the sale of items or other business related activities, or that include text classified as a commercial message.
3. Temporary signs that do not contain a commercial message include, but are not limited to; political signs and any other sign with text that is not classified as a commercial message.

B. Standards that Apply to All Temporary Signs

1. No temporary sign shall be mounted, attached, affixed, installed or otherwise secured so as to protrude above the roof of a structure.
2. No temporary sign shall be illuminated by anything other than non-reflected daylight.
3. Temporary signs shall be set back a minimum of 20 feet from the edge of street pavement and shall also be located outside of any public street right-of-way.
4. Temporary signs with a commercial message are only permitted under Section 1210 as on-premises signs.
5. No temporary sign shall be mounted, attached, affixed, installed or otherwise secured to a fence, nor by any permanent means (i.e. nailed, screwed, bolted, glued, cemented/concreted, etc.) to any building, permanent sign, other structure or improvement, or to the ground upon which it is erected. Real Estate signs advertising properties for sale or lease are exempted from this requirement.
6. No temporary sign shall be larger than 32 square feet.
7. All temporary signs shall have a minimum setback of 10 feet from all side and rear property lines.
8. A temporary on-premises sign shall only be used by a particular business or use as an identification sign for 60 days or less.

C. Permitted Temporary Signs in an Agricultural or Residential Zoning District

This section addresses permitted temporary signs in an agricultural or residential zoning district.

1. The maximum height of temporary signs in an agricultural or residential zoning district shall be four feet unless specifically permitted under Subsection 1210.C.4 below or unless the sign is attached to an existing building or structure by non-permanent means (tied with rope or string, stapled, zip ties, etc.), in which case it may not extend above the roof line.
2. Up to two temporary signs that contain a commercial message may be permitted on an individual parcel at any one time. Such signs on said parcel shall be limited to six square feet or less in aggregate sign area. Such signs shall not require a zoning permit.
3. No zoning permit shall be required for signs that do not contain a commercial message.
4. As an accessory use to the permitted temporary commercial activity of land development, one temporary sign with a maximum sign area of 32 square feet and a maximum height of six feet may be permitted during the development of a subdivision or for the construction of a nonresidential use. Such sign shall require a zoning permit and fee and shall be removed within the following periods of time, whichever comes first:
 - a) A period not to exceed five years (A new zoning permit may be obtained for one additional 5 year period.); or
 - b) Until 20 days following the completion of construction.

D. Permitted Temporary Signs in Nonresidential Districts

This section addresses permitted temporary signs in a nonresidential zoning district.

1. Up to two temporary signs that contain a commercial message may be permitted on an individual parcel at any one time. Such signs shall be limited to twelve square feet or less in aggregate sign area. Such signs shall not require a zoning permit.
2. Temporary signs greater than twelve square feet in area or temporary signs that push a particular parcel's aggregate sign area over twelve square feet, with a commercial message, may be permitted under the following provisions:
 - a) A zoning permit shall be required for the sign;
 - b) There shall be a limit of one sign per parcel and such sign shall not exceed 32 square feet;
 - c) The sign shall not be illuminated; and

- d) A temporary sign permitted under this section may be permitted for up to a maximum period of 30 days per zoning permit. In any one calendar year, no parcel of land shall contain an erected temporary sign permitted under this section for more than 60 days. Real estate signs are exempted from this time limit regulation.
- 3. No zoning permit shall be required for signs that do not contain a commercial message.
- 4. The maximum height of temporary signs in a nonresidential zoning district shall be six feet unless attached to the structure, in which case it may not extend above the roof line.
- 5. Temporary Signs for Development/Construction
 - a) One temporary sign advertising a new development may be erected per development entrance.
 - b) Such sign shall be removed within the following periods of time, whichever comes first:
 - 1.) A period not to exceed five years (A new zoning permit may be obtained for one additional 5 year period.); or
 - 2.) Until 20 days following the completion of construction.
 - c) The sign shall not exceed 32 square feet in area.
 - d) The maximum height of the sign shall be six feet.
 - e) A zoning permit is required.
- 6. Menu Boards, sandwich Board, or similar A-frame signs may be permitted, without a zoning permit, under the following provisions:
 - a) A maximum of one sign shall be permitted for each business or establishment. This allowable sign shall be in addition to the temporary sign number limitation.
 - b) The maximum sign areas shall be six square feet with a maximum height of four feet.
 - c) The sign shall only be permitted during business hours. A minimum clearance width of four feet must be maintained for pedestrian safety if a sidewalk or service walk exists on the property.
 - d) The sign shall not be illuminated.

Section 1211 *Permanent Off-Premises Signs*

The following provisions shall apply to permanent, off-premises signs.

- A. Off-premises signs, including billboards, shall be classified as a business use and be permitted in all districts zoned for industry, business, or trade, or land which is used for agricultural purposes pursuant to the Ohio Revised Code.
- B. No portion of any off-premises sign shall project upon or be located within fifty (50) feet of any public property or public right-of-way.
- C. As a business, off-premises signs shall be considered a principal use and shall be required to meet all setback and lot area requirements of the applicable zoning district unless otherwise required herein.
- D. Off-premises signs shall be set back a minimum of 2,000 feet from any other off-premises sign, a residential zoning district, or a platted subdivision.
- E. The maximum sign area and minimum setback shall be as follows:
 - 1. The maximum sign area for off-premises signs on land used for agricultural uses is 32 square feet with a minimum setback of fifty (50) feet from the right-of-way.
 - 2. Off-premises signs in a business, office, or industrial zoning district shall not have a sign area of more than 100 square feet. Off-premises signs in business and industrial zoning districts shall be setback a minimum of 100 feet from all right-of-ways; except as required by the Ohio Department of Transportation, which may require greater setback distances along interstate or primary highways. The maximum sign area for off-premises signs in business and industrial zoning districts may be increased to a maximum area of 300 square feet provided that for every two square feet of sign area over 100 square feet, such sign shall be setback an additional one foot from any right-of-way.
- F. No off-premises sign shall exceed 30 feet in height as measured from the grade of the ground adjacent to the off-premises sign;
- G. An off-premises sign may contain two signs oriented back-to-back or V-type with an angle not to exceed 35 degrees, provided that the total area of the sign faces oriented in any one direction shall not exceed maximum size provisions of subsection (F) above.
- H. Off-premises signs or structures shall not be located on or within one hundred (100) feet of any building, except signs painted on barns.

- I. Off-premises signs are permitted to utilize electronic message center signage per the requirements within Section 1207.

Section 1212 Non-conforming Signs

- A. Any sign lawfully existing on the effective date of an amendment to this article that does not conform to all the standards and regulations of the current Resolution shall be deemed to be legally non-conforming.
- B. A non-conforming sign shall not be replaced by another non-conforming sign except that a change of copy which does not alter the size, dimensions, height, or location of the sign shall be permitted. This shall include reimagining of a sign when there is a change in ownership or use provided that the non-conformity is not expanded. A non-conforming sign which is not an electronic message center sign shall not be permitted to add an electronic message center sign nor be replaced by an electronic message center sign without first being in complete conformance with this article.
- C. Minor repairs and maintenance of non-conforming signs, such as; repainting, electrical repairs and neon tubing repair, shall be permitted. However, no changes in the size or shape of the sign shall be permitted except to make the sign comply with the requirements of this article or to make it less non-conforming.
- D. If a non-conforming sign is completely destroyed, it shall be removed and shall not be repaired or replaced, except in conformance with this article.
- E. No such non-conforming sign may be enlarged, moved, or altered in a way, which increases its non-conformity; but any non-conforming sign, or portion thereof, may be altered to decrease its non-conformity.

Section 1213 Illegal Signs

- A. Any sign which is contrary to the requirements of this Resolution and which does not satisfy the non-conforming specifications stated in this Resolution shall be deemed an illegal sign.
- B. Signs that were illegally erected, established or maintained with respect to the applicable requirements of prior Resolutions shall be removed or brought into compliance with this sign Resolution per the requirements and procedures of Section 1206 (Administration and Enforcement).

ARTICLE – 13

PLANNED UNIT DEVELOPMENT

Resolution 04-07-06-01: Mr. George moved to support the recommendation of the Etna Township Zoning Commission for removal of Article 13: Planned Unit Development from the Etna Township Zoning Resolution and an addition be made to the addendum page stating that any PUD already approved will continue under the same regulations and conditions as when they were approved. Burkholder seconded.

ARTICLE - 14

PROHIBITION OF JUNK MOTOR VEHICLES

Section 1400 Intent

It is the intent of this section to regulate junk motor vehicles.

Section 1401 Collector's Vehicle

This Article is not intended to prevent a person from storing or keeping, or restrict a person in the method of storing or keeping, any collector's vehicle on private property with the permission of the person having the right to the possession of the property, except that a person having such permission shall be required to conceal, by means of buildings, fences, vegetation, terrain, or other suitable screening, any unlicensed collector's vehicle stored in the open. Regardless of whether it is licensed or unlicensed, a collector's vehicle is a "junk motor vehicle" for purposes of this section if the collector's vehicle meets all of the criteria contained in Article 2 – Definitions, under Junk Motor Vehicles. If a collector's vehicle meets all the criteria contained in Article 2 – Definitions, under Junk Motor Vehicles, Etna Township shall regulate the storage of that motor vehicle on private or public property in the same manner that the storage of any other junk motor vehicle is regulated.

Section 1402 Notification of Property Owner

After determining that a motor vehicle fits the definitions stated in Section 1401, the zoning inspector shall notify the person having the right to the possession of the property on which the junk motor vehicle is located that a violation has occurred. The notification may be delivered in person, or may be sent by certified mail with return receipt requested. The notice shall state that within ten (10) days of receipt of the notice, the junk motor vehicle shall be covered by being housed in an enclosed garage or accessory building, or shall be removed from the property.

Section 1403 Property Owners Right of Appeal

Any person wishing to appeal the decision made by the zoning inspector or the provisions of this article may appeal such decision to the Etna Township Board of Zoning Appeals in accordance with Section 507.

Section 1404 Legitimate Repairs

Vehicles undergoing legitimate repairs in a timely and consistent manner shall be exempt from the provisions of this article.

Section 1405 Enforcement

No person shall willfully leave a junk motor vehicle uncovered by not being housed in an enclosed garage or accessory building for more than ten (10) days after receipt of a notice as provided in this article. The fact that a junk motor vehicle is so left is prima-facie evidence of willful failure to comply with the notice, and each subsequent day that a junk motor vehicle continues to be so left constitutes a separate offense under this zoning resolution.

ARTICLE - 15

ADULT ENTERTAINMENT FACILITIES

Section 1500 Definitions

1. **Adult Entertainment Facility** means any establishment which is involved in one or more of the following listed categories:
 - a. **Adult Book Store**: An establishment having greater than five percent (5%) of its display area or items for sale 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.
 - b. **Adult Film Library**: An establishment having greater than five percent (5%) of its display area or items for rent or sale or its stock in trade which are distinguished or characterized by their emphasis on matter depicting or relating to "specified sexual activities" or "specified anatomical areas" as herein defined.
 - c. **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.
 - d. **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.
 - e. **Adult Entertainment Business**: Any establishment involved in the sale or services of products characterized by the exposure or presentation of "specified anatomical areas" or physical contact of live male(s) or female(s) 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, massage, and similar functions, which utilize activities as specified above.
2. **Specified Sexual Activities** means any of the following:
 - a. Human genitals in a state of sexual stimulation or arousal.
 - b. Acts, real or simulated, human masturbation, sexual intercourse, sodomy, cunnilingus, fellatio, or sadomasochistic sexual abuse.
 - c. Fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.
3. **Specified Anatomical Areas** means any of the following:
 - a. Less than completely covered human genitals, pubic region, buttocks, and female breasts below a point immediately above the top of the areola.
 - b. Human male genitals in a discernible turgid state.
4. **Person** means any individual, corporation, company, business, partnership, association, establishment, or other legal entity of any kind.
5. **Fine Art Gallery** means any display of art work which is individually crafted and signed by the artist or which is limited in edition to one thousand (1,000) or less.
6. **Sexually Explicit Nudity** means the sexually oriented and explicit showing of nudity, including, but not limited to close-up views, poses, or depictions of such position or manner which present or expose such nudity to prominent, focal, or obvious viewing attention.
7. **Sadomasochistic Sexual Abuse** means actual or simulated flagellation, rape, torture, or other physical or sexual abuse, by or upon a person who is nude or partially denuded, or the condition of being fettered, bound for sexual gratification or abuse or represented in the context of a sexual relationship.

8. **Visibly Displayed** means the material is visible on a billboard viewing screen, marquee, newsstand, display rack, window, show case, display case, or other similar display area that is visible from any part by the general public or otherwise, or that is visible from any part of the premises where a juvenile is or may be allowed, permitted, or invited, as part of the general public or otherwise, or that is visible from a public street, sidewalk, park, alley, residence, playground, schools, or other place to which juveniles, as part of the general public or otherwise, have unrestrained and reasonably anticipated access and presence.
9. **Knowledge of Character** means having general knowledge, or reason to know; or a belief or ground for belief which warrants further inspection or inquiry, of the nature and character or the material or performance involved. A person has such knowledge when he or she knows or is aware that the material or performance contains, depicts, or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse or lewd exhibition of the genitals, whichever is applicable, whether or not such person has precise knowledge of the specific contents thereof. Such knowledge may be proven by direct or circumstantial evidence, or both.
10. **Harmful to Juveniles** means any material or performance, whether through motion pictures, video tapes, photographs, drawings, cartoons, slides, depiction's, or descriptions to which (a), (b), and (c) apply.
 - a. The average adult person, applying contemporary community standards would find that the material or performance, taken as a whole, is intended to excite lustful or erotic thoughts in juveniles, or is designed or marketed to cater or appeal to a prurient interest in nudity, sex, or excretion.
 - b. The material or performance depicts or describes sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals, in a way, which is patently offensive to prevailing standards in the adult community with respect to what is suitable for juveniles.
 - c. The material or performance, taken as a whole, lacks serious literary, artistic, political, educational, or scientific value for juveniles.

Section 1501 Exceptions

Nothing in this article shall be construed to pertain to:

1. The purchase, distribution, exhibition and/or loan of any work of art, magazine or other printed material or manuscript by any accredited museum, library, fine art gallery, school or institution of higher learning.
2. The exhibition and/or performance of any play, drama, tableau, or motion picture by any theater, museum, library, fine art gallery, school or institution of higher learning either supported by public appropriation or which is an accredited institution supported by private funds.

Section 1502 Location

Adult entertainment facilities are specified as a conditional use in the Light Manufacturing District (M-1) or the Heavy Manufacturing District (M-2) only, and are additionally subject to the conditions hereafter set forth in Section 1503.

Section 1503 Conditions

1. No adult entertainment facility shall be established within twenty-five hundred (2,500) feet of any area zoned for residential use.
2. No adult entertainment facility shall be established within a radius of twenty-five hundred (2,500) 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 twenty-five hundred (2,500) 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 twenty-five hundred (2,500) feet of any other adult entertainment facility.

5. No advertisements, displays or other promotional materials displaying specified sexual activities or specified anatomical areas 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.
6. All building openings, entries, windows, etc. for adult uses shall be located, covered, or served 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.
7. 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.
8. Off-street parking shall be provided in accordance with standards for permitted uses within the M-1 and M-2 Districts, as appropriate.
9. No adult entertainment facility shall be established within a radius of twenty-five hundred (2,500) feet of any church, synagogue, or permanently established place of religious services attended by persons under eighteen (18) years of age.

Section 1504 Unlawful Exhibition or Display of Harmful Material to Juveniles

No person having custody, control, or supervision of any business or commercial establishment or premises, with knowledge of the character of the material involved, shall do or cause to have done any of the following:

1. Allow, permit, or fail to prevent any juvenile who is not accompanied by a parent or lawful guardian to enter or remain on premises if in that part of the premises where the juvenile is or may be allowed, permitted, or invited as part of the general public or otherwise, where there is visibly displayed all or any part of any book, magazine, newspaper, or other form of any material which is either of the following: harmful to juveniles, when taken as a whole; or contains on its cover, package, wrapping, or within the advertisements therefore, depiction's or photographs of sexually explicit nudity, sexual activity, sadomasochistic sexual abuse, or lewd exhibition of the genitals.
2. Visibly display, exhibit, or otherwise expose to view, all or any part of such material in any business or commercial establishment where juveniles, as part of the general public or otherwise, are, or will probably be, exposed to view all or any part of such material from any public or private place.
3. Hire, employ, or otherwise place, supervise, control, or allow in any business or commercial establishment or other place, any juvenile under circumstances which would cause, lead, or allow such juvenile to engage in the business or activity of selling, distributing, disseminating, or otherwise dealing or handling such material, either to or for adults or juveniles.

Section 1505 Violation and Penalty

Whoever violates any provision of this article shall be subject, upon conviction, to the penalties prescribed in Section 311 of this resolution.

ARTICLE - 16

Buffering, Landscaping, and Resource Preservation

Section 1600 Intent

The purpose of this Article is to improve the appearance of vehicular use areas and property abutting public rights of way; to require buffering between incompatible land uses; and to protect, preserve and promote the aesthetic appeal, character and value of the surrounding neighborhoods; and to promote public health and safety through the reduction of noise pollution, air pollution, visual pollution, air temperature, artificial light glare, and protection of sight triangles. It is further the purpose of this article to specifically promote the preservation and replacement of trees and significant vegetation removed in the course of land development, and to promote the proper utilization of landscape as a buffer between certain land uses to minimize the opportunities of nuisance.

Section 1601 Applicability

No structure on land which abuts a right-of-way or boundary between two Land Use Classes as defined in Table 16A shall be developed, or redeveloped, unless a buffer, if required as indicated in Table 16B, is established in accordance with the requirements of this Article.

Section 1602 Permits

No zoning permit or certificate of occupancy shall be issued hereafter for any site development or the construction or improvement of any building, structure or vehicular use area except where landscaping and/or buffering for such development, construction, or improvements are in compliance with the provisions of this article.

Section 1603 Plan Review

For any buffer required by this Chapter, a plan shall be submitted with the application for Zoning Permit to the Zoning Inspector to review for compliance with these regulations and any other applicable regulations. The plan shall show:

- A. The topography of the site;
- B. The location of driveway entrances;
- C. Provisions for vehicular and pedestrian circulation;
- D. The location of sidewalks on or adjacent to the property;
- E. The location of utilities, barriers, shelters, and signs;
- F. The location of landscaped areas and the types, quantity, sizes and location of vegetation to be planted in the areas of existing vegetation and existing and proposed topography;
- G. Maintenance and protection measures; and
- H. Any other relevant information requested by the Zoning Inspector.

Section 1604 Modifications and Waivers

In the event that the unusual topography or elevation of a development site, the size of the parcel to be developed, the extent of expansion or redevelopment of the site or parking area is deemed to be insignificant, or the presence of existing buffers on adjacent developed property would make strict adherence to the requirements of this Chapter serve no meaningful purpose or would make it physically impossible to install and maintain the required buffer, the Etna Township Board of Zoning Appeals may, upon proper application for a variance by the property owner, and upon making findings of fact, modify and/or waive the requirements of this Chapter provided the existing or resulting boundary features of the development site comply with the spirit and intent of this Article and other related articles.

Section 1605 *General Standards For Buffer Yards*

- A. Responsibility for Installation of Buffer.** The boundary buffer area shall be provided by the person in charge of or in control of developing the property whether as owner, lessee, tenant, occupant or otherwise.
- B. Location.** Boundary buffers shall be located along the rear and side boundaries of a lot or parcel. On sloped areas the boundary buffer should be located to maximize its screening effectiveness. Streetscape buffers shall be located along the public right-of-way and may be required along private street easements.
- C. Structures Within Required Buffer.** No structure shall be permitted within a required buffer other than a wall, fence or berm, or a driveway in the front yard connecting a parking area on the lot to the street or to a parking area on an abutting lot. A driveway in the side yard that connects a paving area on the lot to the street shall not encroach into the boundary buffer area.
- D. Adjacent Parcels Owned by Same Owner.** When both parcels are owned and being developed by the same owner, the buffer may be placed on either adjoining parcel or astride the boundary.
- E. Adjacent Parcels Owned by Different Owners.** When adjoining parcels have different owners the buffer shall be placed on the parcel being developed. However, a buffer that meets the requirement of both parcels may be placed astride the boundary if a written agreement, signed by both owners, is filed with the Zoning Inspector, and is recorded in the real property records of the County and runs with the property.
- F. Existing Fence, Wall, Berm, or Landscaping on Adjacent Parcel.** When the adjoining parcel has an existing fence, wall, berm, or landscaping within ten feet (10') of a developing parcel boundary that fulfills the buffer requirements of the developing parcel, the existing landscape material on the adjacent lot may be used towards the material requirement for the boundary buffer required for that boundary edge only. All credits for existing landscape material must be in accordance with Section 1606.3, and other related chapters. Any additional landscape material necessary to meet the boundary buffer requirements shall be added.
- G. Existing Development on Both Sides.** Where development already exists on both sides of a property line, a buffer shall be established as a condition of any new development. The property owner shall provide the maximum buffer possible under the standards of this Article given the location of existing buildings and driveways. If the width available for the buffer is less than fifty percent (50%) of the minimum required buffer width, then a solid fence or wall, meeting the standards of Article 10, shall be located at the side of the buffer facing the proposed development.

Section 1606 *Boundary Buffer Requirements*

To determine the type of buffer boundary required between two adjacent parcels, the following procedure and standards shall be utilized:





A. Procedure

- 1. Identify the Zoning District of the Developing Parcel.**
- 2. Identify the Zoning District of each Adjoining Parcel.**
- 3. Determine the Boundary Buffer Requirement for each Edge of the Developing Parcel.** Refer to Tables 16A & 16B and determine what the Boundary Buffer Requirement will be.
- 4. Determine Width of Buffer.** For each Boundary Buffer, alternative widths may be utilized. The width of each buffer defines the Landscape Material Requirements. For each width range, options for Landscape Material Requirements are given as minimum number of plants required per one hundred (100) linear feet.
- 5. Determine Length of Buffer.** Measure the length of the property boundary requiring the buffer and subtract any length covered completely by a clear sight triangle under Section 1607.
- 6. Determine Landscape Material Requirements.** Divide the length of the Required Boundary Buffer (the result of 1606.1(e) above) by one hundred (100). Multiply the result by the number of plants for the required boundary buffer shown in Figure 16B for the selected width. Any fractional number of plants (shrubs and trees) should be calculated to the next highest whole number.
- 7. Location and Placement of Landscape Material Requirements.** All landscape material requirements shall remain within the designated area and shall otherwise meet the standards of the Boundary Buffer. Although landscape material requirements typically are located within each 100 foot increment, their placement may vary in order to screen objectionable views.

Table 16A – Adjoining Zoning Districts/Use

When the Following Zoning District/Use	Adjoins the Following Zoning District/Use	The Minimum Buffer Width Shall Be:
Any MHP District/Use	Any residential or agricultural district/use	10 ft.
Any LB District/Use	Any residential or agricultural district/use	15 ft.
Any GB1 District/Use	Any residential or agricultural district/use	20 ft.
Any GB2 District/Use	Any residential or agricultural district/use	30 ft.
Any GB3 District/Use	Any residential or agricultural district/use	30 ft.
Any PRO District/Use	Any residential or agricultural district/use	15 ft.
Any M1, M2, or M3 District/Use	Any residential or agricultural district/use	30 ft.
Any M1, M2, or M3 District/Use	Any office or commercial district/use	15 ft.
A freeway or arterial street	Any residential district/use (except agricultural)	20 ft.
A freeway or arterial street	Any district/use (except residential or agricultural)	10 ft.
A railroad	Any district/use (except agricultural or industrial)	20 ft.
Any vehicular use or parking area	Any zone	3 ft. continuous planting, hedge, fence, or wall of 3 ½ ft. average height.
Utility substation, sewage plant, or similar	Any district/use	30 ft.
A freeway or arterial street	Any property used for vehicular sales or service	30 ft. (adjacent to freeway or arterial street only)

Table 16B – Material Requirements for Boundary Buffer

Minimum Width of Buffer	100 Linear Feet	Landscape Material	
		Canopy Trees	Shrubs
10 ft.		5	15
15 ft.		5	10
20 ft.		3	9
30 ft.		2	7

Notes (Table 16A & Table 16B):

1. Two (2) under story trees or two (2) evergreen trees may be substituted for 1 canopy tree for up to 25% of the required canopy trees.
2. A solid fence, wall, or berm 3 ft. to 6 ft. in height may be used and can substitute for shrub requirements.
3. All landscape materials required for the buffer shall be confined within the buffer boundaries.
4. Grass or ground cover shall be planted on all portions of the easements and buffers not occupied by other landscape materials.
5. Trees do not have to be equally spaced but may be grouped in a manner to allow for mature growth yet allow for flexibility in design. However, the number of trees to meet the requirements of Table 16B above must be maintained and undesirable sightlines must be screened as per the intent of this section.
6. Greater buffer boundaries may be required in approvals of conditional uses and Planned Development's when necessary to protect adjacent land uses.

B. Overlap. When any portion of a parcel edge is subject to more than one set of landscape requirements as set forth in this Article and other related Articles, the most stringent requirement will control that edge. The most stringent requirements shall be defined as those which require the highest fence, wall or screen or, if no fence, wall or screen is required, the requirements with the greatest quantity of landscaping.

C. Credit. Existing vegetation, fences, walls, or berms on a parcel may be counted toward the requirements for any class of buffer provided that it meets the standards established in this Article.

D. Maintenance.

1. All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The owner of the property shall be responsible for the continued property maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance free from refuse and debris at all times.
2. Unhealthy and dead plants that are required as part of these requirements shall be replaced within one year, or by the next planting season, whichever comes first.
3. Violation of these maintenance practices shall be a violation of this Zoning Resolution.
4. Any platted development shall provide a maintenance and replacement schedule in the restrictive covenants to address the maintenance and replacement of landscape materials.

Section 1607 Clear Sight Distance at Street & Access Drive Intersections

- A. Purpose.** To insure that landscape or building, whether temporary or permanent, materials do not constitute a driving hazard, a "clear sight triangle" will be observed at all street and access drive intersections.
- B. Definition.** A clear sight triangle is the triangular area formed by a diagonal line connecting two points located on intersecting lines of a right-of-way, each point being a defined distance from the intersecting lines. See Figure 16A.
- C. Design.** To insure that landscape or building, whether temporary or permanent, materials do not constitute a driving hazard, the entire area of the clear sight triangle should be designed as illustrated in Figure 16A to provide the driver of the vehicle entering the intersection with an unobstructed view to all points ten (10) feet above the roadway along the centerline.
1. At the intersection of driveways with streets, the sight triangle shall be established by locating the intersection of the street curb or edge with the driveway edge and by measuring from this point a distance of ten (10) feet along the driveway to a point and a distance of twenty (20) feet along the street curb to a point and connecting these points. See Figure 16A.
 2. At the street intersections, the sight triangle shall be formed by measuring at least twenty (20) feet along lines of right-of-way and connecting these points. See Figure 16A.
- D. Restrictions Within Clear Sight Triangles**
1. Within the sight triangle no landscape or building materials with a mature height greater than twelve inches (12") shall be permitted with the exception of required grass or ground cover or trees which conform to the following standards. Trees shall be permitted within the sight triangles as long as, except during early growth stages, only the tree trunk (no limbs, leaves, etc.) is visible between the ground and ten (10) feet above the ground, or otherwise does not present a traffic visibility hazard. Restrictions shall not apply to the following:
 - a) Existing natural grades which, by reason of natural topography, rise twelve (12) or more inches above the level of the center of the adjacent intersection;
 - b) Fire hydrants, public utility poles, street markers, governmental signs, mailboxes, and traffic control devices.
 2. No fences or walls which impede a clear view of oncoming traffic shall be permitted within the sight triangles.
 3. The restrictions contained in this Section shall also apply to any areas outside the clear sight distance triangle that fall within the sight distance requirements of the County Engineer or other more stringent Federal or State requirements.

Figure 16A – Clear Sight Triangles

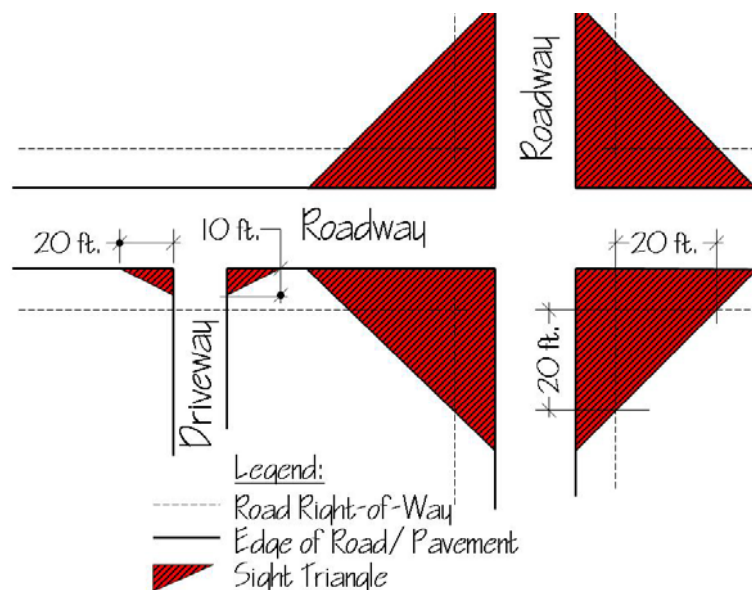
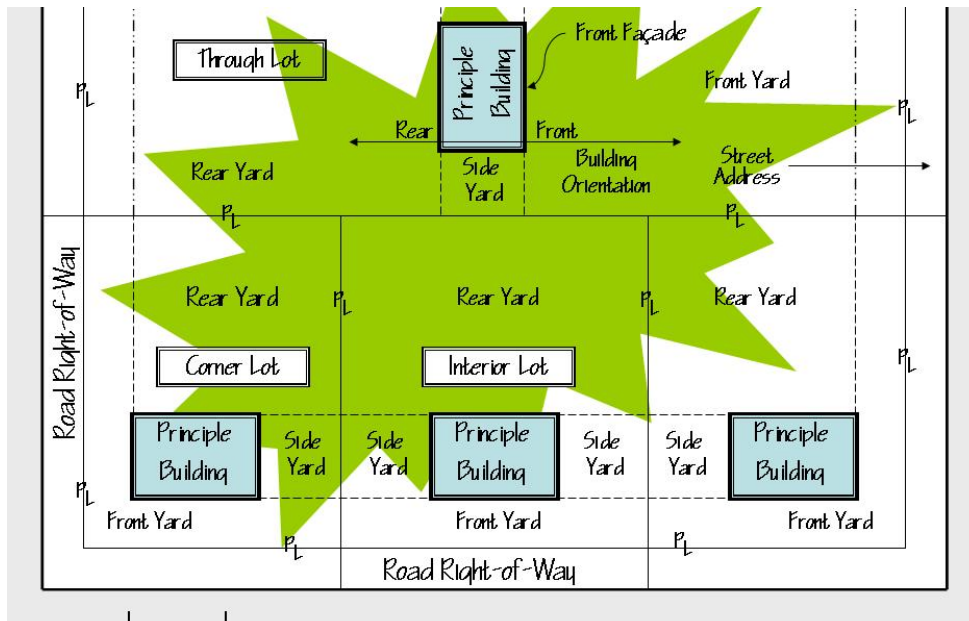


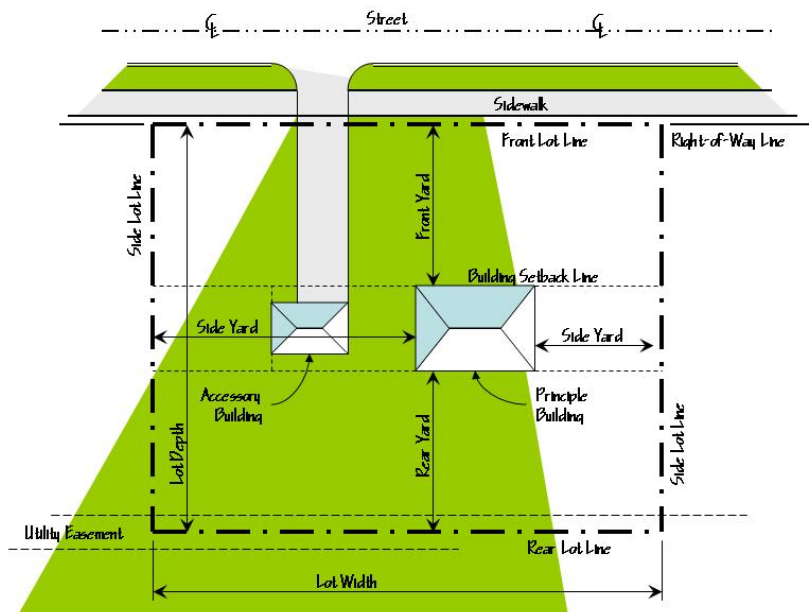
Figure 16B – Corner & Through Lot Diagram



Legend:

- Yard Definition
- PL Property Line
- Curb/ Edge of Road/ Pavement
- Setback Line

Figure 16C – Standard Lot Diagram



Section 1608 Woodland & Resource Preservation

It shall be required that efforts be made to preserve natural vegetation areas. Consideration shall be given to laying out streets; lots, structures, and parking areas to avoid unnecessary destruction of heavily wooded areas or outstanding tree specimens. It is further required that, whenever possible, heavily wooded areas be designated as park reserves. Certain credits are available for conservation efforts. To be eligible for these credits, the following criteria must be met:

- A. Quantity of Woodland.** The minimum amount of woodland preserved shall be one-eighth of an acre (5,445 sq. ft.). The woodland canopy shall be contiguous and fifty percent (50%) of the canopy shall be from trees that have an 18" DBH (diameter of trunk at breast height, typically four and one-half (4 ½) feet above ground level) or greater.
- B. Location.** Any woodland area eligible for credit must be located within one hundred feet (100') of the principal building or an impervious surface that directly serves the principal use on the site and is partially or wholly physically located within a required buffer area.
- C. Credit.** If the above conditions are met, credit may be granted as follows:
 1. **Buffer Reduction Bonus.** The buffer requirements, specified in this and other related chapters, that are applicable to the site may be reduced or eliminated upon the determination by the Zoning Inspector that the Woodland Preservation area amenities fully compensate for the reduced or eliminated landscape requirements.
 2. **Parking Reduction Bonus.** The Etna Township Zoning Commission may approve a reduction of up to ten percent (10%) of the required number of parking spaces if adequate parking will remain on the subject site and if land area for required number of spaces remains available for future development on the subject site.
 3. **Intensity Reduction Bonus.** The Etna Township Zoning Commission may approve an increase in the intensity of up to ten percent (10%) of the district limits for any use permissible as a PUD.
 4. **Square Footage Increase Bonus.** The Etna Township Zoning Commission may approve an increase in square footage in excess of established requirements of up to ten percent (10%) of the district restrictions (GB1 and GB2 only). All other requirements and restrictions shall be calculated from the actual square footage (i.e. parking spaces, loading spaces, etc).

ARTICLE - 17

PLANNED RESIDENTIAL DISTRICTS

Section 1700 Intent

The Planned Residential District 1 (PRD-1) and Planned Residential District 2 (PRD-2) are Planned Unit Development (PUD) Districts adopted pursuant to Ohio Revised Code §519.021(A) and are intended to provide flexibility in the development standards for primarily single family dwellings in designated suburban areas based on a unified development plan. However, within that flexibility the developments under the PRD-1 and PRD-2 PUD Districts must adhere to the adopted regulations and standards found in **Sections 1704-1709** for PRD-1 and **Sections 1710-1715** for PRD-2.

The PRD Districts are intended to achieve the statutory purposes of §519.021 of the Ohio Revised Code for Planned Unit Developments, “promoting general public welfare, encouraging the efficient use of land and resources, promoting efficiency and providing public and utilities services, encouraging innovation in the planning and building of all types of development, and promoting the public health, safety and morals.”

Designation under this article requires a zoning map amendment pursuant to §519.12 of the Ohio Revised Code.

Natural features such as topography, woodlands, tree rows, wetlands, bodies of water, floodplains, drainage ways, and historic architecture shall be maintained in a natural state as much as possible to maintain a rural character. Open space is a major component of such a unified development plan.

Section 1701 The objectives of the Planned Residential Development District include:

- A. To encourage creativity in residential neighborhood design through a controlled process of review and approval of particular site development plans that preserve open space, protect ravines, woodlands, wetlands, and floodplains;
- B. To encourage development that makes more efficient use of land and requires shorter networks of streets and utilities;
- C. To integrate and provide useable and accessible open space and recreation in close proximity to residential dwelling units;
- D. To use permanent open space as the centerpiece of planned residential developments;
- E. To permit suburban densities in areas that have access to centralized water and sanitary sewer, while protecting natural resources via clustering of houses;
- F. To provide a variety of housing options.

Section 1702 Effect of Planned Residential Development Zoning

Upon approval of a PRD district, no previous regulations shall remain in effect and the regulations for the PRD shall prevail.

Planned Residential Districts adopted and established in accordance with the provisions of this article and the requirements contained herein shall take precedence over any conflicting regulations contained elsewhere in the Zoning Resolution.

Section 1703 Process

The following is the process to amend the zoning map for real property to a PRD-1 or PRD-2 according to the statutory requirements of §519.12 of the Ohio Revised Code and the process to develop that property accordingly. In addition to any other procedures set out in this Resolution, all applications for amendments to the zoning map to rezone lands to PRD-1 or PRD-2 shall follow the procedures herein.

- A. Concept Stage – Recommended.** The applicant is encouraged to engage in informal consultations including a site walk-about with the Zoning Commission or a designated representative of the Township and the Licking County Planning Commission prior to formal submission of an application to amend the zoning map and submit a Preliminary Development Plan.

No statement by officials of the Township, designated representatives of the Township, or the Licking County Planning Commission shall be binding upon either party at the concept stage.

B. Zoning Map Amendment.

- 1. Process:** This stage of the process shall conform to **Article – 6 Amendment** of the Etna Township Zoning Resolution and is a legislative function of the township and therefore subject to referendum. The procedure to amend the zoning map for real property to a PRD-1 or PRD-2 must meet the requirements of §519.12 of the Ohio Revised Code.

- a) Submission:** The applicant shall submit the following information to the Zoning Inspector for forwarding to the Zoning Commission:

- 1.) All applicable information as outlined in **Section 603 Contents of Application** of this Resolution.
- 2.) The applicant shall also submit a Preliminary Development Plan (see sub-section **1703.C Preliminary Development Plan**) with the application for a Zoning Map Amendment under this Article.

- b) Zoning Inspector:** After the applications are made to the Zoning Inspector, the following procedure shall be followed:

- 1.) The Zoning Inspector shall review the submitted application for the Zoning Map Amendment to ensure the application is complete.
- 2.) The Zoning Inspector shall forward the Zoning Map Amendment application to the Zoning Commission.
- 3.) The Zoning Inspector shall provide an ‘Etna Township Staff Report’ to the Zoning Commission detailing the application.

- c) Zoning Commission:** The Zoning Commission is the recommending body regarding the Zoning Map Amendment.

- 1.) The Zoning Commission shall review the Zoning Map Amendment application.
- 2.) The Zoning Commission shall follow the procedures outlined in **Article – 6 Amendment** of this Resolution and thereupon provide the Board of Trustees with a recommendation regarding the Zoning Map Amendment application.
- 3.) For recommendations regarding the Preliminary Development Plan see sub-section **1703.C.1 Process**.

- d) Board of Trustees:** The Board of Trustees is the approving body for the Zoning Map Amendment.

- 1.) The Board of Trustees shall follow the process outlined in **Article – 6 Amendment** of this Resolution while reviewing the Zoning Map Amendment application.
- 2.) The Board of Trustees shall adopt, deny, or adopt with modifications the recommendation from the Zoning Commission.
- 3.) The Board of Trustees shall not make a decision upon the Preliminary Development Plan at that time. For approval regarding the Preliminary Development Plan see sub-section **1703.C.1 Process**.

- 2. Required Findings for approval of a PRD Zoning Map Amendment:** The planned unit development shall further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. Within a planned unit development, the township zoning regulations, where applicable, need not be uniform but may vary in order to accommodate unified development and to promote the public health, safety, morals, and the other purposes of §519.021 of the Ohio Revised Code. The proposed development shall be consistent with the purpose, criteria, and intent of this Zoning Resolution, Township Comprehensive Plans, existing land use character, appearance, and physical development of the area.

C. Preliminary Development Plan.

1. **Process:** The approval process for a Preliminary Development Plan is an administrative action and subject to appeal per Chapter 2506 of the Ohio Revised Code. The review of a Preliminary Development Plan by the Zoning Commission and the Board of Trustees is not subject to a public hearing. The following is the process for approval of a Preliminary Development Plan:
 - a) **Submission:** An applicant for a Preliminary Development Plan shall submit all required information, maps, plans, and applications (see sub-section **1703.C.2 Submission Requirements**) to the Zoning Inspector for forwarding to the Zoning Commission.
 - b) **Zoning Inspector:** After the applications are made to the Zoning Inspector, the following procedure shall be followed:
 - 1.) The Zoning Inspector shall review the submitted application for the Preliminary Development Plan to ensure the application is complete.
 - 2.) The Zoning Inspector shall forward the Preliminary Development Plan application to the Zoning Commission.
 - 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the plan and if the plan complies with the Etna Township Zoning Resolution as applicable.
 - c) **Zoning Commission:** The Zoning Commission is a recommending body regarding the Preliminary Development Plan.
 - 1.) The Zoning Commission shall review the Preliminary Development Plan and provide a written recommendation to the Board of Trustees based upon the plan's compliance with the regulations and standards in **Sections 1704-1709** for PRD-1 or **Sections 1710-1715** for PRD-2. The written recommendation shall list specific findings of fact. For example if the recommendation is for denial the recommendation shall list specific sections of the Etna Township Zoning Resolution for which the proposal does not comply.
 - 2.) If the Preliminary Development Plan is submitted in conjunction with the Zoning Map Amendment, the Zoning Commission shall provide two separate written recommendations concerning the Preliminary Development Plan and the Zoning Map Amendment in the same meeting. The written recommendation for the Preliminary Development Plan shall list specific findings of fact. For example if the recommendation is for denial the recommendation shall list specific sections of the Etna Township Zoning Resolution for which the proposal does not comply.
 - d) **Board of Trustees:** The Board of Trustees is the approving body for the Preliminary Development Plan. If the Zoning Map Amendment is denied then the submitted Preliminary Development Plan shall be considered null and void. If the Zoning Map Amendment is approved then the following process shall be followed:
 - 1.) The Board of Trustees shall make an official decision regarding the Preliminary Development Plan only after the passage of the thirty (30) day referendum period as described in Section §519.12 of the Ohio Revised Code.
 - 2.) The Board of Trustees shall consider the Preliminary Development Plan and shall approve, deny, or approve with modifications the Preliminary Development Plan based upon the plan's compliance with the regulations and standards in **Sections 1704-1709** for PRD-1 or **Sections 1710-1715** for PRD-2.
 - 3.) If the plan is denied, the Board of Trustees shall provide specific written findings and reasoning for the denial of the Preliminary Development Plan.
2. **Submission Requirements:** The applicant shall submit fifteen (15) copies of the Preliminary Development Plan to the Zoning Inspector. The Preliminary Development Plan shall show the intended layout of the site in accordance with PRD-1 or PRD-2 standards, as applicable. The plan shall include, in text and map form, the following:
 - a) The proposed size and location of the PRD-1 district, at a scale of at least 1" = 200', showing topographic contours of at least two (2) foot intervals, existing and proposed structures, and structures within two hundred (200) feet of the development tract.

- b) Environmentally sensitive areas such as the 100-year floodplain, bodies of water, forested areas, wetlands, and slopes greater than twenty percent (20%). No structure (other than approved drainage structures) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Licking County.
- c) Permitted density calculations (see **Section 1705 Density and Open Space**).
- d) Generalized architectural designs for all structures and signs.
- e) The intended general provisions for fire hydrants and surface drainage, to the extent known. Information regarding existing pipe sizes, capacities, committed flows, and potential needed upgrades must be documented.
- f) Water supply and sanitary sewage disposal feasibility shall be indicated by the appropriate agency at the time of the Preliminary Development Plan. Centralized sanitary sewage disposal systems, if necessary, shall be provided subject to the Southwest Licking Water and Sewer District and Ohio Environmental Protection Agency approval. If on-site centralized sewage disposal systems are proposed, the applicant shall indicate who shall be responsible for their operation and maintenance and shall provide a letter from the appropriate county or state agency declaring the site feasible for such systems and for the anticipated sanitary flows.
- g) The relationship of the proposed development to existing and probable uses of surrounding areas, including easements, rights of way, proposed drainage, and public utilities.
- h) A design of the open space and proposed description of its use and maintenance.
- i) Proposed public land dedications.
- j) Preliminary Traffic Impact Analysis based upon new trip generation rates as specified in either the Licking County Subdivision Regulations - Article 8 and/or the International Transportation Engineering standards, the more restrictive standard shall govern. Preliminary mitigation proposals such as turning lanes, signals, roundabouts, or widenings to alleviate the impacts of new traffic shall be described.
- k) Design standard items A-D, F-G, K-Q, W and Y from **Section 1709 Required Design Standards**.
- l) Emergency service provisions (letter from fire and police/sheriff departments stating whether or not services are available, capacity, and any regulatory requirements that need to be met).
- m) General phasing plans, if any.
- n) Any other supplemental information as required by the Zoning Commission and/or Board of Trustees to properly review the submitted Preliminary Development Plan.

3. Required Findings for Approval of a Preliminary Development Plan: The Zoning Commission and the Board of Trustees shall approve an application for a Preliminary Development Plan provided they find that the proposed plan complies with the regulations and standards in **Sections 1704-1709** for PRD-1 or **Sections 1710-1715** for PRD-2.

4. Preliminary Development Plan Approval Period: The approval of a Preliminary Development Plan shall be effective for a period of one (1) year in order to allow for the preparation and submission of the Final Development Plan. No zoning amendment passed during this one (1) year period shall affect the terms under which approval of the Preliminary Development Plan was granted. If the Final Development Plan has not been filed within this one (1) year period, then the Preliminary Development Plan approval shall expire unless the Board of Trustees has approved an extension of this time limit. A single extension with a maximum period of one (1) year may be considered by the Board of Trustees. Absent of such an extension, no use shall be established or changed and no building, structure, or improvement shall be constructed until a new Preliminary and Final Development Plan have been resubmitted to and approved by the Township Board of Trustees. Such applications for approval shall be subject to the same procedures and conditions as an original application and shall commence at the Preliminary Development Plan stage (see sub-section **1703.C Preliminary Development Plan**). However, resubmission of a new Preliminary Development Plan is not an application for a zoning amendment and the zoning does not revert at any time to the previous zoning district or any other zoning district. These new applications shall comply with the terms of the Zoning Resolution then in effect at the time of filing.

5. Modifications. Any modification request to an approved Preliminary Development Plan shall be described in a PUD Modification Application and submitted to the Zoning Inspector. A final decision shall be made upon the modification request within sixty (60) days of application. The following process shall be followed for approval of the request:

- a) Any modification request that will not alter the physical characteristics of the Preliminary Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.
- b) All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.
 - 1.) The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.
 - 2.) If the vote of the Zoning Commission is unanimous, then the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.
 - 3.) If the vote of the Zoning Commission is not unanimous, then the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.

D. Final Development Plan.

1. Process: The approval process for a Final Development Plan is an administrative action and subject to appeal per Chapter 2506 of the Ohio Revised Code. The review of a Final Development Plan by the Zoning Commission and the Board of Trustees is not subject to a public hearing. The following is the process for approval of a Final Development Plan:

- a) Submission: A Final Development Plan shall only be submitted if a Preliminary Development Plan has previously been reviewed and approved by the Board of Trustees. An applicant for a Final Development Plan shall submit all required information, maps, plans, and applications (see sub-section **1703.D.2 Submission Requirements**) to the Zoning Inspector for forwarding to the Zoning Commission.
- b) Zoning Inspector: After the application is made to the Zoning Inspector, the following procedure shall be followed:
 - 1.) The Zoning Inspector shall review the submitted application for the Final Development Plan to ensure the application is complete.
 - 2.) The Zoning Inspector shall forward the Final Development Plan application to the Zoning Commission.
 - 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the plan and if the plan complies with the Etna Township Zoning Resolution as applicable.
- c) Zoning Commission: The Zoning Commission is a recommending body regarding the Final Development Plan.
 - 1.) The Zoning Commission shall review the Final Development Plan and provide a written recommendation to the Board of Trustees based upon the plan's compliance with the regulations and standards in **Sections 1704-1709** for PRD-1 or **Sections 1710-1715** for PRD-2.
- d) Board of Trustees: The Board of Trustees is the approving body for the Final Development Plan.
 - 1.) The Board of Trustees shall consider the Final Development Plan and shall approve, deny, or approve with modifications the Final Development Plan based upon the plan's compliance with the regulations and standards in **Sections 1704-1709** for PRD-1 or **Sections 1710-1715** for PRD-2.
 - 2.) If the plan is denied, then the Board of Trustees shall provide specific written findings and reasoning for the denial of the Final Development Plan.

2. Submission Requirements: The applicant shall submit fifteen (15) copies of the Final Development Plan to the Zoning Inspector with the application. The Final Development Plan shall include in text and map form the following:

- a) A listing of all deviations from the approved Preliminary Development Plan.

- b) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed PRD development.
- c) All design standards from **Section 1709 Required Design Standards**.
 - 1.) The general development character of the tract including the limitations or controls to be placed on all uses with proposed lot sizes and minimum setback requirements shall be shown. Other development features including landscaping, entrance features, signage, pathways, sidewalks, recreational facilities, and all commonly owned structures shall be shown in detail which identifies the quantity, type, and typical section of each. For example, the landscape plan shall identify each plant, shrub or tree, its name, its size at planting, and rendering of how that section of the development would look in elevation; see **Article – 16 Buffering, Landscaping, and Resource Preservation**.
- d) Architectural design criteria including materials, colors, and renderings for all structures and criteria for proposed signs, with proposed control procedures. These are specific renderings of the elevations of structures. Any modification of these structures shall require re-approval of the Final Development Plan by the Township.
- e) The developer shall supply Etna Township with a traffic impact study (TIS) addressing the impact the development will have on the roadway infrastructure. The study shall address not only the new intersection/s, but also the impacts incurred on the next classified intersections in each direction from the proposed access point/s. This area is referred to as the study area for the TIS. The TIS shall be developed in accordance to Institute of Traffic Engineers (ITE) Trip Generation Handbook and Trip Generation Rates. The most current version shall be used. Particular attention shall be given to following the recommended procedures concerning Trip Generation Average Rates vs. Equations, selection of land use codes, calculation of pass-by trips, primary and diverted trips, internal trips, and specialty generators. Existing and Future condition Analysis of new intersections and intersections within the study area shall be evaluated using both AM and PM peak hour data (Traffic volume and growth rates may be available from the Mid-Ohio Regional Planning Commission). Future traffic data shall be twenty (20) years from opening day. The TIS shall include the following:
 - 1.) Introduction
 - 2.) Site Plan & Illustration of the Study Area.
 - 3.) Existing Conditions in study area—roadway geometry, speed limits, pictures, sight distances, etc.
 - 4.) Plates showing existing and future traffic 'no build'.
 - 5.) Plates showing trip Generation and Distribution of development.
 - 6.) Plates showing opening day full build and future full build.
 - 7.) Trip Generation and Distribution Methodologies and Summaries.
 - 8.) Future Conditions in study area, with and without proposed development.
 - 9.) Capacity Analysis using Synchro or HCS software or other approved method for AM & PM peak hours for existing and future build conditions and no build conditions.
 - 10.) Turn Lane length calculations shall be determined by ODOT Location and Design Manual standards. The requirements to include turn lanes are to be by Licking County Planning Commission regulation.
 - 11.) Signal Warrants shall be in accordance with the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).
 - 12.) Summary or Conclusions & Recommendations.
 - 13.) Appendix with calculations, engineering notes, etc.
 - 14.) Depending on the location, other information may also be required such as crash rates, existing speed patterns, sight distance survey, etc. These items can be discussed as part of a pre-plan conference or during the Technical Review Committee meeting.
- f) A private street cross section and drainage plan that meets the design standards of the Licking County Engineer for the weight of the vehicles and the traffic anticipated with an estimated design life of twenty (20) years.
- g) Upon dedication of public service facilities/infrastructure to the township, the applicant must post a one (1) year bond to the Etna Township Trustees equal to ten percent (10%) of the original bond posted to Licking County, to ensure the facilities/infrastructure continue to meet the Licking County subdivision regulations.

- h) Any covenants, easements, or restrictions.
- i) The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities.
- j) If the proposed timetable for development includes developing the land (including open space) in phases, no phase shall be less than five (5) acres or the whole tract (whichever is smaller). These phases shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases.
- k) The Final Development Plan map shall be to scale of at least 1" = 100' and will show the proposed uses of the site, location of buildings and structures, streets and roadways, parking areas, all required design features, and the following:
 - 1.) The proposed provisions for water, fire hydrants, sanitary sewer, and surface drainage with engineering feasibility studies or other evidence of reasonableness. Line sizes and locations, detention basins, and drainage structures shall be drawn.
 - 2.) The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable.
 - 3.) Specific location of parks and other public facility sites, within or adjacent to the site.
 - 4.) If the proposed timetable for development includes developing the land (including open space) in phases, the applicant shall provide a representation of the phasing on the Final Development Plan map.
 - 5.) The drawings that are a part of the Final Development Plan shall bear the seal of an architect, landscape architect, and professional engineer licensed to practice in the state of Ohio, with respect to the design of each professional.

3. Required Findings for Approval of a Final Development Plan for a Planned Residential Development: The Board of Trustees shall approve an application for a Final Development Plan provided they find that the Final Development Plan is in compliance with **Sections 1704-1709** for PRD-1 or **Sections 1710-1715** for PRD-2 and there are no unresolved modifications between the plan and standards approved by the Board of Trustees at the Preliminary Development Plan stage.

4. Final Development Plan Approval Period: The approval of a Final Development Plan shall be effective for a period of three (3) years, in order to allow for the filing and recording of a final subdivision plat, if platting is required by applicable law, and the commencement of construction of improvements on the site. No zoning amendment passed during the established approval period shall affect the terms under which approval of the Final Development Plan was granted. If the required final subdivision plat has not been approved and recorded, and construction commenced within the established approval period, then the Final Development Plan shall expire. Upon expiration, no use shall be established or changed and no building, structure, or improvement shall be constructed until a new Preliminary and Final Development Plan have been re-submitted to and approved by the Township Board of Trustees. Such applications for approval shall be subject to the same procedures and conditions as an original application and shall commence at the Preliminary Development Plan stage (see **1703.C; Preliminary Development Plan**). However, resubmission of a new Preliminary and Final Development Plan is not an application for a zoning amendment and the zoning does not revert at any time to the previous zoning district or any other zoning district. These new applications shall comply with the terms of the Zoning Resolution then in effect at the time of filing.

5. Modifications. Any modification request to an approved Final Development Plan shall be described in a PUD Modification Application and submitted to the Zoning Inspector. A final decision shall be made upon the modification request within sixty (60) days of application. The following process shall be followed for approval of the request:

- a) Any modification request that will not alter the physical characteristics of the Final Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.
- b) All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.
 - 1.) The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.

- 2.) If the vote of the Zoning Commission is unanimous, the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.
 - 3.) If the vote of the Zoning Commission is not unanimous, the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.
- E. Plat Required.** The Final Development Plan as approved by the Board of Trustees shall be the subject of a subdivision plat to be approved by the Licking County Planning Commission if required by the Ohio Revised Code. Where the land is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved Final Development Plan. If required by applicable law, 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 Licking County, Ohio, and this Zoning Resolution. The subdivision plat and plan shall be in accordance with the approved Final Development Plan. The Final Development Plan application step with the Township shall be the preliminary plan application step in the subdivision regulations administered by Licking County.
- F. Failure to Maintain.** If the approved Final Development Plan is not adhered to, or the open space is not properly maintained, the Township Zoning Inspector may serve written notice of the deficiencies and demand that corrective action be taken. The Township may pursue noncompliance with the plan as a zoning violation which will be dealt with under **Section 311 Penalties for Violation** within this Resolution.
- G. Administrative Review.** All plats, construction drawings, restrictive covenants, and other necessary documents shall be submitted to the Zoning Inspector, Zoning Commission, and/or their designated technical advisors for an administrative review to ensure substantial compliance with the Final Development Plan as approved, prior to issuance of a zoning permit. The Board of Trustees may establish a fee to be deposited with each administrative review in order to defray the costs associated with such a review.

Section 1704 Planned Residential District (PRD-1)

The PRD-1 districts shall be limited to those areas of the township located between the east side of Mink Street and the west side of Smoke Road or any property contiguous to a municipality, which are served by centralized water and sanitary sewer service.

Section 1705 Density and Open Space

- A. Density Calculations.** The permitted density (the number of dwelling units in the proposed PRD-1), is **one (1) unit per net developable acre**. Density calculations are based on the net developable area of the site. The net developable acreage is that remaining after deducting the following existing and planned land characteristics from the gross acreage:
1. Right of way for streets and utilities;
 2. Jurisdictional wetlands, as defined U.S. Army Corps of Engineers Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss. Jurisdictional wetlands as regulated by Section 404 of the Clean Water Act consist of a.) hydric soils, b.) hydrophytic vegetation and c.) wetland hydrology (this generally means they support more than fifty percent (50%) wetland vegetation, and are poorly drained soils which are periodically inundated or saturated);
 3. Floodplains within a FEMA 100-year floodplain;
 4. Slopes greater than twenty percent (20%);
 5. Utility rights-of-way and easements for above-ground utility structures such as above ground pipelines and existing overhead electric transmission (not local service) wires;
 6. All bodies of water including retention or detention ponds.
- B. Density Bonus.** The permitted density (the number of dwelling units in the proposed PRD-1) may be increased up to a maximum of one and a half (1.5) dwelling units per net developable acre if the design of the development meets more than two (2) of the following:

1. Greater than five (5%) of the development parcel's entire boundary is contiguous to a municipality.
2. Open space is designed as part of a larger network connecting to existing open space on neighboring parcels and responsive to natural features on the site.
3. Development of the property includes a six (6) to eight (8) foot asphalt bike path or equivalent that connects to the greater system in the township and/or the region or, at least, provides for potential connections to such a system. This bike path shall connect a majority of the development, including open spaces, with the connection to the larger township/regional system.
4. Single loaded streets (development on only one side of a street; see Figure 1705.B.3.a) where a minimum of fifty percent (50%) of the single-family detached residential dwellings in the development are located on parcels opposite some type of open space.



Figure 1705.B.3.a (example of a single loaded street)

5. Provide a variety of front building lines. If this design goal is chosen, this requirement would supersede the requirement in sub-section **1709.K Minimum Front Setbacks**. The requirements for this design goal will be as follows:
 - a) The minimum front yard setback shall be twenty-five (25) feet and the maximum front yard setback shall be forty (40) feet. The front of each dwelling/garage (whichever is closer to the right-of-way) shall be located between the minimum and maximum front yard setbacks.
 - b) There shall be no more than a ten (10) foot difference in front yard setback line between adjacent parcels.
 - c) No more than two (2) continuous parcels may have a front yard setback line within five (5) feet of each other.



Figure 1705.B.4.d (example of varied front building lines)

6. Deemphasize the garage. If this design goal is chosen, one (1) of the following methods shall be used (only one method per development):
 - a) Attached or detached garages must be setback a minimum of five (5) feet from front façade of the dwelling or porch.
 - b) All attached garages shall be side-loaded, and detached garages shall be located behind the principle dwelling.
 - c) Provide alleys within the development. All garages within the development shall be accessed from the provided alleys.
- C. Open Space Calculations.** A minimum of twenty percent (20%) of the gross acreage shall consist of open space. The open space shall be distributed throughout the development which shall serve to unify the development visually and functionally, and buffer surrounding land uses.

1. A maximum of fifty percent (50%) of the requirement in 1705.C may consist of, in part or in aggregate, jurisdictional wetlands, (as defined U.S. Army Corps of Engineers Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss.) floodplains within a FEMA 100-year floodplain, slopes greater than twenty percent (20%), utility rights-of-way and easements for above-ground and currently existing utility structures, or existing/proposed bodies of water. The purpose of this type of open space is to allow for a low-maintenance type of open space which will be environmentally sensitive and create a lower density feeling in the development.
2. A minimum of twenty-five percent (25%) of the open space requirement in sub-section **1705.C Open Space Calculations** shall consist of Common Open Space (sub-section **1706.D**) which would be open to all of the residents within the development for recreational or passive use.
 - a) The location, shape, size and character of the Common Open Space shall be suitable for the planned development in relation to the location, number and types of buildings it is intended to serve. In any case, it shall be accessible to all residents and guests of residents within the planned development.
 - b) The Common Open Space shall be for the use and enjoyment of the owners and occupants of the individual building sites of the development and shall be accessible to all such owners and occupants. 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.
 - c) The Common Open Space may be suitably improved for its intended use, but Common Open Space containing natural features worthy of preservation such as slopes over twelve percent (12%) and wooded areas must be left unimproved. The buildings, structures, and improvements that are permitted in the Common Open Space must be appropriate to the uses that 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.
 - d) The proposed Common Open Space may be conveyed to a public authority that will agree to maintain the Common Open Space and any buildings, structures or improvements that have been placed on it. All land dedicated to the public must meet the requirements of the appropriate authority as to size, shape, and location. Public utility or other similar easements and right of way for water courses or other similar channels are not acceptable for Common Open Space dedication unless such land or right of way is usable as a trail or other similar purpose and approved by the authority to which the land is dedicated.
 - e) The proposed Common Open Space may be conveyed to an owners association or similar organization formed for the maintenance of the planned development. The Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Common Open Space to the uses specified in the Final Development Plan and provide for the maintenance of Common Open Space in a manner which assures its continuing use for its intended purpose. Membership in the owners' association shall, by deed restriction, be mandatory for any owner within the planned development.
 - f) If the proposed Common Open Space is not conveyed to a public authority or to an owners' association it must be deeded in title to a fiduciary which, for a fee, acts as a trustee for the benefit of all owners and occupants of the planned development. The trustee shall give easements across the Common Open Space and the right to use the facilities to all owners and occupants of planned development. The trustee shall be provided the right to charge and lien each property of its proportionate share of upkeep costs for the common facilities.
 - g) Deed restrictions and covenants must be provided by the applicant and approved by the Zoning Commission to further regulate the intended use of these Common Open Space parcels. Such covenants shall restrict the common open space to the uses specified in the Final Development Plan and provide for the maintenance of the Common Open Space in a manner which assures its continuing use for its intended purpose regardless of ownership. The restrictions and covenants shall require the parcels to remain accessible to all residents and guests of residents within the Planned Unit Development. The restrictions shall also state that Etna Township shall be granted enforcement authority over these restrictions and covenants.

- h) In the event that the Common Open Space within a development is conveyed to or owned by an owners association, similar organization, developer, or a fiduciary and that entity ceases to exist through disbandment, or bankruptcy, etc. the Etna Township Board of Trustees shall be given the first opportunity to purchase or take ownership of the Common Open Space property which was under the authority of the defunct organization. However, The Board of Trustees is not required to purchase or take control of the open space property.
 - i) A minimum of two (2) acres or forty percent (40%) of the Common Open Space requirement listed in sub-section **1705.C.2**, whichever is greater, shall be required as a contiguous open space area which has a width to length or length to width ratio of no greater than four (4) to one (1). If only one (1) such area is provided for the development, this area shall be located for ease of access for all residents. The purpose of this Common Open Space area is to provide a usable park-like setting for the residents to enjoy as a park in their development.
3. The remaining portion of the total requirement of open space shall consist of Common Open Space (1706.D) or Improved Open Space (1706.E) or Schools (1706.H), or any combination thereof.

Section 1706 Permitted Uses

Within a Planned Residential District-1 (PRD-1) the following uses, when developed in strict compliance with the approved Final Development Plan and standards, may be permitted. The precise use or type of use of each parcel shall be specified in the Final Development Plan as submitted and approved.

- A. Single-family (detached) residential dwellings.
- B. Attached single family (attached by a common vertical firewall to the underside of the roof, such as townhouses, or patio homes) residential dwellings in groupings of up to three (3) attached units.
- C. Multi-family dwellings provided they comprise no more than fifteen percent (15%) of the total housing units of the PRD-1 district.
- D. Common Open Space – Open space designed specifically to benefit the residents of the planned development through aesthetics, buffering, parks, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Furthermore, the Common Open Space shall be restricted by the regulations in sub-section **1705.C.2**.
- E. Improved Open Space - Upon approval of the Final Development Plan by the township, the following uses and improvements may be permitted in the planned development:
 - 1. Recreation, such as golf, swimming, boating, basketball, soccer, football, baseball, tennis, horseback riding, skating, and other forms of predominantly outdoor recreation, except outdoor shooting ranges or motorized sports. If the common areas are intended for spectator events, they shall be so stated and approved as part of the Final Development Plan. If outdoor recreation areas are to be used on a for-profit basis as a private, commercial venture they shall be so stated and approved as part of the Final Development Plan.
 - 2. Accessory service buildings and structures incidental and pertinent to outdoor recreation, as set forth in sub-section **1706.E.1** above, where said accessory service buildings and structures are necessary to the pursuit of a permitted recreational use on the premise.
 - 3. If approved as part of a Final Development Plan, Improved Open Space may incorporate land for on-site centralized sanitary sewer disposal systems.
- F. Natural Open Space – Open space which is restricted to passive uses such as fishing, swimming, hiking, canoeing, and such other recreation that does not alter any of the natural features of the area. Natural Open Space can include existing open spaces or planned open spaces such as detention/retention ponds. Land designated as Natural Open Space shall not be improved or developed, except as provided below.
 - 1. If approved as part of a Final Development Plan, Natural Green Space may incorporate land for on-site centralized sanitary sewer disposal systems.
- G. Non-residential uses of a religious, cultural, educational or recreational nature or character to the extent that they are designed and intended to serve the residents of the PRD-1 District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located in such proximity to major thoroughfares as to permit access without burdening residential streets.

- H. Schools with adequate area as approved per plan for indoor and outdoor recreation, parking and additional setbacks as may be necessary to avoid disruption to adjacent residences.
- I. Type B family day care home as provided in Ohio Revised Code §5104.01.

Section 1707 Accessory Uses

If applicable, the applicant shall obtain the appropriate Certificate of Occupancy from the Zoning Inspector for the following accessory uses:

- A. Temporary structures such as mobile office and temporary buildings of a nonresidential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent dwelling is being constructed (see **Section 306 Temporary Certificate of Occupancy**).
- B. Home Occupation as defined in the **Article – 2 Definitions** in the Zoning Resolution.
- C. Model Homes, defined as residential-type structures used as sales offices by builders/developers and to display the builder's/developer's product. The same may be furnished within, since its purpose is to display to prospective buyers the builder/developer features (such as exterior siding treatment, roofing materials, interior trim, moldings, floor coverings, etc.), in the environment of a completed home. Model homes may be staffed by the builder/developer sales force. Model homes shall be subject to the following restrictions:
 - 1. **Lighting:** All exterior lighting, except for security lighting, must be fully shielded down-lighting, so that no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.
 - 2. **Parking:** All model homes shall provide off-street paved parking for the public. The number of required parking spaces shall be four (4) per model home. The driveway of the model home may be utilized for not more than two (2) parking spaces.
 - 3. **Screening:** Landscape drawings shall be required and show adequate landscaping and screening from adjoining residential lots, together with the clear marking of the boundaries of the model home lot.
 - 4. **Termination of Use:** The use of model homes within a residential subdivision, or within any single phase of a multi-phase subdivision, shall terminate when zoning permits have been issued for ninety-five percent (95%) of the lots.
 - 5. **Model Home Sign:** Etna Township may approve one (1) model home sign provided the following conditions are met:
 - a) The sign shall not exceed sixteen (16) square feet per side with thirty-two (32) square feet maximum total display area;
 - b) The overall height of the sign shall be no more than four (4) feet above grade.
 - c) Model home sign shall be located on the same lot as the model home.
 - d) Sign information must be presented at the time the Final Development Plan is submitted and approved.
 - e) The model home sign must be removed when the model home is discontinued as a sales office.

Section 1708 Prohibited Uses

- A. Uses not specifically authorized by the express terms of this Article of the Zoning Resolution, as well as uses not specified and approved in the Final Development Plan shall be prohibited.
- B. Outdoor storage of inoperable or unlicensed vehicles or trailers for a period exceeding seven (7) days in any calendar year is prohibited. Said vehicles if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.
- C. No trailer of any type, boats, motor homes, or other recreational vehicles shall be parked in front of the front setback line on any parcel within this district for more than seventy-two (72) hours in any ten (10) day period. If a dwelling is located on said lot, the front setback line shall be considered to be the front wall of the dwelling even if said dwelling is located behind the minimum front setback line established by this code or the restrictions on the plat or subdivision.
- D. No motor home, mobile home, or camper of any type may be occupied.

- E. Except for permanently-sited manufactured housing as may be approved in the Final Development Plan, no manufactured housing or mobile home shall be placed or occupied in this district.
- F. Except if approved by the Board of Trustees as part of the open space program for the subdivision, agricultural uses and/or activities are prohibited in subdivisions that meet the requirements of Ohio Revised Code §519.21(B).
- G. No trash, debris or discarded materials that create an eyesore, hazard or nuisance to the neighborhood or general public shall be permitted to accumulate on any lot or portion thereof.

Section 1709 Required Design Standards

Planned Residential District-1 developments shall incorporate the following design standards:

- A. **Minimum PRD-1 Tract Size** of twenty (20) acres, unless adjacent to another PRD-1 District, in which case the Zoning Commission may permit the tract size to be reduced to a minimum of ten (10) acres.
- B. **Maximum Lot Coverage** - The maximum cumulative area of structures on a lot, (including principle structures, swimming pools, driveways, sidewalk, decks, patios, etc.) shall not exceed thirty percent (30%) of the total lot area.
- C. **Stormwater** - Open spaces may be used for the natural disposal of stormwater drainage. Detention/retention ponds must be designed according to the following criteria:
 - 1. Detention/Retention ponds must be designed to appear natural in character including planting on the edge and a naturalized shape.
 - 2. All ponds must include a shelf in from the edge so no significant drop off occurs in the water.
 - 3. No features shall be designed which are likely to cause erosion or flooding.
 - 4. Retention ponds and constructed wetlands as detention basins are preferred over plain detention basins. Functional pond aeration/fountains sized at ½ HP per ¼ acre, or equivalent, shall be included in all retention ponds.
 - 5. A maintenance plan must be submitted as part of the zoning text and approved by the Board of Trustees.
- D. **Subdivision standards** - Improvements within the PRD shall conform to the subdivision standards for Licking County, Ohio.
- E. **Accessory Structures** - Accessory uses or structures shall be permitted on detached single-family residential lots provided that the following requirements are met:
 - 1. Unless otherwise specified, one (1) accessory building shall be permitted on a lot in a residential zoning district.
 - 2. Unless otherwise prohibited by lot area coverage requirements, one (1) additional storage structure may be permitted on a residential lot, provided that the area of said structure does not exceed one hundred forty-four (144) square feet in size.
 - 3. The maximum height of an accessory use or structure is fifteen (15) feet but in no case shall the accessory use or building exceed the height of the principal structure.
 - 4. No commercial uses shall be conducted within an accessory structure.
 - 5. Accessory buildings and uses, with the exception of fences, shall be located a minimum of ten (10) feet from all lot lines.
 - 6. Accessory buildings shall be located to the side or rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure and shall not be located in any easements.
- F. **Natural Area Preservation** - Wetlands, steep (over 20%) slopes, forests, stream corridors, 100-year floodplains, and ravines shall be preserved to the greatest extent possible. Tree stands greater than two (2) acres and tree rows must be preserved.
- G. **Floodplains** - No structures shall be constructed within the 100-year floodplain of any stream or river.
- H. **Architecture** - The project architect shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other traditional or historic architecture in the community or with the site. Architecture shall be high in quality and shall contribute to the character of the township.
- I. **Sidewalks** - A network of concrete sidewalks shall be provided. Where located parallel to the roads, concrete sidewalks shall be separated from the street pavement by at least a six (6) foot landscaped or grassed strip. Asphalt walking paths may be located per plan. The Zoning Commission may require paved/unpaved walkways to connect residential areas and open spaces.

- J. **Street Trees** - Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every forty (40) feet of lineal road frontage on each side of new roads and shall be located along existing roads in a naturalized street tree pattern unless otherwise designated by local plans. All street trees shall be of an approved variety and be guaranteed for a minimum of one (1) year.
- K. **Minimum Front Setbacks** - Houses, forty (40) feet from the street right of way. Front load garages shall be set back at least forty (40) feet from the street right of way.
- L. **Minimum Lot Size** – Fourteen thousand (14,000) square feet for single family detached dwellings.
- M. **Minimum Lot Width on the Front Setback Line** – One hundred (100) feet for single family detached houses.
- N. **Minimum Side Yards** – Fifteen (15) feet minimum on each side for a total of thirty (30) feet with a maximum of three (3) feet encroachment for chimneys and air conditioning units.
- O. **Driveway Setbacks** - Three (3) feet from side lot line. Side-load garages shall provide at least twenty (20) feet of paved apron, exclusive of the three (3) foot setback.
- P. **Minimum Rear Yard** – Thirty (30) feet for houses, twenty (20) feet for detached garages, or twelve and half (12 ½) feet for garages with full masonry construction.
- Q. **Streets** - Streets shall be interconnected with more than one (1) access point to the development. Street layouts must connect to any contiguous residential stub streets located on surrounding parcels. If neighboring parcel is not yet developed the development must provide stub streets to connect to those parcels in the future. Streets viewable from the public right-of-way of existing streets shall be single loaded to prevent homesites having double frontage.
- R. **Street Lighting** – If required by the Township, street lighting must be of white light, maximum height twenty (20) feet, with fully shielded downward cast lighting.
- S. **Building Height Limits** - No buildings in this district shall exceed thirty-five (35) feet in height as defined in **Article - 2 Definitions**.
- T. **Building Dimensions** - (Floor space requirements)
 - 1. Each detached single family dwelling hereafter erected in this district shall have a living area not less than one thousand four hundred (1400) square feet for a single story house or nine-hundred (900) square feet of ground floor living area, if the residence is multi-story. All such living areas shall be exclusive of basements, porches or garages.
 - 2. All attached single family or multi family structures constructed within a PRD-1 shall contain the following minimum living area, or as approved per plan:
 - a) One (1) bedroom unit: 900 square feet
 - b) Two (2) bedroom unit: 1000 square feet
 - c) Three (3) or more bedroom units: 1100 square feet
- U. **Landscaping** - Front yards, and all improved open spaces or non-residential use areas shall be landscaped per an approved landscape plan showing the caliper, height, numbers, name and placement of all material, prepared by a licensed landscape architect, and shall be approved as a part of the Final Development Plan. Planting of native species is required, see **Article 16 – Buffering, Landscaping, and Resource Preservation**.
- V. **Parking** - Off-street parking shall be provided, at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the Final Development Plan. In preparing and approving the parking plan, the provisions of this Resolution shall be incorporated. (see **Article – 11 Off-Street Parking and Loading Facilities**).
- W. **Signs** - according to an approved sign plan (see **Article – 12 Signs**).
- X. **Exterior Lighting** - All exterior lighting, independent of individual house lighting, shall be as specifically approved as part of the Final Development Plan.
- Y. **Utilities** - Centralized water and sanitary sewer service shall be provided. All local service lines for electric, cable television, internet or any other utility service provided shall be buried underground and located in the rear yard within the PRD-1 district. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this section.
- Z. **Compliance with Final Development Plan** - The development of properties under this Article shall remain in strict compliance with the Final Development Plan, except as modified in accordance with sub-section 1703.D.5 herein.

AA. Other Requirements - All general non-district specific regulations/standards contained within the Etna Township Zoning Resolution shall apply to developments under this Article. However, the specific regulations/standards within this district shall take precedence over any conflicting regulations/standards contained elsewhere within the Etna Township Zoning Resolution.

Section 1710 *Planned Residential District (PRD-2)*

The PRD-2 districts shall be limited to those areas of Etna Township located west of Mink Street or contiguous to a municipality, which are served by centralized water and sanitary sewer service and suitable for densities of less than three (3) dwelling units per acre.

Section 1711 *Density and Open Space*

A. Density Calculations. The permitted density (the number of dwelling units in the proposed PRD-2), is **one and a half (1.5) units per net developable acre**. Density calculations are based on the net developable area of the site. The net developable acreage is that remaining after deducting the following existing and planned land characteristics from the gross acreage:

1. Right of way for streets and utilities;
2. Jurisdictional wetlands, as defined U.S. Army Corps of Engineers Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss. Jurisdictional wetlands as regulated by Section 404 of the Clean Water Act consist of a.) hydric soils, b.) hydrophytic vegetation and c.) wetland hydrology (this generally means they support more than fifty percent (50%) wetland vegetation, and are poorly drained soils which are periodically inundated or saturated);
3. Floodplains within a FEMA 100-year floodplain;
4. Slopes greater than twenty percent (20%);
5. Utility rights-of-way and easements for above-ground and currently existing utility structures such as above ground pipelines and existing overhead electric transmission (not local service) wires;
6. All bodies of water including retention or detention ponds.

B. Density Bonus. The permitted density (the number of dwelling units in the proposed PRD-2) may be increased up to a maximum of three (3) dwelling units per net developable acre if the design of the development meets more than one (1) of the following:

1. Greater than five percent (5%) of the development parcel's entire boundary is contiguous to a municipality.
2. Open space is designed as part of a larger network connecting to existing open space on neighboring parcels and responsive to natural features on the site.
3. Development of the property includes a six (6) to eight (8) foot asphalt bike path or equivalent that connects to the greater system in the township and/or the region or, at least, provides for potential connections to such a system. This bike path shall connect a majority of the development, including open spaces, with the connection to the larger township/regional system.
4. Single loaded streets (development on only one side of a street; see Figure 1711.B.4.a) where a minimum of fifty percent (50%) of the single-family detached residential dwellings in the development are located on parcels opposite some type of open space.



Figure 1711.B.4.a (example of a single loaded street)

5. Provide a variety of front building lines. If this design goal is chosen, this requirement would supersede the requirement in sub-section **1715.K Minimum Front Setbacks**. The requirements for this design goal will be as follows:
 - a) The minimum front yard setback shall be fifteen (15) feet and the maximum front yard setback shall be thirty (30) feet. The front of each dwelling/garage (whichever is closer to the right-of-way) shall be located between the minimum and maximum front yard setbacks.
 - a) b) There shall be no more than a ten (10) foot difference in front yard setback line between adjacent parcels.
 - c) No more than two (2) continuous parcels may have a front yard setback line within five (5) feet of each other.

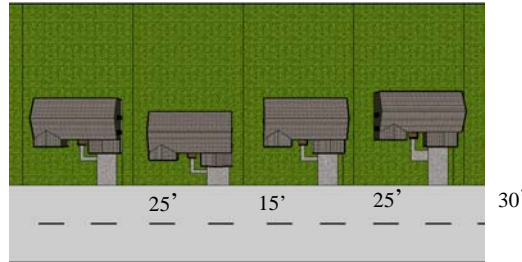


Figure 1711.B.5.d (example of varied front building lines)

6. Deemphasize the garage. If this design goal is chosen, one (1) of the following methods shall be used (only one method per development):
 - a) Attached or detached garages must be setback a minimum of five (5) feet from front façade of the dwelling or porch.
 - b) All garages shall be side-loaded, and detached garages shall be located behind the principle dwelling.
 - c) Provide alleys within the development. All garages within the development shall be accessed from the provided alleys.
- C. Open Space Calculations.** A minimum of fifteen percent (15%) of the gross acreage shall consist of open space. The open space shall be distributed throughout the development which shall serve to unify the development visually and functionally, and buffer surrounding land uses.
1. A maximum of fifty percent (50%) of the requirement in 1711.C may consist of, in part or in aggregate, jurisdictional wetlands, (as defined U.S. Army Corps of Engineers Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss.) floodplains within a FEMA 100-year floodplain, slopes greater than twenty percent (20%), utility rights-of-way and easements for above-ground and currently existing utility structures, or existing/proposed bodies of water. The purpose of this type of open space is to allow for a low-maintenance type of open space which will be environmentally sensitive and create a lower density feeling in the development.
 2. A minimum of twenty-five percent (25%) of the open space requirement in sub-section **1711.C Open Space Calculations** shall consist of Common Open Space (sub-section **1712.D**) which would be open to all of the residents within the development for recreational or passive use.
 - a) The location, shape, size and character of the Common Open Space shall be suitable for the planned development in relation to the location, number and types of buildings it is intended to serve. In any case, it shall be accessible to all residents and guests of residents within the planned development.
 - i) The Common Open Space shall be for the use and enjoyment of the owners and occupants of the individual building sites of the development and shall be accessible to all such owners and occupants. 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.
 - j) The Common Open Space may be suitably improved for its intended use, but Common Open Space containing natural features worthy of preservation such as slopes over twelve percent (12%) and wooded areas must be left unimproved. The buildings, structures, and improvements that are permitted in the Common Open Space must be appropriate to the

uses that 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.

- k) The proposed Common Open Space may be conveyed to a public authority that will agree to maintain the Common Open Space and any buildings, structures or improvements that have been placed on it. All land dedicated to the public must meet the requirements of the appropriate authority as to size, shape, and location. Public utility or other similar easements and right of way for water courses or other similar channels are not acceptable for Common Open Space dedication unless such land or right of way is usable as a trail or other similar purpose and approved by the authority to which the land is dedicated.
 - l) The proposed Common Open Space may be conveyed to an owners association or similar organization formed for the maintenance of the planned development. The Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Common Open Space to the uses specified in the Final Development Plan and provide for the maintenance of Common Open Space in a manner which assures its continuing use for its intended purpose. Membership in the owners' association shall, by deed restriction, be mandatory for any owner within the planned development.
 - m) If the proposed Common Open Space is not conveyed to a public authority or to an owners' association it must be deeded in title to a fiduciary which, for a fee, acts as a trustee for the benefit of all owners and occupants of the planned development. The trustee shall give easements across the Common Open Space and the right to use the facilities to all owners and occupants of planned development. The trustee shall be provided the right to charge and lien each property of its proportionate share of upkeep costs for the common facilities.
 - n) Deed restrictions and covenants must be provided by the applicant and approved by the Zoning Commission to further regulate the intended use of these Common Open Space parcels. Such covenants shall restrict the common open space to the uses specified in the Final Development Plan and provide for the maintenance of the Common Open Space in a manner which assures its continuing use for its intended purpose regardless of ownership. The restrictions and covenants shall require the parcels to remain accessible to all residents and guests of residents within the Planned Unit Development. The restrictions shall also state that Etna Township shall be granted enforcement authority over these restrictions and covenants.
 - o) In the event that the Common Open Space within a development is conveyed to or owned by an owners association, similar organization, developer, or a fiduciary and that entity ceases to exist through disbandment, or bankruptcy, etc. the Etna Township Board of Trustees shall be given the first opportunity to purchase or take ownership of the Common Open Space property which was under the authority of the defunct organization. However, The Board of Trustees is not required to purchase or take control of the open space property.
 - i) A minimum of two (2) acres or forty percent (40%) of the Common Open Space requirement listed in sub-section **1711.C.2**, whichever is greater, shall be required as a contiguous open space area which has a width to length or length to width ratio of no greater than four (4) to one (1). If only one (1) such area is provided for the development, this area shall be located for ease of access for all residents. The purpose of this Common Open Space area is to provide a usable park-like setting for the residents to enjoy as a park in their development.
3. The remaining portion of the total requirement of open space shall consist of Common Open Space (**1706.D**) or Improved Open Space (**1706.E**) or Natural Open Space (**1706.F**) Schools (**1706.H**), or any combination thereof.

Section 1712 Permitted Uses

Within a Planned Residential District 2 (PRD-2) the following uses, when developed in strict compliance with the approved Final Development Plan and standards, may be permitted. The precise use or type of use of each parcel shall be specified in the Final Development Plan as submitted and approved.

- A. Single family (detached) residential dwellings.

- B. Attached single family (attached by a common vertical firewall to the underside of the roof, such as townhouses, or patio homes) residential owner occupied dwellings in groupings of up to three (3) attached units.
- C. Multi-family dwellings provided they comprise no more than twenty-five percent (25%) of the total housing of the PRD-2 District.
- D. Common Open Space - Open space designed specifically to benefit the residents of the planned development through aesthetics, buffering, parks, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Furthermore, the Common Open Space shall be restricted by the regulations in sub-section **1711.C.2**.
- E. Improved Open Space - Upon approval of the Final Development Plan by the township, the following uses and improvements may be permitted in the planned development:
 - 1. Recreation, such as golf, swimming, boating, basketball, soccer, football, baseball, tennis, horseback riding, skating and other forms of predominantly outdoor recreation, except outdoor shooting ranges or motorized sports. If the common areas are intended for spectator events, they shall be so stated and approved as part of the Final Development Plan. If outdoor recreation areas are to be used on a for-profit basis as a private, commercial venture they shall be so stated and approved as part of the Final Development Plan.
 - 2. Accessory service buildings and structures incidental and pertinent to outdoor recreation, as set forth in sub-section **1712.E.1** above, where said accessory service buildings and structures are necessary to the pursuit of a permitted recreational use on the premise.
 - 3. If approved as part of a Final Development Plan, common open space may incorporate land for on-site centralized sanitary sewer disposal systems.
- F. Natural Open Space - Open space which is restricted to passive uses such as fishing, swimming, hiking, canoeing, and such other recreation that does not alter any of the natural features of the area.
 - 1. If approved as part of a Final Development Plan, natural green space may incorporate land for on-site centralized sanitary sewer disposal systems.
- G. Non-residential uses of a religious, cultural, educational or recreational nature or character to the extent that they are designed and intended to serve the residents of the Planned Residential Development. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located in such proximity to major thoroughfares as to permit access without burdening residential streets.
- H. Schools with adequate area as approved per plan for indoor and outdoor recreation, parking and additional setbacks as may be necessary to avoid disruption to adjacent residences.
- I. Type B family day care home as provided in Ohio Revised Code §5104.01.

Section 1713 Accessory Uses

If applicable, the applicant shall obtain the appropriate Certificate of Occupancy from the Zoning Inspector for the following accessory uses:

- A. Temporary structures such as mobile office and temporary buildings of a nonresidential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent dwelling is being constructed (see **Section 306 Temporary Certificate of Occupancy**).
- B. Home Occupation as defined in the **Article – 2 Definitions** in the Zoning Resolution.
- C. Model Homes, defined as residential-type structures used as sales offices by builders/developers and to display the builder's/developer's product. The same may be furnished within, since its purpose is to display to prospective buyers the builder/developer features (such as exterior siding treatment, roofing materials, interior trim, moldings, floor coverings, etc.), in the environment of a completed home. Model homes may be staffed by the builder/developer sales force. Model homes shall be subject to the following restrictions:
 - 1. **Lighting:** All exterior lighting, except for security lighting, must be fully shielded down-lighting, so that no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.

2. **Parking:** All model homes shall provide off-street paved parking for the public. The number of required parking spaces shall be four (4) per model home. The driveway of the model home may be utilized for not more than two (2) parking spaces.
3. **Screening:** Landscape drawings shall be required and show adequate landscaping and screening from adjoining residential lots, together with the clear marking of the boundaries of the model home lot.
4. **Termination of Use:** The use of model homes within a residential subdivision, or within any single phase of a multi-phase subdivision, shall terminate when building permits have been issued for ninety-five percent (95%) of the lots.
5. **Model Home Sign:** Etna Township may approve one (1) model home sign provided the following conditions are met:
 - a) The sign shall not exceed sixteen (16) square feet per side with thirty-two (32) square feet maximum total display area;
 - b) The overall height of the sign shall be no more than four (4) feet above grade.
 - c) Model home sign shall be located on the same lot as the model home.
 - d) Sign information must be presented at the time the Final Development Plan is submitted and approved.
 - e) The model home sign must be removed when the model home is discontinued as a sales office.

Section 1714 Prohibited Uses

- A. Uses not specifically authorized by the express terms of this Article of the Zoning Resolution, as well as uses not specified and approved in the Final Development Plan shall be prohibited.
- B. Outdoor storage of inoperable or unlicensed vehicles or trailers for a period exceeding seven (7) days in any calendar year is prohibited. Said vehicles if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.
- C. No trailers of any type, boats, motor homes, or other recreational vehicles shall be parked in front of the front setback line on any parcel within this district for more than seventy-two (72) hours in any ten (10) day period. If a dwelling is located on said lot, the front setback line shall be considered to be the front wall of the dwelling even if said dwelling is located behind the minimum front setback line established by this code or the restrictions on the plat or subdivision.
- D. No motor home, mobile home or camper of any type may be occupied.
- E. Except for permanently-sited manufactured housing as may be approved in the Final Development Plan, no manufactured housing or mobile home shall be placed or occupied in this district.
- F. Agricultural uses and/or activities are prohibited in subdivisions that meet the requirements of Ohio Revised Code §519.21(B).
- G. No trash, debris or discarded materials that create an eyesore, hazard or nuisance to the neighborhood or general public shall be permitted to accumulate on any lot or portion thereof.

Section 1715 Required Design Standards

PRD-2 developments shall incorporate the following design standards:

- A. **Minimum PRD-2** tract size of twenty (20) acres, unless adjacent to another PRD, in which case the Zoning Commission may permit the tract size to be reduced to a minimum of ten (10) acres.
- B. **Maximum Lot Coverage** – The maximum cumulative area of structures on a lot (including principle structures, swimming pools, driveways, sidewalks, decks, patios, etc.) shall not exceed forty percent (40%) of the total lot area.
- C. **Stormwater** - Open spaces may be used for the natural disposal of stormwater drainage. Detention/retention ponds must be designed according to the following criteria:
 1. Detention/Retention ponds must be designed to appear natural in character including planting on the edge and a naturalized shape.
 2. All ponds must include a shelf in from the edge so no significant drop off occurs in the water.
 3. No features shall be designed which are likely to cause erosion or flooding.
 4. Retention ponds and constructed wetlands as detention basins are preferred over plain detention basins. Functional pond aeration/fountains sized at ½ HP per ¼ acre, or equivalent, shall be included in all retention ponds.

5. A maintenance plan must be submitted as part of the zoning text and approved by the Board of Trustees.
- D. Subdivision standards** - Improvements within the PRD shall conform to the subdivision standards for Licking County, Ohio.
- E. Accessory uses or structures** shall be permitted provided that the following requirements are met:
1. Unless otherwise specified, one (1) accessory building shall be permitted on a lot in a residential zoning district.
 2. Unless otherwise prohibited by lot area coverage requirements, one (1) additional storage structure may be permitted on a residential lot, provided that the area of said structure does not exceed one hundred forty-four (144) square feet in size.
 3. The maximum height of an accessory use or structure is fifteen (15) feet, but in no case shall the accessory use or building exceed the height of the principal structure.
 4. No commercial uses shall be conducted within an accessory structure.
 5. Accessory buildings and uses, with the exception of fences, shall be located a minimum of ten (10) feet from all lot lines.
 6. Accessory buildings shall be located to the side or rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure and shall not be located in any easements.
- F. Natural Area Preservation** - Wetlands, steep (over 20%) slopes, forests, stream corridors, 100-year floodplains, ravines shall be preserved to the greatest extent possible. Tree stands greater than two (2) acres, tree rows must be preserved.
- G. Floodplains** - No structures shall be constructed within the 100-year floodplain of any stream or river.
- H. Architecture** - The project architect shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other traditional or historic architecture in the community or with the site. Architecture shall be high in quality and shall contribute to the character of the township.
- I. Sidewalks** - A network of concrete sidewalks shall be provided. Where located parallel to the roads, concrete sidewalks shall be separated from the street pavement by at least a six (6) foot landscaped or grassed strip. Asphalt walking paths may be located per plan. The zoning commission may require paved/unpaved walkways to connect residential areas and open spaces.
- J. Street Trees** - Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every forty (40) feet of lineal road frontage on each side of new roads and shall be located along existing roads in a naturalized street tree pattern unless otherwise designated by local plans. All street trees shall be of an approved variety and be guaranteed for a minimum of one (1) year.
- K. Minimum Front Setbacks** - Houses, thirty (30) feet from the street right of way. Front load garages shall be set back at least thirty (30) feet from the street right of way.
- L. Minimum Lot Size** – Twelve thousand (12,000) square feet for single family detached dwellings.
- M. Minimum Lot Width at the Front Setback Line**- Eighty (80) feet for single family detached houses.
- N. Minimum Side yards** – Seven and a half (7 ½) feet each side (15' between structures), with a maximum of three (3) feet encroachment for chimneys and air conditioning units. Full masonry detached garages may be set on the lot line if approved as part of a party wall on the Final Development Plan.
- O. Driveway Setbacks** - Three (3) feet from side lot line. Side-load garages shall provide at least twenty (20) feet of paved apron, exclusive of the three (3) foot setback.
- P. Minimum Rear yard** – Thirty (30) feet for houses. Twenty (20) feet for detached garages.
- Q. Streets** shall be interconnected with more than one (1) access point to the development. Street layouts must connect to any contiguous residential stub streets located on surrounding parcels. If neighboring parcel is not yet developed the development must provide stub streets to connect to those parcels in the future. Streets viewable from the public right-of-way of existing streets shall be single loaded to prevent homesites having double frontage, except corner lots.
- R. Street lighting** - If required by the Township, street lighting must be of white light, maximum height twenty (20) feet, with fully shielded downward cast lighting.
- S. Building Height Limits** - No buildings in this district shall exceed thirty-five (35) feet in height as defined in **Article - 2 Definitions**.

T. Building Dimensions - (Floor space requirements)

1. Each detached single family dwelling hereafter erected in this district shall have a living area not less than one-thousand two hundred (1200) square feet. All such living areas shall be exclusive of basements, porches or garages.
2. All attached single family or multi family structures constructed within a PRD-2 shall contain the following minimum living area, or as otherwise approved per plan:
 - a) One (1) bedroom unit: 700 square feet
 - b) Two (2) bedroom unit: 1000 square feet
 - c) Three (3) or more bedroom units: 1100 square feet

U. Landscaping - Front yards, and all improved open spaces or non-residential use areas shall be landscaped per an approved landscape plan showing the caliper, height, numbers, name and placement of all material, prepared by a licensed landscape architect shall be approved as a part of the Final Development Plan. Planting of native species is required; see **Article 16 – Buffering, Landscaping, and Resource Preservation.**

V. Parking - Off-street parking shall be provided, at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the Final Development Plan. In preparing and approving the parking plan, the provisions of this Resolution shall be incorporated unless specific divergence is approved per plan (see **Article – 11 Off-Street Parking and Loading Facilities.**)

W. Signs - according to an approved sign plan (see **Article – 12 Signs.**)

X. Exterior Lighting - All exterior lighting shall be as specifically approved as part of the Final Development Plan.

Y. Utilities - Centralized water and sanitary sewer service shall be provided. All local service lines for electric, cable television, internet or any other utility service provided shall be buried underground and located in the rear yards within the PRD-2 district. Unobtrusive water, sewer, and gas meters, valves, and other such utility items may be located in the front yards if required for service. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this section.

Z. Compliance with Final Development Plan - The development of properties under this Article shall remain in strict compliance with the Final Development Plan, except as modified in accordance with sub-section 1703.D.5 herein.

AA. Other Requirements - All general non-district specific regulations/standards contained within the Etna Township Zoning Resolution shall apply to developments under this Article. However, the specific regulations/standards within this district shall take precedence over any conflicting regulations/standards contained elsewhere within the Etna Township Zoning Resolution.

ARTICLE - 18

PLANNED RESIDENTIAL CONSERVATION DISTRICT (PRCD)

Section 1800 Intent

The Planned Residential Conservation District (PRCD) is created pursuant to §519.021 (C) of the Ohio Revised Code to promote the general public welfare, encourage the efficient use of land and resources, promote greater efficiency in public utility services, and encourage innovation in the planning and building of all types of development.

The Planned Residential Conservation District achieves this purpose by allowing the development of conservation subdivisions that:

- A. Permanently preserve and integrate open space within residential developments;
- B. Offer landowners alternatives to standard tract development of their land;
- C. Establish a less sprawling, more efficient use of land, streets and utilities;
- D. Preserve natural topography in wooded areas;
- E. Create usable and accessible open space, recreational areas, and green corridors for wildlife, walking trails and/or bike paths; and
- F. Encourage creativity in design through a controlled process of review and approval of the development plan and related documents.

Section 1801 Overlay Area and Effect for Conservation Development

The Planned Residential Conservation Development (PRCD) is created pursuant to §519.021 of the Ohio Revised Code and encompasses, overlays, and rezones to the PRCD the area shown on the PRCD Overlay Zoning District Map, which map is attached hereto and incorporated herein as Attachment 1 and is hereby adopted as the official zoning district map for the PRCD as part of this amendment. The effective date of the amendment referenced in this Section is July 7th, 2009. Any other zoning regulations, including application for map amendments per **Section 603 – Contents of Application** of this zoning resolution, and zoning districts in existence as of the effective date of this amendment continue to apply within the PRCD unless the Board of Township Trustees or the Zoning Commission approves an application of an owner of property within the district, in accordance with **Section 1802 Process** herein, to subject the owner's property to the PRCD regulations enumerated in **Sections 1803-1806**.

Section 1802 Process

The following is the process to subject a real property to the regulations of the PRCD according to the requirements of this Overlay District. In addition to any other procedures set out in this Resolution, all applications for amendments to the zoning map to apply the requirements of the PRCD shall follow the procedures herein.

- A. Concept Stage – Recommended.** The applicant is encouraged to engage in informal consultations including a site walk-about with the Zoning Commission or a designated representative of the Township and the Licking County Planning Commission prior to formal submission of a development plan and application to amend the zoning map.

No statement by officials of the Township, designated representatives of the Township or the Licking County Planning Commission shall be binding upon either party at the concept stage.

- B. Preliminary Development Plan.** Upon application for a PRCD, the owner(s) of lots or land within the Township shall submit a Preliminary Development Plan. The township is charged with verifying that the proposed plan complies with the development standards of the PRCD overlay. The Township Zoning Commission shall hear the case and provide a recommendation to the Board of Trustees who act as the approving body for an application to apply the PRCD overlay requirements to the lots or land. The approval is considered an administrative act in the Ohio Revised Code and is therefore not subject to referendum.

1. **Process:** The approval process for a Preliminary Development Plan is an administrative action and subject to appeal per Chapter 2506 of the Ohio Revised Code. The review of a Preliminary Development Plan by the Zoning Commission and the Board of Trustees is not subject to a public hearing. The following is the process for approval of a Preliminary Development Plan:
 - a) **Submission:** An applicant for a Preliminary Development Plan shall submit all required information, maps, plans, and applications (see sub-section **1802.B.2 Submission Requirements**) to the Zoning Inspector for forwarding to the Zoning Commission.
 - b) **Zoning Inspector:** After the applications are made to the Zoning Inspector, the following procedure shall be followed:
 - 1.) The Zoning Inspector shall review the submitted application for the Preliminary Development Plan to ensure the application is complete.
 - 2.) The Zoning Inspector shall forward the Preliminary Development Plan application to the Zoning Commission.
 - 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the plan and if the plan complies with the Etna Township Zoning Resolution as applicable.
 - c) **Zoning Commission:** The Zoning Commission is a recommending body regarding the Preliminary Development Plan.
 - 1.) The Zoning Commission shall review the Preliminary Development Plan and provide a written recommendation to the Board of Trustees based upon the plan's compliance with the regulations and standards in **Sections 1803-1806**. The written recommendation shall list specific findings of fact. For example if the recommendation is for denial the recommendation shall list specific sections of the Etna Township Zoning Resolution for which the proposal does not comply.
 - d) **Board of Trustees:** The Board of Trustees is the approving body for the Preliminary Development Plan.
 - 1.) The Board of Trustees shall consider the Preliminary Development Plan and shall approve, deny, or approve with modifications the Preliminary Development Plan based upon the plan's compliance with the regulations and standards in **Sections 1803-1806**.
 - 2.) If the plan is denied, the Board of Trustees shall provide specific written findings and reasoning for the denial of the Preliminary Development Plan.
2. **Submission Requirements:** The applicant shall submit fifteen (15) copies of the Preliminary Development Plan to the Zoning Inspector. The Preliminary Development Plan shall show the intended layout of the site in accordance with PRCD standards. The plan shall include in text and map form, the following:
 - a) The proposed size and location of the PRCD district, at a scale of at least 1" = 200', showing topographic contours of at least 2' intervals, existing and proposed structures, and structures within 200' of the development tract.
 - b) Environmentally sensitive areas such as the 100 year floodplain, bodies of water, forested areas, wetlands, and slopes greater than 20%. No structure (other than approved drainage structures) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Licking County.
 - c) Permitted density calculations.
 - d) Generalized architectural designs for all structures and signs.
 - e) The intended general provisions for fire hydrants and surface drainage, to the extent known. Information regarding existing pipe sizes, capacities, committed flows, and potential needed upgrades must be documented.
 - f) Water supply and sanitary sewage disposal feasibility shall be indicated by the appropriate agency at the time of the Preliminary Development Plan. Centralized sanitary sewage disposal systems, if necessary, shall be provided subject to the South West Licking Sewer District and Ohio Environmental Protection Agency approval. If on-site centralized sewage disposal systems are proposed, the applicant shall indicate who shall be responsible for their operation and maintenance, and shall provide a letter from the appropriate county or state agency declaring the site feasible for such systems, and for the anticipated sanitary flows.
 - g) The relationship of the proposed development to existing and probable uses of surrounding areas, including easements, rights of way, proposed drainage and public utilities.

- h) A design of the open space and proposed description of its use and maintenance.
- i) Proposed public land dedications.
- j) Preliminary Traffic Impact Analysis based upon new trip generation rates as specified in either the Licking County Engineer's standards, or the International Transportation Engineering standards. Preliminary mitigation proposals such as turning lanes, signals, roundabouts, or widening to alleviate the impacts of new traffic shall be described.
- k) Design standard items include any applicable items related to **Section 1803 Designing a Conservation Subdivision**.
- l) Emergency service provisions (letter from fire and police/sheriff departments stating whether or not services are available, capacity, and any regulatory requirements that need to be met).
- m) General phasing plans, if any.
- n) Any other supplemental information as required by the Zoning Commission and/or Board of Trustees to properly review the submitted Preliminary Development Plan.

3. Required Findings for Approval of a Preliminary Development Plan: The Zoning Commission and Trustees shall approve an application for a Preliminary Development Plan within the Planned Residential Conservation Development District provided they find that the proposed development complies with the requirements of the PRCD Overlay District in **Sections 1803-1806**. The Planned Residential Conservation District shall further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. Within a Planned Residential Conservation District, the township zoning regulations, where applicable need not be uniform but may vary in order to accommodate unified development and to promote the public health, safety, morals, and the other purposes of §519.021 of the Ohio Revised Code. The proposed development should be consistent with the purpose, criteria and intent of this Zoning Resolution, Township Comprehensive Plans, existing land use character, appearance and physical development of the area.

4. Preliminary Development Plan Approval Period: The approval of a Preliminary Development Plan shall be effective for a period of one (1) year in order to allow for the preparation and submission of the Final Development Plan. No zoning amendment passed during this one (1) year period shall affect the terms under which approval of the Preliminary Development Plan was granted. If the Final Development Plan has not been filed within this one (1) year period, then the Preliminary Development Plan approval shall expire unless the Board of Trustees has approved an extension of this time limit. A single extension with a maximum period of one (1) year may be considered by the Board of Trustees. Absent of such an extension, no use shall be established or changed and no building, structure or improvement shall be constructed until a new Preliminary and Final Development Plan has been submitted for approval to and approved by the Township Board of Trustees. Such applications for approval shall be subject to the same procedures and conditions as an original application and shall commence at the Preliminary Development Plan stage (see sub-section **1802.B Preliminary Development Plan**). However, resubmission of a new Preliminary Development Plan is not an application for a zoning amendment and the zoning does not revert at any time to the previous zoning district or any other zoning district. These new applications 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 include the property within the PRCD district.

5. Modifications. Any modification request to an approved Preliminary Development Plan shall be described in a PUD Modification Application and submitted to the Zoning Inspector. A final decision shall be made upon the modification request within sixty (60) days of application. The following process shall be followed for approval of the request:

- a) Any modification request that will not alter the physical characteristics of the Preliminary Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.
- b) All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.
 - 1.) The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.

- 2.) If the vote of the Zoning Commission is unanimous, then the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.
- 3.) If the vote of the Zoning Commission is not unanimous, then the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.

C. Final Development Plan. The review and approval of the Final Development Plan is the point at which the zoning map change occurs and is an administrative act, not subject to referendum.

1. **Process:** The approval process for a Final Development Plan is an administrative action and subject to appeal per Chapter 2506 of the Ohio Revised Code. The review of a Final Development Plan by the Zoning Commission and the Board of Trustees is not subject to a public hearing. The following is the process for approval of a Final Development Plan:
 - a) **Submission:** A Final Development Plan shall only be submitted if a Preliminary Development Plan has previously been reviewed and approved by the Board of Trustees. An applicant for a Final Development Plan shall submit all required information, maps, plans, and applications (see sub-section **1802.C.2 Submission Requirements**) to the Zoning Inspector for forwarding to the Zoning Commission.
 - b) **Zoning Inspector:** After the application is made to the Zoning Inspector, the following procedure shall be followed:
 - 1.) The Zoning Inspector shall review the submitted application for the Final Development Plan to ensure the application is complete.
 - 2.) The Zoning Inspector shall forward the Final Development Plan application to the Zoning Commission.
 - 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the plan and if the plan complies with the Etna Township Zoning Resolution as applicable.
 - c) **Zoning Commission:** The Zoning Commission is a recommending body regarding the Final Development Plan.
 - 1.) The Zoning Commission shall review the Final Development Plan and provide a written recommendation to the Board of Trustees based upon the plan's compliance with the regulations and standards in **Sections 1803-1806**.
 - d) **Board of Trustees:** The Board of Trustees is the approving body for the Final Development Plan.
 - 1.) The Board of Trustees shall consider the Final Development Plan and shall approve, deny, or approve with modifications the Final Development Plan based upon the plan's compliance with the regulations and standards in **Sections 1803-1806**.
 - 2.) If the plan is denied, then the Board of Trustees shall provide specific written findings and reasoning for the denial of the Final Development Plan.
2. **Submission Requirements:** The applicant shall submit fifteen (15) copies of the Final Development Plan to the Zoning Inspector with the application. The Final Development Plan shall include in text and map form the following:
 - a) A listing of all deviations from the approved Preliminary Development Plan.
 - b) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed PRCD development.
 - c) All design standards from **Section 1803 Designing a Conservation Subdivision**.
 - 1.) The general development character of the tract including the limitations or controls to be placed on all uses with proposed lot sizes and minimum setback requirements shall be shown. Other development features including landscaping, entrance features, signage, pathways, sidewalks, recreational facilities, and all commonly owned structures shall be shown in detail which identifies the quantity, type, and typical section of each. For example, the landscape plan shall identify each plant, shrub or tree, its name, its size at planting, and rendering of how that section of the development would look in elevation; see **Article – 16 Buffering, Landscaping, and Resource Preservation**.
 - d) Architectural design criteria including materials, colors, and renderings for all structures and criteria for proposed signs, with proposed control procedures. These are specific renderings of the elevations of structures. Any modification of these structures shall require re-approval of the Final Development Plan by the Township.

- e) The developer shall supply Etna Township with a traffic impact study (TIS) addressing the impact the development will have on the roadway infrastructure. The study shall address not only the new intersection/s, but also the impacts incurred on the next classified intersections in each direction from the proposed access point/s. This area is referred to as the study area for the TIS. The TIS shall be developed in accordance to Institute of Traffic Engineers (ITE) Trip Generation Handbook and Trip Generation Rates. The most current version shall be used. Particular attention shall be given to following the recommended procedures concerning Trip Generation Average Rates vs. Equations, selection of land use codes, calculation of pass-by trips, primary and diverted trips, internal trips, and specialty generators. Existing and Future condition Analysis of new intersections and intersections within the study area shall be evaluated using both AM and PM peak hour data (Traffic volume and growth rates may be available from the Mid-Ohio Regional Planning Commission). Future traffic data shall be twenty (20) years from opening day. The TIS shall include the following:
- 1.) Introduction
 - 2.) Site Plan & Illustration of the Study Area.
 - 3.) Existing Conditions in study area—roadway geometry, speed limits, pictures, sight distances, etc.
 - 4.) Plates showing existing and future traffic 'no build'.
 - 5.) Plates showing trip Generation and Distribution of development.
 - 6.) Plates showing opening day full build and future full build.
 - 7.) Trip Generation and Distribution Methodologies and Summaries.
 - 8.) Future Conditions in study area, with and without proposed development.
 - 9.) Capacity Analysis using Synchro or HCS software or other approved method for AM & PM peak hours for existing and future build conditions and no build conditions.
 - 10.) Turn Lane length calculations shall be determined by ODOT Location and Design Manual standards. The requirements to include turn lanes are to be by Licking County Planning Commission regulation.
 - 11.) Signal Warrants shall be in accordance with the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).
 - 12.) Summary or Conclusions & Recommendations.
 - 13.) Appendix with calculations, engineering notes, etc.
 - 14.) Depending on the location, other information may also be required such as crash rates, existing speed patterns, sight distance survey, etc. These items can be discussed as part of a pre-plan conference or during the Technical Review Committee meeting.
- f) A private street cross section and drainage plan that meets the design standards of the Licking County Engineer for the weight of the vehicles and the traffic anticipated with an estimated design life of twenty (20) years.
- g) Upon dedication of public service facilities/infrastructure to the township, the applicant must post a one (1) year bond to the Etna Township Trustees equal to ten percent (10%) of the original bond posted to Licking County, to ensure the facilities/infrastructure continue to meet the Licking County sub-division regulations.
- h) Any covenants, easements, or restrictions.
- i) The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities.
- j) If the proposed timetable for development includes developing the land (including open space) in phases, no phase shall be less than five (5) acres or the whole tract (whichever is smaller). These phases shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases.
- k) The Final Development Plan map shall be to scale of at least 1" = 100' and will show the proposed uses of the site, location of buildings and structures, streets and roadways, parking areas, all required design features, and the following:
- 1.) The proposed provisions for water, fire hydrants, sanitary sewer, and surface drainage with engineering feasibility studies or other evidence of reasonableness. Line sizes and locations, detention basins, and drainage structures shall be drawn.
 - 2.) The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable.
 - 3.) Specific location of parks and other public facility sites, within or adjacent to the site.

- 4.) If the proposed timetable for development includes developing the land (including open space) in phases, the applicant shall provide a representation of the phasing on the Final Development Plan map.
- 5.) The drawings that are a part of the Final Development Plan shall bear the seal of an architect, landscape architect, and professional engineer licensed to practice in the state of Ohio, with respect to the design of each professional.

3. Required Findings for Approval of a Final Development Plan for a Planned Residential Conservation Development:

The Board of Trustees shall approve an application for a Final Development Plan provided they find that the Final Development Plan is in compliance with **Sections 1803- 1806** and there are no unresolved modifications between the plan and standards approved by the Board of Trustees at the Preliminary Development Plan stage.

- 4. Final Development Plan Approval Period:** The approval of a Final Development Plan shall be effective for a period of three (3) years in order to allow for the filing and recording of a final subdivision plat, if platting is required by applicable law, and the commencement of construction of improvements on the site. No zoning amendment passed during the established approval period shall affect the terms under which approval of the Final Development Plan was granted. If the required final subdivision has not been approved and recorded, and construction commenced within the established approval period, then the Final Development Plan shall expire. Upon expiration, no use shall be established or changed and no building, structure or improvement shall be constructed until a new Final Development Plan has been filed with and approved by the Township, and such application for approval, shall be subject to the same procedures and conditions as an original application. 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 include the property within the PRCD.

- 5. Modifications.** Any modification request to an approved Final Development Plan shall be described in a PUD Modification Application and submitted to the Zoning Inspector. A final decision shall be made upon the modification request within sixty (60) days of application. The following process shall be followed for approval of the request:

- a) Any modification request that will not alter the physical characteristics of the Final Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.
- b) All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.
 - 1.) The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.
 - 2.) If the vote of the Zoning Commission is unanimous, the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.
 - 3.) If the vote of the Zoning Commission is not unanimous, the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.

- D. Plat Required.** The Final Development Plan as approved by the Township Zoning Commission shall be the subject of a subdivision plat to be approved by the Licking County Planning Commission if required by the Ohio Revised Code. Where the land is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved development. If required by applicable law, 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 Licking County, Ohio, and this Zoning Resolution. The subdivision plat and plan shall be in accordance with the approved Final Development Plan. The Final Development Plan application step with the Township shall be the preliminary plan application step in the subdivision regulations administered by Licking County.

- E. Failure to Maintain.** If the approved development plan is not adhered to, or the open space is not properly maintained, the Township Zoning Inspector may serve written notice of the deficiencies and demand that corrective action be taken. The Township may pursue noncompliance as a zoning violation as provided in this Resolution (Refer to **Section 311 Penalties for Violation**)

- F. Administrative Review.** All plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the Zoning Inspector, Zoning Commission and/or their designated technical advisors for an administrative review to ensure substantial compliance with the development plan as approved, prior to issuance of a zoning permit. The Board of Trustees may establish a fee to be deposited with each administrative review in order to defray the costs associated with such a review.

Section 1803 *Designing a Conservation Subdivision*

A conservation subdivision is an open space development designed in accordance with the following process:

A. Design Process

1. Delineate primary conservation areas. Preserve as natural open space.
2. Delineate secondary conservation areas; preserve selected areas as common (improved) or natural open space.
3. Draw house footprints outside the conservation areas. Draw the number of houses based upon the permitted density calculations with lot lines.

B. Design Guidelines

1. In order to reduce visual impact, dwellings should typically be located along the edges rather than in the center of open fields if they will be seen from existing public roads. Avoid new construction on prominent hilltops or ridges.
2. Front dwellings on internal roads, not on external roads. No units should have double frontage.
3. 85% or more of the total number of house lots should have a direct view of common open space.
4. Retain or replant native vegetation adjacent to wetlands and surface waters.
5. Preserve existing hedge and tree lines.
6. Preserve scenic views and vistas.
7. Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources.
8. Preserve historic or archaeological sites (i.e. earthworks, burial grounds) and agricultural elements such as fence rows.
9. Landscape or retain vegetation in common areas with native trees and shrubs.
10. Place shade trees along internal roads at fifty-foot intervals on at least one side of the road.
11. Provide active recreational areas in suitable locations.
12. Include a viable pedestrian circulation system with connections to any contiguous system, meaning a minimum of a five foot wide asphalt bike and walking path throughout the development.
13. Protect natural drainage swales and creeks. No construction of buildings inside the 100 year floodplain.
14. Provide permanent open space according to sub-section **1805.A Open Space**.

Section 1804 *Permitted Uses*

- A. Single Family detached residential dwelling units.
- B. Common wall single family attached dwellings (1-3 units per building).
- C. Two family dwellings.
- D. Multi-family dwellings provided they comprise no more than 25% of the total allowable density.
- E. Open Space- Upon approval of the Final Development Plan by the Township, the following types of activities are permitted within open space, including but not limited to:
 1. Bocce, baseball, basketball, softball, football, volleyball, badminton, golf, soccer, swimming, tennis, ice or roller skating, rollerblading, skateboarding, Frisbee, bird watching, horseshoes, canoeing, rowing, jogging, walking, gardening, and bicycling. If open space is intended to be used as a commercial venture, it shall be so stated in the Final Development Plan and approved by the Township. All open space lands shall be permanently owned as provided in **Section 1805 *Density and Open Space***.
 2. Accessory service buildings and structures incidental and pertinent to permitted uses in paragraph A. above where said accessory service buildings and structures are necessary to the pursuit of a permitted recreational use on the premise.

3. Natural (Open Space) Area- restricted to passive uses such as fishing, swimming, hiking, canoeing, and such other recreation that does not alter any of the natural features of the area.

Section 1805 Density and Open Space

A. Open Space. At least fifty percent (50%) of the gross tract acreage shall be designated as permanent open space. Open space locations and uses shall be identified on the Final Development Plan and shall be subject to the approval of the Township. Open space shall be owned, administered, and maintained as identified on the Final Development Plan pursuant to **Section 1805 Density and Open Space**. With prior consent by resolution of the Board of Trustees of Etna Township, land may be transferred to the Township Board of Trustees for public purposes if approved as a part of the Final Development Plan. Uses of land transferred to the Township for public purposes must be approved as a part of the Final Development Plan and may include, but are not limited to, trails, active recreation and spray irrigation fields. The decision whether to accept an applicant's offer to dedicate open space for public use shall be at the discretion of the Township Trustees. Land dedicated to public purposes may count toward the open space requirement if approved on the Final Development Plan.

1. A portion of the required open space may be suitable for active recreation purposes in order to preserve a reasonable proportion of natural open space on the site, but no more than fifty percent (50%) shall be utilized for that purpose. The development plan shall specify the purposes for which open space areas are proposed. Any recreational facilities proposed to be constructed within open space areas shall be clearly shown on the Final Development Plan.
2. In calculating open space, the areas of fee simple lots conveyed to homeowners shall not be included.
3. The required open space may be used for underground drainage fields for individual or community septic systems, and for "spray fields" for spray irrigation purposes in a "land application" sewage disposal system as approved per the Final Development Plan.
4. Primary conservation areas, plus storm water management detention/retention ponds, plus constructed wetlands acting as detention basins, plus sewage treatment areas may count in their combined aggregate for up to 50% of the required open space.
5. Any area of natural open space that is proposed to be disturbed during construction or otherwise not preserved in its natural state shall be shown on the Final Development Plan and, if required, shall be restored with vegetation that is compatible with the natural characteristics of the site. The method and timing of any restoration shall be set forth in the Final Development Plan.

B. Determining the Number of Dwelling Units Permitted, and the Percent of Open Space.

1. **Density Calculations:** The permitted density (the number of dwelling units in the proposed PRCD), is one (1) unit per net developable acre. Density calculations are based on the net developable area of the site. The net developable acreage is that remaining deducting the following existing and planned land characteristics from the gross acreage:
 - a) Right of way for streets and utilities;
 - b) Jurisdictional wetlands, as defined U.S. Army Corps of Engineers Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss. Jurisdictional wetlands as regulated by Section 404 of the Clean Water Act consist of a.) hydric soils, b.) hydrophytic vegetation and c.) wetland hydrology (this generally means they support more than 50% wetland vegetation, and are poorly drained soils which are periodically inundated or saturated);
 - c) Floodplains within a FEMA 100-year floodplain;
 - d) Slopes greater than 20%;
 - e) Utility rights-of-way and easements for above-ground utility structures such as above ground pipelines and existing overhead electric transmission (not local service) wires;
 - f) All bodies of water including retention or detention ponds.
2. **Density Bonus:** The permitted density (the number of dwelling units in the proposed PRCD) may be increased up to a maximum of 1.2 dwelling units per net developable acre if the design of the development meets all of the following design goals:

- a) Open space is designed as part of a larger network connecting to existing open space on neighboring parcels and responsive to natural features on the site.
- b) Development of the property includes a 6'-8' asphalt bike path or equivalent that provides connections to the greater system in the township and/or the region.
- c) Single loaded streets where they are visible from the public right-of-way so that no homes have double frontage in the development.

3. Open Space Calculations: Open space for the PRCD is a minimum of 50% of the gross developable acreage. No greater than 50% of the total open space provided in the design can include jurisdictional wetlands, (as defined U.S. Army Corps of Engineers Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss.) floodplains within a FEMA 100-year floodplain, slopes greater than 20%, utility rights-of-way and easements for above-ground and currently existing utility structures or existing bodies of water.

C. Ownership of Open Space. Different ownership and management options apply to the permanently protected common open space created through the development process. The common open space shall remain in perpetuity and may be owned as identified in Section 1805 Density and Open Space. A public land dedication, not exceeding ten percent (10%) of the total parcel size, may be required by the Township to facilitate trail or pathway connections. A narrative describing ownership, use and maintenance responsibilities shall be submitted for all common and public improvements, utilities, and open spaces.

Ownership Standards - Common open space within the development shall be owned, administered, and maintained by any of the following methods, either individually or in combination, and subject to approval by the Township Board of Trustees.

1. Offer of Dedication: The Township Board of Trustees shall have the first offer of undivided common open space in the event said land is to be conveyed to a public agency. Dedication shall take the form of a fee simple ownership. The Township Board of Trustees may, but is not required to accept undivided common open space provided:

- a) Such land is accessible to all the residents of the Township;
- b) There is no cost of acquisition other than incidental costs related to the transfer of ownership;
- c) The Township Board of Trustees agrees to maintain such lands. Where the Township Board of Trustees accepts dedication of common open space that contains improvements, the Township Board of Trustees may require the posting of financial security to ensure structural integrity of improvements for a term not to exceed eighteen (18) months.

2. Homeowners Association: The undivided common open space and associated facilities may be held in common ownership by a homeowners 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 association shall be organized by the developer and shall be operated by the developer, before the sale of any lots within the development.
- c) 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.
- d) The association shall be responsible for maintenance of insurance and taxes on the undivided common open space. 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.
- e) 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.

- f) In the event of transfer, within the methods herein 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 Board of Trustees, notice of such pending action shall be given to all property owners within the development.
 - g) The association shall provide for adequate staff to administer common facilities and property and continually maintain the undivided common open space.
 - h) The homeowners association may lease common open lands to any other qualified person, or corporation, for operation and maintenance of common open space lands, but such lease agreement shall provide:
 - 1.) That the residents of the development shall at all times have access to the common open space lands contained therein (except croplands during the growing season).
 - 2.) That the undivided common open space shall be maintained for purposes set forth in the approved Final Development Plan.
 - 3.) That the operation of common open space may be for the benefit of the residents only, or may be open to all residents of the Township, at the election of the developer and/or homeowners association. In cases where public trails or paths are provided as linkage between developments or as a continuous link of common open space within the Township, all residents of the Township shall have access to such identified paths/walkways.
 - a.) The lease shall be subject to the approval of the homeowner's 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 Licking County Recorders office and notification shall be provided to the Township Trustees within 30 days of action by the Board.
3. **Condominiums:** The undivided common open space and associated facilities may be controlled through the use of condominium agreements, approved by the Township Board of Trustees. Such agreements shall be in conformance with all applicable laws and regulations. All undivided common open space land shall be held as a common element.
4. **Dedication of Easements:** The Township Board of Trustees may, but shall not be required to accept easements for public use of any portion or portions of undivided common open space land, title of which is to remain in ownership by condominium or homeowners associations, provided:
- a) Such land is accessible to Township residents;
 - b) There is no cost of acquisition other than incidental transfer of ownership costs;
 - c) A satisfactory maintenance agreement is reached between the developer, association and the Township Board of Trustees.
5. **Transfer of Easements to a Private Conservation Organization:** With the permission of the Township Board of Trustees, 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 Board of Trustees, and is a bona fide conservation organization with perpetual existence;
 - b) The conveyance contains whatever provisions are agreed to between the Township Trustees, the owner and the organization.
6. **Third Party Ownership:** With the approval of the Township Board of Trustees, open space may be owned by a third party if protected by either: (i) an open space easement which permanently and irrevocably transfers the development rights from the open space land to a homeowners or condominium association, the Township Board of Trustees or a conservation organization; or (ii) unmodifiable deed restrictions that permanently restrict the use of the open space to those uses identified in the approved Final Development Plan. Open space land to be transferred to a third party other than a Homeowners Association, condominium association or the Township Board of Trustees shall also be located in a reserve with an open space notation on a recorded final plat.

- D. Maintenance of Open Space.** The ultimate owner of all open space (including restricted 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 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 planned development fail to maintain the open space in reasonable order and condition in accordance with the Final Development Plan, such failure shall constitute a violation of both the Final Development Plan and this Resolution.

Section 1806 PRCD Development Plan Standards

- A. Minimum tract size** for a PRCD Subdivision is 10 acres.
- B. Centralized Water and Sewer** - For centralized water and sewer usage, a feasibility letter shall be provided by the Southwest Licking Water and Sewer District indicating that water and sewer service is available with the capacity needed.
- C. Perimeter Setback** - No building shall be constructed within 50 feet of the external boundary of the conservation subdivision.
- D. Accessory uses or structures** shall be permitted provided that following requirements are met:
1. Unless otherwise specified, one accessory building shall be permitted on a lot in a residential zoning district.
 2. Unless otherwise prohibited by lot area coverage requirements, one additional storage building may be permitted on a residential lot, provided that the area of said structure does not exceed 144 square feet in size.
 3. The maximum height of an accessory use or structure is no more than 15 feet, but in no case shall the accessory use or structure exceed the height of the principal building.
 4. No commercial uses shall be conducted within an accessory structure.
 5. Accessory structures and uses, with the exception of fences, shall be located a minimum of ten (10) feet from all lot lines.
 6. An accessory structure shall be located to the side or rear of the principal building and shall be no closer than ten (10) feet from any part of the principal building and shall not be located in any easements.
- F. Stormwater** management should be coordinated within larger developments to reduce the number of retention/detention ponds required. On single site development, stormwater management must meet all applicable standards of NPDES (National Pollutant Discharge Elimination System) Phase II stormwater program.
1. Retention/Detention Basins shall be designed to appear natural and not engineered in terms of shape, water level, slope and treatment of the freeboard. Appropriate planting shall be located around the pond to facilitate a natural appearance. The slope of the edge shall continue into the natural water level to provide a shelf and not a steep drop off for safety. Appropriately sized pond aeration/fountain shall be included in all retention ponds. A maintenance plan must be submitted as part of the zoning text and approved by the Board of Trustees. All ponds must be labeled on the plot plans. See **Section 1026 Ponds, Lakes, Water Retention/Detention Areas.**
- G. Floodplains** - No structures shall be constructed within the 100-year floodplain of any stream or river.
- H. Architecture** - The project architect shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other traditional or historic architecture in the community or with the site. Architecture should be high in quality and should contribute to the character of the township.
- I. Subdivision standards** - Public streets and all drainage improvements shall conform to the subdivision standards for Licking County, Ohio.

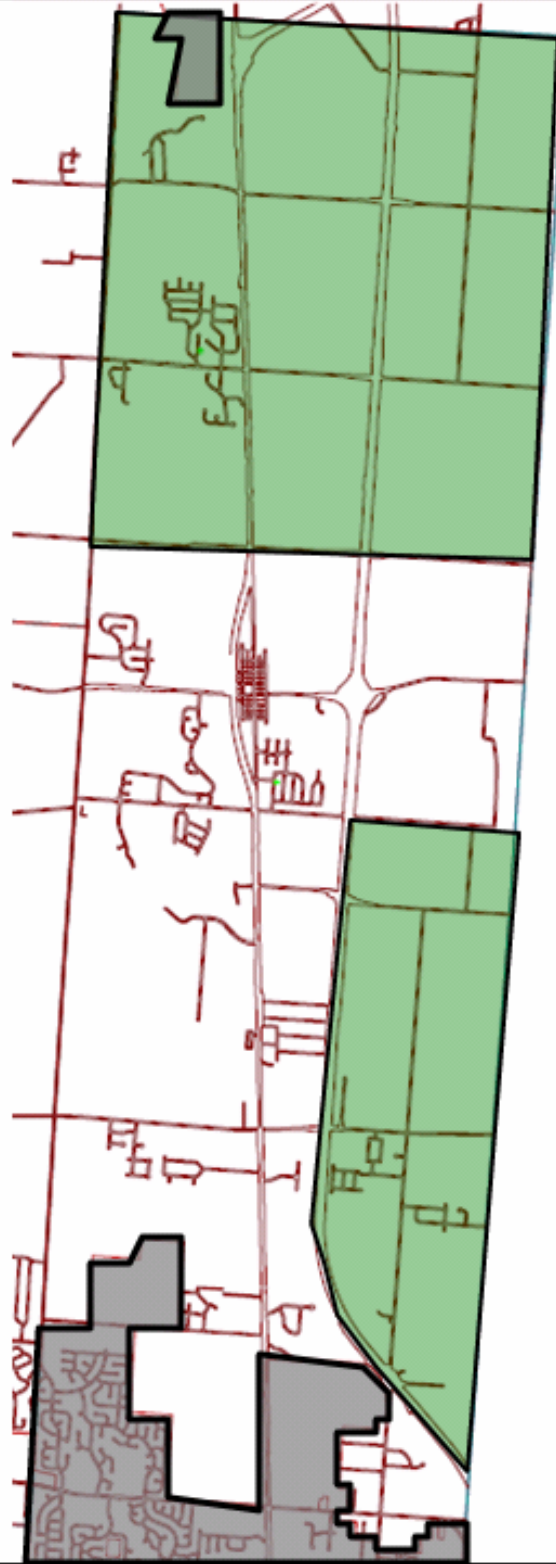
- J. Pavement standards for condominium drives** - All condominium drives that are not dedicated for public maintenance shall be constructed to a pavement width and cross section that meets the average daily traffic and weights anticipated in the Licking County Engineer's Location and Design Manual, or shall have a design life of 20 years.
- K. Streets** should be interconnected with more than one access point to the development. Street layouts must connect to any contiguous residential stub streets located on surrounding parcels. If neighboring parcel is not yet developed the development must provide stub streets to connect to those stub streets in the future. Streets viewable from the public right-of-way of existing streets shall be single loaded to prevent homesites having double frontage.
- L. Pavement standards** for parking lots and private driveways do not have to meet street cross sectional standards, but parking lot drive aisles that connect to the public streets shall be constructed to public street cross sectional and design life standards within 50 feet of the edge of the public paved road.
- M. Paths and Sidewalks** - A network of concrete sidewalks or asphalt walking paths shall be provided. Where located parallel to the roads, concrete sidewalks shall be separated from the street pavement by at least a 5' landscaped or grassed strip. Asphalt walking paths shall be located per plan. The zoning commission may require paved/unpaved walkways to connect residential areas and open spaces.
- N. Natural area preservation** - Wetlands, steep (over 20 %) slopes, forests, stream corridors, 100 year floodplains, and ravines should be preserved to the greatest extent possible. Tree stands greater than 2 acres and tree rows must be preserved.
- O. Street Trees** - Deciduous, broad leaf street trees with a minimum caliper of three inches (3") at planting shall be placed one for every 40' of lineal road frontage on new roads and should be located along existing roads in a naturalized street tree pattern unless otherwise designated by local plans. All street trees shall be of an approved variety and be guaranteed for a minimum of one year.
- P. Minimum Front Setbacks** - Dwelling Units and garages shall be set back a minimum of forty (40) feet from the street right-of-way.
- Q. Minimum lot size** of twelve thousand (12,000) square feet for single family detached dwellings on fee simple ownership lots. Attached dwelling units or detached condominiums as approved per the Final Development Plan.
- R. Minimum Lot Width** at the building line.
1. 80' lot widths may be used for a maximum of 30% of the total single family lots.
 2. 90' lot widths may be used for a maximum of 30% of the total single family lots.
 3. 100' or wider lots shall be used for at least 40% of the total single family lots.
- S. Minimum Side yards** - Fifteen (15) feet each side for single family and common wall single family units and their garages, with no encroachments. For multi family or non residential structures the minimum separation between buildings units shall be thirty (30) feet.
- T. Driveway Setbacks** - Two feet from side lot line. Side-load garages shall provide at least 24 feet of paved apron, exclusive of the 2 foot side lot line for single family detached dwellings on fee simple ownership lots. Attached units or detached condominiums as approved per the Final Development Plan.
- U. Minimum Rear yard** – Thirty (30) feet for single family detached dwellings on fee simple ownership lots and attached garages. Fifteen (15) feet for accessory structures. Attached units or detached condominiums as approved per the Final Development Plan.
- V. Building Height Requirement** - No principal building in this district shall exceed thirty five (35) feet in height as defined in **Article 2 – Definitions**.
- W. Minimum Dwelling Unit Floor Area** - Eleven hundred (1100) square feet per dwelling unit.
- X. Street lighting** - If required by the Township, street lighting must be of white light, maximum height twenty (20) feet, with fully shielded downward cast lighting.
- Y. Landscaping** - Front yards and all improved open spaces or non-residential use areas shall be landscaped per an approved landscape plan showing the caliper, height, numbers, name and placement of all material, prepared by a licensed landscape architect shall be approved as a part of the Final Development Plan. Planting of native species is required; see **Article 16 – Buffering, Landscaping, and Resource Preservation**.
- Z. Parking** - Off-street parking shall be provided. Construction traffic may park in the street, but only on one side so as to allow for safe access by emergency equipment. Off-street parking shall comply with the provisions of **Article – 11 Off-Street Parking and Loading Facilities** of the Etna Township Zoning Resolution.

- AA. Utilities** - Centralized water and sanitary sewer service shall be provided. All local service lines for electric, cable television, internet or any other utility service provided shall be buried underground and located in the rear yards within the PRCD District. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this section.
- BB. Signs** - All signs shall be in accordance with **Article 12 – Signs** of the Etna Township Zoning Resolution.
- CC. Other Requirements** - All general non-district specific regulations/standards contained within the Etna Township Zoning Resolution shall apply to developments under this Article. However, the specific regulations/standards within this district shall take precedence over any conflicting regulations/standards contained elsewhere within the Etna Township Zoning Resolution.
- DD. Compliance with Final Development Plan** - The development of properties under this Article shall remain in strict compliance with the Final Development Plan, except as modified in accordance with sub-section 1703.D.5 herein.

PRCD Overlay Zoning District Map

Attachment #1

Allowable Areas = East of Smoke Road & South of I-70/West of Lynns Road



ARTICLE - 19

PLANNED MIXED-USE DEVELOPMENT DISTRICT

Section 1900 Intent

The Planned Mixed-Use Development (PMUD) District is a Planned Unit Development District adopted pursuant to Ohio Revised Code §519.021 (B) and is intended to provide flexibility in the development standards for mixed-use development based on a unified development plan.

The PMUD District is intended to achieve the statutory purposes of §519.021 of the Ohio Revised Code for Planned Unit Developments, “promoting general public welfare, encouraging the efficient use of land and resources, promoting efficiency and providing public and utilities services encouraging innovation in the planning and building of all types of development and promoting the public health, safety and morals.”

Designation under this article requires an amendment to the Zoning Resolution, both zoning map and zoning text, in compliance with the requirements of §519.12 of the Ohio Revised Code.

Natural features such as topography, woodlands, tree rows, and wetlands, bodies of water, floodplains, drainage ways and historic architecture should be maintained in a natural state as much as possible to maintain a rural character.

Section 1901 The Objectives of the Planned Mixed-Use Development District include:

- A. Enable greater review of a mixed-use development and its design characteristics;
- B. To encourage creativity, flexibility and quality in the design of both the buildings as well as the site;
- C. Establish objective criteria for development plan review that ensure conformity to community and district standards and allow for consistent treatment throughout;
- D. Facilitate integration of mixed-use development into the rural character of the area and blend it harmoniously with adjacent land use districts and existing developments;
- E. Manage the impacts that occur from commercial development adjacent to non-compatible land uses and the greater community;
- F. Provide an opportunity for a mix of land uses otherwise not permitted within the standard zoning district classifications;
- G. To preserve and dedicate open space for the protection of ravines, woodlands, wetlands, floodplains, and rural corridors;
- H. To ensure unique and high quality development so that mixed-use sites benefit from continued reinvestment over time;
- I. To encourage new development and redevelopment of existing sites that makes efficient use of land through current planning practices and helps reduce infrastructure costs through unified development;
- J. Establish objective criteria for development plan review that ensures conformity to adopted community standards and guiding community planning documents.

Section 1902 Effect of PMUD Zoning

Upon approval of the PMUD District, no previous regulations shall remain in effect, and the regulations for the PMUD District shall prevail.

Planned Mixed-Use Development Districts adopted and established in accordance with the provisions of this chapter and the requirements contained within those districts shall take precedence over any conflicting regulations contained in the Zoning Resolution.

Section 1903 Process

The following is the process to amend the zoning map and text for real property to a PMUD District according to the statutory requirements of §519.12 of the Ohio Revised Code and the process to develop that property accordingly.

Each Planned Unit Development District under Type B PUD shall be considered a separate and unique zoning district. In addition to any other procedures set out in this Resolution, all applications for amendments to the zoning map and text to rezone lands to PMUD shall follow the procedures herein.

A. Concept Stage - Recommended. The applicant is encouraged to engage in informal consultations including a site walk-about with the Zoning Commission or a designated representative of the Township prior to formal submission of a development plan and application to amend the zoning map.

No statement by officials of the Township, designated representatives of the Township or the Licking County Planning Commission shall be binding upon either party at the concept stage.

B. Zoning Map and Text Amendment.

1. **Process:** This stage of the process shall conform to **Article - 6 Amendment** of the Etna Township Zoning Resolution and is a legislative function of the township and therefore subject to referendum. The procedure to amend the zoning map for real property to PMUD must meet the requirements of §519.12 of the Ohio Revised Code.

a) **Submission:** The applicant shall submit the following information to the Zoning Inspector for forwarding to the Zoning Commission:

- 1.) All applicable information as outlined in **Section 603 Contents of Application** of this Resolution.
- 2.) Proposed text amendment to the Zoning Resolution detailing all development and design standards proposed for the Planned Mixed-Use Development District and in accordance with Ohio Revised Code §519.12. The proposed text amendment shall include statements substantially similar to the following:
 - a. "Development of the property shall remain in strict compliance with the Final Development Plan, except as modified in accordance with sub-section 1903.D.5 herein."
 - b. "All general non-district specific regulations/standards contained within the Etna Township Zoning Resolution shall apply to this development. However, the specific regulations/standards within this district shall take precedence over any conflicting regulations/standards contained elsewhere within the Etna Township Zoning Resolution."

3.) The applicant shall also submit a Preliminary Development Plan (see sub-section **1903.C Preliminary Development Plan**) with the application for a Zoning Map and Text Amendment under this Article.

b) **Zoning Inspector:** After the applications are made to the Zoning Inspector, the following procedure shall be followed:

- 1.) The Zoning Inspector shall review the submitted application for the Zoning Map and Text Amendment to ensure the application is complete.
- 2.) The Zoning Inspector shall forward the Zoning Map and Text Amendment application to the Zoning Commission.
- 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the application and if the plan complies with the Etna Township Zoning Resolution as applicable.

c) **Zoning Commission:** The Zoning Commission is the recommending body regarding the Zoning Map and Text Amendment.

- 1.) The Zoning Commission shall review the Zoning Map and Text Amendment application.
- 2.) The Zoning Commission shall follow the procedures outlined in **Article - 6 Amendment** of this Resolution and thereupon provide the Board of Trustees with a written recommendation regarding the Zoning Map and Text Amendment application. This written recommendation may contain suggested modifications to the proposed development and design standards for the PMUD. The written recommendation shall list specific finding of fact. For example, if the recommendation is for denial, the recommendation shall list specific sections of the zoning resolution for which the proposal does not comply.
- 3.) For recommendations regarding the Preliminary Development Plan see sub-section **1903.C.1 Process**.

- d) **Board of Trustees:** The Board of Trustees is the approving body for the Zoning Map and Text Amendment.
- 1.) The Board of Trustees shall follow the process outlined in **Article - 6 Amendment** of this Resolution while reviewing the Zoning Map and Text Amendment application.
 - 2.) The Board of Trustees shall adopt, deny, or adopt with modifications the recommendation from the Zoning Commission.
 - 3.) The Board of Trustees shall not make a decision upon the Preliminary Development Plan at that time. For approval regarding the Preliminary Development Plan see sub-section **1903.C.1 Process**.

2. **Required Findings for approval of a PMUD Zoning Map and Text Amendment:** The planned unit development shall further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. Within a planned unit development, the township zoning regulations, where applicable, need not be uniform but may vary in order to accommodate unified development and to promote the public health, safety, morals, and the other purposes of §519.021 of the Ohio Revised Code. The proposed development shall be consistent with the purpose, criteria, and intent of this Zoning Resolution, Township Comprehensive Plans, existing land use character, appearance, and physical development of the area.

C. Preliminary Development Plan.

1. **Process:** The approval process for a Preliminary Development Plan is an administrative action and subject to appeal per Chapter 2506 of the Ohio Revised Code. The review of a Preliminary Development Plan by the Zoning Commission and the Board of Trustees is not subject to a public hearing. The following is the process for approval of a Preliminary Development Plan:
- a) **Submission:** An applicant for a Preliminary Development Plan shall submit all required information, maps, plans, and applications (see sub-section **1903.C.2 Submission Requirements**) to the Zoning Inspector for forwarding to the Zoning Commission.
 - b) **Zoning Inspector:** After the applications are made to the Zoning Inspector, the following procedure shall be followed:
 - 1.) The Zoning Inspector shall review the submitted application for the Preliminary Development Plan to ensure the application is complete.
 - 2.) The Zoning Inspector shall forward the Preliminary Development Plan application to the Zoning Commission.
 - 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the plan and if the plan complies with the Etna Township Zoning Resolution as applicable..
 - c) **Zoning Commission:** The Zoning Commission is a recommending body regarding the Preliminary Development Plan.
 - 1.) The Zoning Commission shall review the Preliminary Development Plan and provide a written recommendation to the Board of Trustees based upon the plan's compliance with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development. The written recommendation shall list specific finding of fact. For example, if the recommendation is for denial, the recommendation shall list specific sections of the zoning resolution for which the proposal does not comply.
 - 2.) When the required Preliminary Development Plan is submitted in conjunction with the Zoning Map and Text Amendment, the Zoning Commission shall provide two separate written recommendations concerning the Preliminary Development Plan and the Zoning Map and Text Amendment in the same meeting. The written recommendation shall list specific finding of fact. For example, if the recommendation is for denial, the recommendation shall list specific sections of the zoning resolution for which the proposal does not comply.

When the required preliminary development plan is not submitted with the zoning map and text amendment the Zoning Commission shall provide a written recommendation concerning the Preliminary Development Plan only.

- d) **Board of Trustees:** The Board of Trustees is the approving body for the Preliminary Development Plan. If the Zoning Map and Text Amendments are denied then the submitted Preliminary Development Plan shall be considered null and void. If the Zoning Map and Text Amendments are approved then the following process shall be followed:
- 1.) The Board of Trustees shall make an official decision regarding the Preliminary Development Plan only after the passage of the 30-day referendum period as described in Section §519.12 of the Ohio Revised Code.
 - 2.) The Board of Trustees shall consider the Preliminary Development Plan and shall approve, deny, or approve with modifications the Preliminary Development Plan based upon the plan's compliance with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development.
 - 3.) If the plan is denied, the Board of Trustees shall provide specific findings and reasoning for the denial of the Preliminary Development Plan.
2. **Submission Requirements:** The applicant shall submit fifteen (15) copies of the Preliminary Development Plan to the Zoning Inspector. The Preliminary Development Plan shall show the intended layout of the site in accordance with PMUD standards. The Preliminary Development Plan shall include in text and drawing form, the following:
- a) The proposed size and location of the PMUD District, at a scale of at least 1" = 200', showing topographic contours of at least 2' intervals, existing and proposed structures, structures within 200' of the development tract.
 - b) Environmentally sensitive areas such as the 100 year floodplain, bodies of water, forested areas, wetlands, and slopes greater than 20%. No structure (other than approved drainage structures) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Licking County.
 - c) Proposed land uses and density calculations.
 - d) The intended general provisions for fire hydrants and surface drainage, to the extent known. Information regarding existing pipe sizes, capacities, committed flows, and potential needed upgrades must be documented.
 - e) Water supply and sanitary sewage disposal feasibility shall be indicated by the appropriate agency at the time of the Preliminary Development Plan. Centralized sanitary sewage disposal systems, if necessary, shall be provided subject to the Southwest Licking Water and Sewer District and Ohio Environmental Protection Agency approval. If on-site centralized sewage disposal systems are proposed, the applicant shall indicate who shall be responsible for their operation and maintenance, and shall provide a letter from the appropriate county or state agency declaring the site feasible for such systems, and for the anticipated sanitary flows.
 - f) The relationship of the proposed development to existing and probable uses of surrounding areas, including future land use map designations, easements, rights-of-way, proposed drainage, and public utilities.
 - g) Proposed design of any reserve areas and open spaces and a proposed description of their use and maintenance.
 - h) Proposed public land dedications.
 - i) Preliminary Traffic Impact Analysis based upon new trip generation rates as specified in either the Licking County Subdivision Regulations - Article 8 and/or the International Transportation Engineering standards, the more restrictive standard shall govern. Preliminary mitigation proposals such as turning lanes, signals, roundabouts, or widenings to alleviate the impacts of new traffic shall be described.
 - j) Existing public rights-of-way, access points and easements.
 - k) Location of any existing buildings or permanent facilities.
 - l) Proposed general layout of proposed internal road system, indicating the proposed vehicular right-of-way, all proposed public streets, general indication of private streets and pedestrian circulation, bike paths, trails, sidewalks, crosswalks, access drives, improvements to existing streets and traffic control requirements.
 - m) Location of all service areas including, but not limited to, dumpsters and loading docks.
 - n) Proposed sign locations, types, sizes, illumination and content.

- o) Proposed Architectural Drawings demonstrating the prototypical design of the proposed buildings, their exterior design, character, and general elements including materials and colors in sufficient detail to indicate the proposed visual character of the development.
- p) Emergency service provisions (letter from fire and police/sheriff departments stating whether or not services are available, capacity, and any regulatory requirements that need to be met).
- q) General phasing plans, if any.
- r) Any other supplemental information as required by the Zoning Commission and/or Board of Trustees to properly review the submitted Preliminary Development Plan.

3. Required Findings for Approval of a Preliminary Development Plan: The Zoning Commission and the Board of Trustees shall approve an application for a Preliminary Development Plan provided they find that the proposed plan complies with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development.

4. Preliminary Development Plan Approval Period: The approval of a Preliminary Development Plan shall be effective for a period of one (1) year in order to allow for the preparation and submission of the Final Development Plan. No zoning amendment passed during this one (1) year period shall affect the terms under which approval of the Preliminary Development Plan was granted. If the Final Development Plan has not been filed within this one (1) year period, then the Preliminary Development Plan approval shall expire unless the Board of Trustees has approved an extension of this time limit. A single extension with a maximum period of one (1) year may be considered by the Board of Trustees. Absent such an extension, no use shall be established or changed and no building, structure or improvement shall be constructed until a new Preliminary and Final Development Plan have been re-submitted to and approved by the Township Board of Trustees. Such applications for approval shall be subject to the same procedures and conditions as an original application and shall commence at the Preliminary Development Plan stage (see sub-section **1903.C Preliminary Development Plan**). However, resubmission is not an application for a zoning amendment and the zoning does not revert at any time to the previous zoning district or any other zoning district. These new applications shall comply with the terms of the Zoning Resolution then in effect at the time of filing.

5. Modifications. Any modification request to an approved Preliminary Development Plan shall be described in a PUD Modification Application and submitted to the Zoning Inspector. A final decision shall be made upon the modification request within 60 days of application. The following process shall be followed for approval of the request:

- a) Any modification request that will not alter the physical characteristics of the Preliminary Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.
- b) All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.
 - 1.) The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.
 - 2.) If the vote of the Zoning Commission is unanimous, then the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.
 - 3.) If the vote of the Zoning Commission is not unanimous, then the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.

D. Final Development Plan.

1. Process: The approval process for a Final Development Plan is an administrative action and subject to appeal per Chapter 2506 of the Ohio Revised Code. The review of a Final Development Plan by the Zoning Commission and the Board of Trustees is not subject to a public hearing. The following is the process for approval of a Final Development Plan:

- a) **Submission:** A Final Development Plan shall only be submitted if a Preliminary Development Plan has previously been reviewed and approved by the Board of Trustees. An applicant for a Final Development Plan shall submit all required information, maps, plans, and applications (see sub-section **1903.D.2 Submission Requirements**) to the Zoning Inspector for forwarding to the Zoning Commission.

- b) **Zoning Inspector:** After the application is made to the Zoning Inspector, the following procedure shall be followed:
 - 1.) The Zoning Inspector shall review the submitted application for the Final Development Plan to ensure the application is complete.
 - 2.) The Zoning Inspector shall forward the Final Development Plan application to the Zoning Commission.
 - 3.) The Zoning Inspector shall provide an 'Etna Township Staff Report' to the Zoning Commission detailing the plan and if the plan complies with the Etna Township Zoning Resolution as applicable.

 - c) **Zoning Commission:** The Zoning Commission is a recommending body regarding the Final Development Plan.
 - 1.) The Zoning Commission shall review the Final Development Plan and provide a recommendation to the Board of Trustees based upon the plan's compliance with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development.
 - d) **Board of Trustees:** The Board of Trustees is the approving body for the Final Development Plan.
 - 1.) The Board of Trustees shall consider the Final Development Plan and shall approve, deny, or approve with modifications the Final Development Plan based upon the plan's compliance with the regulations and standards in **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development.
 - 2.) If the plan is denied, the Board of Trustees shall provide specific findings and reasoning for the denial of the Final Development Plan.
2. **Submission Requirements:** The applicant shall submit fifteen (15) copies of the Final Development Plan to the Zoning Inspector with the application. The Final Development Plan shall include in text and drawing form the following:
- a) A listing of all deviations from the approved Preliminary Development Plan.
 - b) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed PMUD district.
 - c) The developer shall supply Etna Township with a traffic impact study (TIS) addressing the impact the development will have on the roadway infrastructure. The study shall address not only the new intersection/s, but also the impacts incurred on the next classified intersections in each direction from the proposed access point/s. This area is referred to as the study area for the TIS. The TIS should be developed in accordance to Institute of Traffic Engineers (ITE) Trip Generation Handbook and Trip Generation Rates. The most current version shall be used. Particular attention should be given to following the recommended procedures concerning Trip Generation Average Rates vs. Equations, selection of land use codes, calculation of pass-by trips, primary and diverted trips, internal trips, and specialty generators. Existing and Future condition Analysis of new intersections and intersections within the study area should be evaluated using both AM and PM peak hour data (Traffic volume and growth rates may be available from the Mid-Ohio Regional Planning Commission). Future traffic data shall be 20 years from opening day. The TIS should include the following:
 - 1.) Introduction
 - 2.) Site Plan & Illustration of the Study Area.
 - 3.) Existing Conditions in study area—roadway geometry, speed limits, pictures, sight distances, etc.
 - 4.) Plates showing existing and future traffic 'no build'.
 - 5.) Plates showing trip Generation and Distribution of development.
 - 6.) Plates showing opening day full build and future full build.
 - 7.) Trip Generation and Distribution Methodologies and Summaries.
 - 8.) Future Conditions in study area, with and without proposed development.
 - 9.) Capacity Analysis using Synchro or HCS software or other approved method for AM & PM peak hours for existing and future build conditions and no build conditions.
 - 10.) Turn Lane length calculations shall be determined by ODOT Location and Design Manual standards. The requirements to include turn lanes are to be by Licking County Planning Commission regulation.

- 11.) Signal Warrants shall be in accordance with the Ohio Manual of Uniform Traffic Control Devices (OMUTCD).
 - 12.) Summary or Conclusions & Recommendations.
 - 13.) Appendix with calculations, engineering notes, etc.
 - 14.) Depending on the location, other information may also be required such as crash rates, existing speed patterns, sight distance survey, etc. These items can be discussed as part of a pre-plan conference or during the Technical Review Committee meeting.
- d) Architectural design package including materials, colors and renderings for all structures and details for proposed signs, with proposed control procedures. These are specific renderings of the elevations of structures. Any modification of these structures shall require re-approval of the development plan by the Township.
 - e) Dimensional sign package indicating the character material, dimensions, location, shape, color(s) and illumination of all signs.
 - f) The Applicant's posting of a bond or an irrevocable letter of credit if the plan is approved assuring completion of public service facilities to be constructed within the project by the developer.
 - g) Any covenants, easements, or restrictions.
 - h) A private street cross section and drainage plan that meets the design standards of the Licking County Engineer for the weight of the vehicle and the traffic anticipated with an estimated design life of 20 years.
 - i) The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities.
 - j) If the proposed timetable for development includes developing the land (including open space) in phases, no phase shall be less than five (5) acres or the whole tract (whichever is smaller). These phases shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases.
 - k) Final Development Plan drawing shall be to a scale of at least 1" = 100' and will show the proposed uses of the site, location of buildings and structures, streets and roadways, and parking areas, all required design features, and the following:
 - 1.) Provisions for water, fire hydrants, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness including a grading plan. Line sizes and locations, detention basins, and drainage structures shall be drawn.
 - 2.) Location of all lot lines, easements, rights-of-way.
 - 3.) Dimensions and locations of all proposed structures, buildings, streets, any other public or private facilities, the proposed pedestrian and bike path systems, the arrangement of internal traffic circulation, including access roads and drives, lane and other pavement markings to direct and control parking and circulation, and the location of signs related to parking and traffic control.
 - 4.) Landscaping and screening plans.
 - 5.) Location of parks and other public facility sites, within or adjacent to the site.
 - 6.) Erosion control plans during construction.
 - 7.) Lighting plan including but not limited to, light pole heights and locations, building accent lighting, pedestrian lighting, and footcandle calculations across the site and at the edges of the PMUD.
 - 8.) If the proposed timetable for development includes developing the land (including open space) in phases, the applicant shall provide a representation of the phasing on the Final Development Plan drawing.
 - 9.) Management Plan for any area for common use to be maintained by multiple property owners, an association must be established and evidence of its perpetuity and charge provided.
 - 10.) Drawings that are a part of the Final Development Plan shall bear the seal of an architect, landscape architect, and professional engineer licensed to practice in the state of Ohio, with respect to the design of each professional.

- 3. Required Findings for Approval of a Final Development Plan for a Planned Mixed-Use Development:** The Board of Trustees shall approve an application for a Final Development Plan provided they find that the Final Development Plan is in compliance with **Sections 1904-1905** and any other development and design standards applicable to that particular PMUD district, including the adopted text amendment for that particular development. Additionally, there must be no unresolved modifications between the plan and standards approved by the Board of Trustees at the Preliminary Development Plan stage.
- 4. Final Development Plan Approval Period:** The approval of a Final Development Plan shall be effective for a period of three (3) years, in order to allow for the filing and recording of a final subdivision plat, if platting is required by applicable law, and the commencement of construction of improvements on the site. No zoning amendment passed during the established approval period shall affect the terms under which approval of the Final Development Plan was granted. If the required final subdivision has not been approved and recorded, and construction has not commenced within the established approval period, then the Final Development Plan shall expire. Upon expiration, no use shall be established or changed and no building, structure or improvement shall be constructed until a new Preliminary and Final Development Plan have been re-submitted to and approved by the Township Board of Trustees. Such applications for approval shall be subject to the same procedures and conditions as an original application and shall commence at the Preliminary Development Plan stage (see sub-section **1903.C Preliminary Development Plan**). However, resubmission of a new Preliminary and Final Development Plan is not an application for a zoning amendment and the zoning does not revert at any time to the previous zoning district or any other zoning district. These new applications shall comply with the terms of the Zoning Resolution then in effect at the time of filing.
- 5. Modifications.** Any modification request to an approved Final Development Plan shall be described in a PUD Modification Application and submitted to the Zoning Inspector. A final decision shall be made upon the modification request within 60 days of application. The following process shall be followed for approval of the request:

 - a)** Any modification request that will not alter the physical characteristics of the Final Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.
 - b)** All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.

 - 1.)** The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.
 - 2.)** If the vote of the Zoning Commission is unanimous, the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.
 - 3.)** If the vote of the Zoning Commission is not unanimous, the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.
- E. Plat Required.** The Final Development Plan as approved by the Board of Trustees shall be the subject of a subdivision plat to be approved by the Licking County Planning Commission if required by the Ohio Revised Code. Where the land is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved Final Development Plan. If required by applicable law, 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 Licking County, Ohio, and this Zoning Resolution. The subdivision plat and plan shall be in accordance with the approved Final Development Plan. The final development plan application step with the township shall be the preliminary plan application step in the subdivision administered by Licking County.
- F. Failure to Maintain.** If the approved Final Development Plan is not adhered to, or the open space is not properly maintained, the Township Zoning Inspector may serve written notice of the deficiencies and demand that corrective action be taken. The Township may pursue noncompliance with the plan as a zoning violation which will be dealt with under **Section 311 Penalties for Violation** within this Zoning Resolution.

- G. Administrative Review.** All plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the Zoning Inspector, Zoning Commission, and/or their designated technical advisors for an administrative review to ensure substantial compliance with the development plan as approved, prior to issuance of a zoning certificate. The Board of Trustees may establish a fee to be deposited with each administrative review in order to defray the costs associated with such a review.

Section 1904 Permitted Uses

- A. Permitted Uses.** An applicant for a PMUD may apply for any combination of Permitted Uses within their development as long as they are in keeping with the intent of the Township and will not adversely affect the adjacent property and/or the public health, safety and general welfare. However, the specific list of Permitted Uses for each PMUD district is subject to approval as part of the text amendment for that PMUD district.
- B. Conditional Uses.** An applicant for a PMUD may apply for any combination of Conditional Uses within their development as long as they are in keeping with the intent of the Township and will not adversely affect the adjacent property and/or the public health, safety and general welfare. However, the specific list of Conditional Uses for each PMUD district is subject to approval as part of the text amendment for that PMUD district.

Section 1905 Development Standards

Development shall be designed in accordance with the planning and development principles included in this section.

- A. Arrangement of Buildings.** Building arrangement should respond to the surrounding existing expected uses and buildings.
1. Buildings must have a relationship to the street and should not be located in the center of the lot with parking surrounding.
 2. A proposed development shall include appropriate buffers, open spaces, setbacks. (Refer to **Article - 16 Buffering, Landscaping, and Resource Preservation**)
 3. Buildings, structures and parking areas shall be designed and located to preserve natural features including, but not limited to tree rows, woodlots greater than 2 acres, stream corridors and steep slopes.
- B. Open Space** shall be incorporated into the site design.
1. Open space should be well designed, contiguous, and used to preserve woodlots greater than 2 acres, tree rows, stream corridors, and any other significant natural features on the site.
 2. An open space maintenance plan is required and must demonstrate long term maintenance of the open space.
 3. Identify ownership of open space and how it will be preserved as open space in perpetuity (forever).
- C. Stormwater** management should be coordinated within larger developments to reduce the number of retention/detention ponds required. On single site development, stormwater management must meet all applicable standards of NPDES (National Pollutant Discharge Elimination System) Phase II stormwater program.
1. Retention/Detention Basins shall be designed to appear natural and not engineered in terms of shape, water level, slope and treatment of the freeboard. Appropriate planting shall be located around the pond to facilitate a natural appearance. The slope of the edge shall continue into the natural water level to provide a shelf and not a steep drop off for safety. Appropriately sized pond aeration/fountain shall be included in all retention ponds. A maintenance plan must be submitted as part of the zoning text and approved by the Board of Trustees. All ponds must be labeled on the plot plans. See **Section 1026 Ponds, Lakes, Water Retention/Detention Areas**.
- D. Parking & Circulation.** All developments shall at the time of development provide off street parking. The layout, service areas, entrances, exits, signs, lighting, landscaping shall be designed to minimize adverse impact on the community character. Parking shall be designed and located so as to not be a dominant component of the aesthetic of the site. Landscaping shall be used to minimize the impact of parking lots.

- E. **Vehicular circulation** shall provide adequate connections to the existing street network. Internal Streets shall be organized and efficient to provide safety vehicular and pedestrian access to and within the site. Access to the site shall follow any access management plans adopted by Licking County or Etna Township.
- F. **Lighting** of the site shall be designed to minimize adverse impacts on the community, the adjacent properties and the public right-of-way.
- G. **Pedestrian amenities** and accommodations shall be included in the design of the site and provide all necessary connections for non vehicular users of the site.
- H. **Screening & Landscaping.** All sites must be well landscaped and screened to minimize the impacts of certain site components including trash receptacles, storage, parking, utilities and mechanicals. Additionally, provisions for street trees along public roadways and internal streets must be included. (Refer to **Article - 16 Buffering, Landscaping, and Resource Preservation**)
- I. **Signage.** All signs and graphics within the PUD shall be compatible in size, location, height, material, shape, color, and illumination. A sign package shall be submitted as part of the development text to set forth the parameters for the entire site.
 - 1. Signs shall contribute to an overall cohesive design of the site, not dominate the landscape and avoid visual clutter.
 - 2. Signs shall be compatible with building architecture, the overall site design and the community.
 - 3. Sign placement shall not create a sight distance limitation or other visual barrier and it shall not otherwise create a safety hazard that will adversely affect the public health, safety, or general welfare. The use of the clear sight triangles at roadway and driveway intersections is required to ensure motorists have the greatest sight distance available to them before entering or exiting a roadway. Refer to Article 16-Buffering, Landscaping, and Resource Preservation.
- J. **Design Standards.** Buildings shall enhance the character of the community. The aesthetic of Etna Township shall guide the selection of architectural style, materials, composition, scale, proportion and colors in the PMUD District.
 - 1. All buildings shall have a presence on the street and contribute to the aesthetic of roadway corridors in Etna Township.
 - 2. Building architecture shall reflect the community character, and be constructed with high quality materials.
 - 3. Buildings shall have scale, mass and bulk appropriate to the community, the site and the adjacent properties.
- K. **Compliance with Existing Development Standards.** All other development standards applicable to site development shall be required. Including, but not limited to:
 - 1. Floodplain regulations.
 - 2. Subdivision regulations.
 - 3. Requirements for stormwater management.
 - 4. Access management requirements.

Appendix A

PLANNED MIXED-USE DEVELOPMENT DISTRICT ("PMUD")

ZONING TEXT AMENDMENT

Upon final approval of this PMUD zoning text amendment, development of the herein described property shall remain in strict compliance with a Final Development Plan, as hereafter approved or modified in accordance with sub-section 1903(D)(5) of the Etna Township Zoning Resolution ("Resolution") and all general non-district regulations/standards in the Resolution shall apply to this PMUD unless they conflict with this PMUD, at which time all conflicting general non-district regulations/standards in this PMUD shall take precedence.

THE FOLLOWING TEXT AMENDMENT CONTAINS ZONING REQUIREMENTS FOR THE "TOTAL ACREAGE" (DEFINED BELOW):

"TOTAL ACREAGE" INFORMATION:

Size & Location of the PMUD District: The subject property is located on the east and west side of Hazelton-Etna Road ("SR310") in the northern area of Etna Township and consists of three parcels with the following approximate acreage:

>"West Side" of SR310—Parcel No. 010-016872: 44.21 acres; Parcel No. 010-016866: 15.34 acres: Total acres: 59.55 acres; and

>"East Side" of SR310—Parcel No. 010-016854: 26.97 acres.

TOTAL ACREAGE---86.52 acres.

(Legal Description is in the deed recorded at Instrument No. 200109040032045 Licking County, Ohio Recorder's Office)

USE OF ENVIRONMENTALLY SENSITIVE AREAS:

The west acreage has a wooded area that extends from the south border to the north border of the west acreage that is approximately 11.3 acres (net of a roadway) ("Woods"). A stream flows through the Woods ("Stream"). The west acreage has a wetland that is approximately 1.3 acres ("Wetland"). Any environmentally sensitive areas identified when the Final Development Plan is prepared shall be accommodated in accordance with Article 19 of the Resolution (the PMUD). The Woods and Stream and Wetland will be preserved and dedicated for Natural Open Space except area occupied by a roadway that will pass through/over the Woods/Stream. (As defined in the Resolution: **Natural Open Space:** *Land set aside in its natural condition. Typical natural conditions might be, but are not limited to ravines, wetlands, floodplains, woods, tree rows, stream corridors, scenic views, or agricultural elements such as fence rows.*)

None of the Total Acreage is located in the FEMA 100 year flood plain. None of the Total Acreage has slopes greater than twenty (20) percent.

LAND USES AND DENSITY:

(For clarification:

>The requirements and regulations delineated herein are applicable to all uses unless identified as being applicable to a specific use.

> the following densities represent the maximum densities permitted in each land use area for “residential” uses which include attached and detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen’s homes without nursing care, and detached single family dwellings . In referencing residential uses, the words “homes”, “dwellings”, “structures”, and “units” shall be used interchangeably.

WEST SIDE:

The West Side shall be divided as follows into separate use and restrictive areas for zoning purposes:

(“A”) Approximately 16.0 acres located on the west beginning on the west property line of the West Side surrounded on the north and east by the Woods and Stream:

PERMITTED USES: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21; nursing care facilities (NAICS CODE 623110); continuing care retirement communities (NAICS CODE 623311); attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)(SEE *); detached single family dwellings; accessory uses (As defined in the Resolution: **Accessory Use or Structure:** *A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.*).

* “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” as permitted herein, shall be developed in accordance with the definition of “housing for older persons,” as that term is defined under 42 USC 3607(b)(2)(C). Specifically, the development of “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” must:

- (1) Be intended and operated for occupancy by persons 55 years of age or older; and,
 - a. At least eighty percent (80%) of the occupied units shall be occupied by at least one person who is 55 years of age or older; and,
 - b. The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent that the housing is in fact operated and for occupancy by persons 55 years of age or older; and,
 - c. The housing facility or community complies with Title 24, Part 100, subpart e of the Code of Federal Regulations.

On or before thirty (30) days after the final approval of this PMUD zoning text amendment, the owner of the West Side shall prepare and record a restrictive covenant stating that attached and detached homes for the elderly that are retirement homes

without nursing care and senior citizen's homes without nursing care are permitted to be developed in area "A" of the PMUD on the condition that they are developed in accordance with the PMUD zoning text and PMUD plan requirements applicable to attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care, and that said development shall be developed under the regulations governing "housing for older persons" as that term is defined under the Fair Housing Act, as may be amended from time to time, under applicable federal and state regulations, and that said regulations shall be enforced by the developer, the owners' association, such other organization formed for the management of the community, or by the unit owners as tenants in common under a condominium plan. Said restriction shall also provide that said restriction shall run with the land until and unless the PMUD zoning text is amended to permit otherwise in accordance with the requirements of the Etna Township Zoning Resolution.

RESIDENTIAL DENSITY:

> applicable to: attached and detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care: Four (4) residential units per acre; no more than four (4) residential units may be attached.

> Applicable to: detached single family dwellings: One (1) detached single family dwelling per acre.

SQUARE FOOTAGE OF RESIDENTIAL UNITS:

>Floor area of attached and detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care shall have a minimum floor area of one thousand (1000) square feet.

>Floor area of each detached single family dwelling shall have a minimum floor area of eighteen hundred (1800) square feet.

(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 and the exterior areas of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.)

DESIGN CRITERIA: (It is understood that the 16.0 acres may be developed with a single plan, or may be developed in parts with two or more plans and by two or more developers. Each plan for each development shall be referred to herein as a "Development".)

**OPEN SPACE REQUIREMENTS FOR DEVELOPMENTS OF
ATTACHED AND DETACHED HOMES FOR THE ELDERLY THAT ARE
RETIREMENT HOMES WITHOUT NURSING CARE AND SENIOR
CITIZEN'S HOMES WITHOUT NURSING CARE AND DETACHED SINGLE
FAMILY DWELLINGS:**

In addition to any acreage of the Woods and Stream included in each Development, which provides a Natural Open Space, at least 10% of the gross developable acreage in each residential Development will be developed and used for Common Open Space (As defined in the Resolution: **Common Open Space:** *Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.*)

OWNERS' ASSOCIATION: Prior to the sale, lease, or occupancy of any residential structure in a Development of which it is a part, the Natural Open Space and Common Open Space shall be conveyed to an owners' association, to such other similar organization formed for the maintenance of the Development, or owned by unit owners as tenants in common under a condominium plan. The Natural Open Space and Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Natural Open Space to a continuation of its natural condition and Common Open Space to the uses specified in the Final Development Plan and provide for maintenance of Common Open Space in a manner which insures its continuing use for its intended purpose. Membership in the owners' association or such other similar organization, or ownership as a unit owner in a condominium shall, by deed restriction, be mandatory for any owner within each residential Development.

>DEED RESTRICTIONS/COVENANTS: Deed restrictions and covenants must be provided by the applicant of each Final Development Plan associated with each residential Development and approved by the Zoning Commission to further regulate the intended use of these Natural Open Spaces and Common Open Spaces. Prior to the sale, lease, or occupancy of any residential structure in a Development of which it is a part, deed restrictions and covenants for said Development must be recorded. Such covenants shall restrict the Natural Open Spaces to their natural conditions and Common Open Spaces to the uses specified in each Final Development Plan and provide for the maintenance of the Common Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership. The restrictions and covenants shall require the Common Open Spaces to remain accessible to all residents and guest of residents within each residential Development.

>Attached and detached residential units will have access to Common Open Space in the Development of which they are a part either by sidewalks or walking trails.

USE OF RESIDENTIAL UNITS AS MODEL UNITS

Model units, defined as residential units used as sales offices by builders/developers to display the builder/developer's product, are permitted subject to the following restrictions:

1. Lighting: All exterior lighting must be fully shielded down-lighting, so that no lighting shall be cast onto adjoining residential units that is not otherwise permitted in this text. Off street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.

2. Parking: Each model unit shall provide two (2) off street parking spaces in close proximity to the model unit to be used by the public. A driveway serving the model unit may be used for two (2) parking spaces.

3. Screening: Landscaping for a model unit shall be approved by the Township and installed prior to the use of a model unit.

4. Model Unit Sign: Etna Township may approve one (1) model unit sign provided the following conditions are met:

a) The sign shall not exceed sixteen (16) square feet per side with thirty-two (32) square feet maximum total display area;

b) The overall height of the sign shall be no more than four (4) feet above grade;

c) The model unit sign shall be located in the model unit's yard area;

d) The model unit sign must be removed when the model unit is discontinued as a sales office.

STREET TREES REQUIRED IN ALL DEVELOPMENTS/USES THAT HAVE PRIVATE STREETS:

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private road frontage on at least one side of the street. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

STREET LIGHTING REQUIRED IN ALL DEVELOPMENTS/USES THAT HAVE PRIVATE STREETS:

All private streets shall require lighting that is uniform in each Development and must be of white light, maximum height of twenty (20) feet, placed in equal lineal distances along the private road frontage with fully shielded downward cast lighting.

REQUIREMENT IN ALL DEVELOPMENTS/USES THAT HAVE PRIVATE STREETS:

Private streets in a Development shall interconnect and provide at least one (1) access point to a public street. The Final Development Plan shall provide that construction of private streets shall be in accordance with the following requirements: (i) the minimum width of the right of way and street pavement shall not interfere on availability for utilities and safety for pedestrian and vehicular traffic, (ii) the pavement thickness and material used shall be constructed in accordance with the Licking County Subdivision Regulations for public streets, and (iii) an owners' association, other such similar organization formed for the maintenance of the Development, or the unit owners association of a condominium shall be required to own, maintain, and repair said private streets.

PEDESTRIAN CIRCULATION SYSTEM REQUIRED FOR ALL DEVELOPMENTS/USES:

A pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to each Development and shall provide connections to contiguous pedestrian circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township. Sidewalks that interconnect with the bike and walking path circulation system shall be extended to residential units not directly accessed by a bike and/or walking path.

EXTERIOR DESIGN STANDARDS/REQUIREMENTS FOR ALL DEVELOPMENTS/USES:

All structures will have an exterior design consistent with the exterior design of other structures in the Development of which they are a part. The exterior design of structures in each Development shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other architectures in the community. Deed restrictions, recorded prior to the construction of any structure in a Development, shall require that the exterior of all structures shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

BUFFERING:

Buffering shall be required as provided in Article 16 of the Resolution.

LOT SIZES, SETBACKS AND YARDS FOR ALL DEVELOPMENTS/USES:

>Setbacks: All structures shall be setback forty (40) feet from the edge of pavement on private streets, and forty (40) feet from the street right of way on public streets. No structure shall be closer than fifteen (15) feet from a side or rear property line.

>Minimum side, rear, internal yards for attached and detached homes for the elderly: (1) No multi-family structure or single family detached unit shall be closer than thirty (30) feet to another multi-family structure or single family detached unit or fifteen (15) feet from a side or rear property line;

>Lot sizes for detached single family dwellings and non-residential structures: Every lot shall have a minimum width of one hundred (100) feet and a minimum lot area of not less than one (1) acre (43,560 square feet) exclusive of road right-of-way, and shall be in addition to any easement of record.

HEIGHT FOR ALL DEVELOPMENTS/USES:

No structure shall exceed thirty-five (35) feet in height. (As defined in the Resolution: **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 or gambrel roofs.*)

PARKING REGULATIONS FOR ALL DEVELOPMENTS/USES:

At the time of construction of any improvement in a Development, off-street parking shall be provided with adequate provisions for ingress and egress. Parking requirements for permanent parking in all Developments shall be as regulated in Article 11 of the Resolution.

LANDSCAPING FOR ALL DEVELOPMENTS/USES:

Yards and all improved spaces and non-residential use areas shall be landscaped in accordance with a landscape plan showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for each Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES:

Centralized water and sanitary sewer service is available and shall be extended/constructed in each Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

(“B”) Approximately 7.0 Acres located at the south border of the west acreage contiguous to home sites in Cumberland Trail and bordered on its west side by the Woods and Stream, and on its northeast corner by the Wetland:

PERMITTED USES: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21, detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)(SEE *); detached single family dwellings; accessory uses (As defined in the Resolution: **Accessory Use or Structure:** *A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.*)

* “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” as permitted herein, shall be developed in accordance with the definition of “housing for older persons,” as that term is defined under 42 USC 3607(b)(2)(C). Specifically, the development of “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” must:

- (1) Be intended and operated for occupancy by persons 55 years of age or older; and,

- a. At least eighty percent (80%) of the occupied units shall be occupied by at least one person who is 55 years of age or older; and,
- b. The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent that the housing is in fact operated and for occupancy by persons 55 years of age or older; and,
- c. The housing facility or community complies with Title 24, Part 100, subpart e of the Code of Federal Regulations.

On or before thirty (30) days after the final approval of this PMUD zoning text amendment, the owner of the West Side shall prepare and record a restrictive covenant stating that detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care are permitted to be developed in area "B" of the PMUD on the condition that they are developed in accordance with the PMUD zoning text and PMUD plan requirements applicable to detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care, and that said development shall be developed under the regulations governing "housing for older persons" as that term is defined under the Fair Housing Act, as may be amended from time to time, under applicable federal and state regulations, and that said regulations shall be enforced by the developer, the owners' association, such other organization formed for the management of the community, or by the unit owners as tenants in common under a condominium plan. Said restriction shall also provide that said restriction shall run with the land until and unless the PMUD zoning text is amended to permit otherwise in accordance with the requirements of the Etna Township Zoning Resolution.

RESIDENTIAL DENSITY:

> applicable to: detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care: Four (4) residential units per acre;

> Applicable to: detached single family dwellings: One (1) detached single family dwelling per acre.

SQUARE FOOTAGE OF RESIDENTIAL UNITS

>Floor area of detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care shall have a minimum floor area of twelve hundred (1200) square feet.

>Floor area of each detached single family dwelling shall have a minimum floor area of eighteen hundred (1800) square feet.

(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 and the exterior areas of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.)

DESIGN CRITERIA: (It is understood that the 7.0 acres will be developed with a single plan which shall be referred to herein as the "Development".)

**OPEN SPACE REQUIREMENTS FOR DEVELOPMENTS OF
DETACHED HOMES FOR THE ELDERLY THAT ARE RETIREMENT
HOMES WITHOUT NURSING CARE AND SENIOR CITIZEN’S HOMES
WITHOUT NURSING CARE AND DETACHED SINGLE FAMILY
DWELLINGS:**

In addition to any acreage of the Woods and Stream included in each Development, which provides a Natural Open Space, at least 10% of the gross developable acreage in the residential Development will be developed and used for Common Open Space (As defined in the Resolution: **Common Open Space:** *Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.*)

OWNERS’ ASSOCIATION: Prior to the sale, lease, or occupancy of any residential structure in the Development, the Natural Open Space and Common Open Space shall be conveyed to an owners’ association, to such other similar organization formed for the maintenance of the Development, or owned by unit owners as tenants in common under a condominium plan. The Natural Open Space and Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Natural Open Space to a continuation of its natural condition and Common Open Space to the uses specified in the Final Development Plan and provide for maintenance of Common Open Space in a manner which insures it continuing use for its intended purpose. Membership in the owners’ association or such other similar organization, or ownership as a unit owner in a condominium shall, by deed restriction, be mandatory for any owner within the Development.

>DEED RESTRICTIONS/COVENANTS: Deed restrictions and covenants must be provided by the applicant of the Final Development Plan and approved by the Zoning Commission to further regulate the intended use of these Natural Open Spaces and Common Open Spaces. Prior to the sale, lease, or occupancy of any residential structure in the Development, deed restrictions and covenants for the Development must be recorded. Such covenants shall restrict the Natural Open Spaces to their natural conditions and Common Open Spaces to the uses specified in the Final Development Plan and provide for the maintenance of the Common Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership. The restrictions and covenants shall require the Common Open Spaces to remain accessible to all residents and guest of residents within the Development.

>Each residential unit will have access to Common Open Space in the Development either by sidewalks or walking trails.

USE OF RESIDENTIAL UNITS AS MODEL UNITS

Model units, defined as residential units used as sales offices by builders/developers to display the builder/developer’s product, are permitted subject to the following restrictions:

1. Lighting: All exterior lighting must be fully shielded down-lighting, so that no lighting shall be cast onto adjoining residential units that is not otherwise permitted in this text. Off street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.

2. Parking: Each model unit shall provide two (2) off street parking spaces in close proximity to the model unit to be used by the public. A driveway serving the model unit may be used for two (2) parking spaces.

3. Screening: Landscaping for a model unit shall be approved by the Township and installed prior to the use of a model unit.

4. Model Unit Sign: Etna Township may approve one (1) model unit sign provided the following conditions are met:

a) The sign shall not exceed sixteen (16) square feet per side with thirty-two (32) square feet maximum total display area;

b) The overall height of the sign shall be no more than four (4) feet above grade;

c) The model unit sign shall be located in the model unit's yard area;

d) The model unit sign must be removed when the model unit is discontinued as a sales office.

STREET TREES REQUIRED IN THE DEVELOPMENT ALONG PRIVATE STREETS:

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private road frontage on at least one side of the street. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

STREET LIGHTING REQUIRED IN THE DEVELOPMENT ALONG PRIVATE STREETS:

All private streets shall require lighting that is uniform in the Development and must be of white light. Said lighting shall require matching exterior lighting fixtures placed on matching decorative posts along private streets at fifty-foot intervals on the opposite side of the road from the required trees.

REQUIREMENT IN THE DEVELOPMENT REGARDING PRIVATE STREETS:

Private streets in the Development shall interconnect and provide at least one (1) access point to a public street. The Final Development Plan shall provide that construction of private streets shall be in accordance with the following requirements: (i) the minimum width of the right of way and street pavement shall not interfere on availability for utilities and safety for pedestrian and vehicular traffic, (ii) the pavement thickness and material used shall be constructed in accordance with the Licking County Subdivision Regulations for public streets, and (iii) an owners' association, other such similar organization formed for the maintenance of the Development, or the unit owners

association of a condominium shall be required to own, maintain, and repair said private streets. No vehicle access will be extended from the Development to Cumberland Trail.

PEDESTRIAN CIRCULATION SYSTEM REQUIRED FOR THE DEVELOPMENT:

A pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to the Development and shall provide connections to contiguous pedestrian circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township. Sidewalks that interconnect with the bike and walking path circulation system shall be extended to residential units not directly accessed by a bike and/or walking path.

EXTERIOR DESIGN STANDARDS/REQUIREMENTS FOR THE DEVELOPMENT:

All structures will have an exterior design consistent with the exterior design of other structures in the Development. The exterior design of structures the Development shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other architectures in the community. Deed restrictions, recorded prior to the construction of any structure in the Development shall require that the exterior of all structures shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

BUFFERING:

Buffering shall be required as provided in Article 16 of the Resolution.

LOT SIZES, SETBACKS AND YARDS:

>Setbacks: All structures shall be setback forty (40) feet from the edge of pavement on private streets, and forty (40) feet from the street right of way on public streets. No structure shall be closer than fifteen (15) feet from a side or rear property line.

>Minimum side, rear, internal yards for detached homes for the elderly: (1) No detached single family unit shall be closer than thirty (30) feet to another detached single family unit or fifteen (15) feet from a side or rear property line;

>Lot sizes for detached single family dwellings: Every lot shall have a minimum width of one hundred (100) feet and a minimum lot area of not less than one (1) acre (43,560 square feet) exclusive of road right-of-way, and shall be in addition to any easement of record.

HEIGHT FOR THE DEVELOPMENT:

No structure shall exceed thirty-five (35) feet in height. (As defined in the Resolution: **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 or gambrel roofs.)

PARKING REGULATIONS FOR THE DEVELOPMENT:

At the time of construction of any improvement in the Development, off-street parking shall be provided with adequate provisions for ingress and egress. Parking requirements for permanent parking in the Development shall be as regulated in Article 12 of the Resolution.

LANDSCAPING FOR THE DEVELOPMENT:

Yards and all improved spaces shall be landscaped in accordance with a landscape plan showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for the Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES:

Centralized water and sanitary sewer service is available and shall be extended/constructed in the Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

(“C”) Approximately 19.3 acres located at the northeast side of the west acreage and bordering SR310:

PERMITTED USES & PROHIBITED USES: Permitted: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21, retail, professional, and business uses as permitted in Article 9, Section 910 (Professional-Research-Office District) and Section 911 (Local Business District) of the Resolution, accessory uses (As defined in the Resolution: **Accessory Use or Structure:** *A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.*) Prohibited: automobile driving schools (NAICS Code 611692), car washes (NAICS Code 811192), landscaping services (NAICS Code 561730), and elementary and secondary schools (NAICS Code 611110).

CONDITIONAL USES: uses permitted as conditional uses in Article 9, Section 910 (Professional-Research-Office District) and Section 911 (Local Business District) of the Resolution

MAXIMUM SQUARE FOOTAGE: Buildings used for permitted uses under Retail Trade in Section 911 (Local Business District) of the Resolution shall contain no more than 16,250 gross square feet of floor area per building.

DESIGN CRITERIA: (Whether designed by a single plan or multiple plans, the 19.3 acres shall be referred to as the “Development”).

SETBACK AT SR310

SETBACK AT SR310: A 150’ setback from the right-of- way shall be maintained along SR310 and shall be improved with a bike and walking path providing connections to contiguous circulation systems in the West Side Developments with a minimum width of 5’ surfaced with asphalt or such other hard surface as approved by Etna Township.

BUILDING & IMPROVEMENT FACADES:

All buildings located next to SR310 (those buildings that are the first buildings west of SR310 along its corridor) shall have a façade that faces SR310. All other buildings shall have facades that face the location of the pedestrian’s main access/entry thereto. Pedestrian access shall be permitted on all sides of the building including at the façade. Service/delivery entries shall be on the west, south or north side of all buildings.

SERVICE STRUCTURES & SCREENING

No utilities, dumpsters, mechanicals or other service structures may be placed in front of the building façade unless existing prior to construction or required by applicable regulations. Service structures shall be screened. Service structures shall include but not be limited to loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site. Service structures may be grouped together; however, screening height shall be based upon the tallest of the structures. Roof top mechanical units must be screened to the full height of the unit.

SCREENING OF SERVICE STRUCTURES: A continuous (having 100 percent opacity) planting, hedge, fence, wall of earth, which would enclose any service structure on all sides is required, unless such structure must be frequently moved, in which case screening on all but one side is required. The height of the screening material shall be one foot more than the height of the enclosed structure, but shall not be required to exceed 12 feet in height. Whenever a service structure is located next to a building wall, perimeter landscaping material or vehicular use area landscaping material, such walls or screening material, may fulfill the screening requirement for that side of the service structure if that wall or screening material is of sufficient height to meet the height requirement set out in this section. Plant material used to screen a service structure shall be an evergreen species which retains its needles throughout the year. Deciduous plant material cannot be used to

fulfill this screening requirement. The height of the evergreen plant material at installation must be equal to, or greater than, two-thirds of the height of the service structure(s), and meet the height and opacity requirements within four years. No interior landscaping shall be required within an area screened for service structures. Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening material on these sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.

PARKING

Parking shall not dominate the Development as viewed from SR310 and shall be located to the south, west or north side of structures that face SR310 unless permitted otherwise in accordance with the approved Final Development Plan. Shared parking in the Development is permitted. Parking and loading facilities shall be designed in accordance with Article 11 of the Resolution. At the time of construction of any improvement in the Development, off-street parking shall be provided with adequate provisions for ingress and egress.

BUILDING DESIGN, SCALE & ACCESS

Buildings shall have a neighborhood design, being human in scale, permitting and promoting pedestrian walking access by means of improved sidewalks and paths that connect to residential developments. A network of concrete sidewalks shall provide access to buildings in the Development. All sidewalks providing access to buildings in the Development shall have, or be connected to a sidewalk that has at least one access point to a paved walking/biking trail that extends to other paved walking/biking trails in the PMUD. In addition to sidewalks, a pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to the Development and shall provide connections to contiguous circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township.

Each building shall be related to other buildings in the Development with respect to connections, building placement, landscaping, screening, and green space. Store windows and entries will face and be served by the pedestrian access-ways. All buildings in the Development will have a uniform exterior design. Deed restrictions shall be recorded that require that the exterior of all buildings shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

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

LOT AREA, WIDTH & DEPTH: Every lot shall have minimum width of one hundred (100) feet and minimum lot area of not less than one-half (.5) acre (21,780 square feet) exclusive of public road right of way and shall be in addition to any easement of record.

FRONT YARD: There shall be a front yard of not less than twelve (12) feet in depth.

SIDE YARD: There shall be side yards of not less than twelve (12) feet on each side.

REAR YARD: There shall be a rear yard of not less than twelve (12) feet in depth.

STREET LIGHTING

All access-ways that provide connection from the public access to and from each building or building cluster, and all bike and walking trails, shall require lighting that is uniform in the Development and must be of white light, maximum height of twenty (20) feet, placed in equal lineal distances along the private street, access-way, or walking and bike trail frontage with fully shielded downward cast lighting. Cross access easements will be established for said access-ways when needed.

STREET TREES

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private street and access-way frontage on at least one side of the street or access-way. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

BUFFERING:

Buffering shall be required as provided in Article 16.

SIGNAGE

Signage shall be uniform in design in the Development and as regulated in Article 12 of the Resolution.

LANDSCAPING

All improved spaces that are not used for parking, access, or structures shall be landscaped in accordance with a landscape plan uniform for the Development showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for the Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES

Centralized water and sanitary sewer service is available and shall be extended/constructed in the Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

EAST SIDE:

The East Side shall be divided as follows into separate use and restrictive areas for zoning purposes:

(“D”) **Approximately 11.9 acres** located on the east side of SR310 fronting on SR310:

PERMITTED USES: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21, business and professional uses as permitted in Article 9, Section 910 (Professional-Research-Office District), and Section 911 (Local Business District) of the Resolution, accessory uses (As defined in the Resolution: ***Accessory Use or Structure: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.***)

CONDITIONAL USES: uses permitted as conditional uses in Article 9, Section 910 (Professional-Research-Office District) and Section 911 (Local Business District) of the Resolution

MAXIMUM SQUARE FOOTAGE: Buildings used for permitted uses under Retail Trade in Section 911 (Local Business District) of the Resolution shall contain no more than 16,250 gross square feet of floor area per building.

DESIGN CRITERIA: (Whether designed by a single plan or multiple plans, the 11.9 acres shall be referred to as the “Development”).

SETBACK AT SR310

SETBACK AT SR310: A 150’ setback from the right-of-way shall be maintained along SR310 and shall be improved with a bike and walking path providing connections to contiguous circulation systems with a minimum width of 5’ surfaced with asphalt or such other hard surface as approved by Etna Township.

OPEN SPACE

At least 30% of the gross developable acreage in the Development will be developed and used for Common Open Space (As defined in the Resolution: **Common Open Space:** *Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.*)

OWNERS' ASSOCIATION: Prior to the sale, lease, or occupancy of any structure in the Development, the Common Open Space shall be conveyed to an owners' association, to such other similar organization formed for the maintenance of the Development, or owned by unit owners as tenants in common under a condominium plan. The Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Common Open Space to the uses specified in the Final Development Plan and provide for maintenance of Common Open Space in a manner which insures its continuing use for its intended purpose. Membership in the owners' association or such other similar organization, or ownership as a unit owner in a condominium shall, by deed restriction, be mandatory for any owner within the each Development.

DEED RESTRICTIONS/COVENANTS: Deed restrictions and covenants must be provided by the applicant of the Final Development Plan and approved by the Zoning Commission to further regulate the intended use of the Common Open Spaces. Prior to the sale, lease, or occupancy of any structure in the Development, deed restrictions and covenants for said Development must be recorded. Such covenants shall restrict Common Open Spaces to the uses specified in the Final Development Plan and provide for the maintenance of the Common Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership.

BUILDING & IMPROVEMENT FACADES:

All buildings located next to SR310 (those buildings that are the first buildings east of SR310 along its corridor) shall have a façade that faces SR310. All other buildings shall have facades that face the location of the pedestrian's main access/entry thereto. Pedestrian access shall be permitted on all sides of the building including at the façade. Service/delivery entries shall be on the west, south or north side of all buildings.

SERVICE STRUCTURES & SCREENING

No utilities, dumpsters, mechanicals or other service structures may be placed in front of the building façade unless existing prior to construction or required by applicable regulations. Service structures shall be screened. Service structures shall include but not be limited to loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site. Service structures may be grouped together; however, screening height shall be based upon the tallest of the structures. Roof top mechanical units must be screened to the full height of the unit.

SCREENING OF SERVICE STRUCTURES: A continuous (having 100 percent opacity) planting, hedge, fence, wall of earth, which would enclose any service structure on all sides is required, unless such structure must be frequently moved, in which case screening on all but one side is required. The height of the screening material shall be one foot more than the height of the enclosed structure, but shall not be required to exceed 12 feet in height. Whenever a service structure is located next to a building wall, perimeter landscaping material or vehicular use area landscaping material, such walls or screening material, may fulfill the screening requirement for that side of the service structure if that wall or screening material is of sufficient height to meet the height requirement set out in this section. Plant material used to screen a service structure shall be an evergreen species which retains its needles throughout the year. Deciduous plant material cannot be used to fulfill this screening requirement. The height of the evergreen plant material at installation must be equal to, or greater than, two-thirds of the height of the service structure(s), and meet the height and opacity requirements within four years. No interior landscaping shall be required within an area screened for service structures. Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening material on these sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.

PARKING

Parking shall not dominate the Development as viewed from SR310 and shall be located to the south, east or north side of structures that face SR310 unless permitted otherwise in accordance with the approved Final Development Plan. Shared parking in the Development is permitted. Parking and loading facilities shall be designed in accordance with Article 11 of the Resolution. At the time of construction of any improvement in the Development, off-street parking shall be provided with adequate provisions for ingress and egress.

BUILDING DESIGN, SCALE & ACCESS

Buildings shall have a neighborhood design, being human in scale, permitting and promoting pedestrian walking access by means of improved sidewalks and paths. A network of concrete sidewalks shall provide access to buildings in the Development. All sidewalks providing access to buildings in the Development shall have, or be connected to a sidewalk that has at least one access point to a paved walking/biking trail that extends to other paved walking/biking trails in the PMUD. In addition to sidewalks, a pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to the Development and shall provide connections to contiguous circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township.

Each building shall be related to other buildings in the Development with respect to connections, building placement, landscaping, screening, and green space. Store and office windows and entries will face and be served by the pedestrian access-ways. All buildings in the Development will have a uniform exterior design. Deed restrictions shall be recorded that require that the exterior of all buildings shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

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

LOT AREA, WIDTH & DEPTH: Every lot shall have minimum width of one hundred (100) feet and minimum lot area of not less than one-half (.5) acre (21,780 square feet) exclusive of public road right of way and shall be in addition to any easement of record.

FRONT YARD: There shall be a front yard of not less than twelve (12) feet in depth.

SIDE YARD: There shall be side yards of not less than twelve (12) feet on each side.

REAR YARD: There shall be a rear yard of not less than twelve (12) feet in depth.

STREET LIGHTING

All access-ways that provide connection from the public access to and from each building or building cluster, and all walking and bike trails, shall require lighting that is uniform in the Development and must be of white light, maximum height of twenty (20) feet, placed in equal lineal distances along the private road frontage with fully shielded downward cast lighting. Cross access easements will be established for said access-ways when needed.

STREET TREES

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private street and access-way frontage on at least one side of the street or access-way. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

BUFFERING:

Buffering shall be required as provided in Article 16.

SIGNAGE

Signage shall be uniform in design in the Development and as regulated in Article 12 of the Resolution.

LANDSCAPING

All improved spaces that are not used for parking, access, or structures shall be landscaped in accordance with a landscape plan uniform for the Development showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for the Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES

Centralized water and sanitary sewer service is available and shall be extended/constructed in the Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

(“E”) **Approximately 11.3 acres** located east of the 11.9 acres:

PERMITTED USES: agricultural uses permitted pursuant to Ohio Revised Code Section 519.21, detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)(SEE *); detached single family dwellings; accessory uses (As defined in the Resolution: **Accessory Use or Structure:** *A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure.*)

* “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” as permitted herein, shall be developed in accordance with the definition of “housing for older persons,” as that term is defined under 42 USC 3607(b)(2)(C). Specifically, the development of “Attached and detached homes for the elderly that are retirement homes without nursing care and senior citizen’s homes without nursing care (NAICS CODE 623312)” must:

- (1) Be intended and operated for occupancy by persons 55 years of age or older;
- and,
- a. At least eighty percent (80%) of the occupied units shall be occupied by at least one person who is 55 years of age or older; and,

- b. The housing facility or community publishes and adheres to policies and procedures that demonstrate the intent that the housing is in fact operated and for occupancy by persons 55 years of age or older; and,
- c. The housing facility or community complies with Title 24, Part 100, subpart e of the Code of Federal Regulations.

On or before thirty (30) days after the final approval of this PMUD zoning text amendment, the owner of the East Side shall prepare and record a restrictive covenant stating that detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care are permitted to be developed in area "E" of the PMUD on the condition that they are developed in accordance with the PMUD zoning text and PMUD plan requirements applicable to detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care, and that said development shall be developed under the regulations governing "housing for older persons" as that term is defined under the Fair Housing Act, as may be amended from time to time, under applicable federal and state regulations, and that said regulations shall be enforced by the developer, the owners' association, such other organization formed for the management of the community, or by the unit owners as tenants in common under a condominium plan. Said restriction shall also provide that said restriction shall run with the land until and unless the PMUD zoning text is amended to permit otherwise in accordance with the requirements of the Etna Township Zoning Resolution.

RESIDENTIAL DENSITY:

- > applicable to: detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care: Four (4) residential units per acre;
- > applicable to: detached single family dwellings: One (1) detached single family dwelling per acre.

SQUARE FOOTAGE OF RESIDENTIAL UNITS

>Floor area of detached homes for the elderly (NAICS CODE 623312) that are retirement homes without nursing care and senior citizen's homes without nursing care shall have a minimum floor area of twelve hundred (1200) square feet.

>Floor area of each detached single family dwelling shall have a minimum floor area of eighteen hundred (1800) square feet.

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 and the exterior areas of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.)*

DESIGN CRITERIA: (Whether designed by a single plan or multiple plans, the residential development shall be referred to as the "Development")

OPEN SPACE

At least 30% of the gross developable acreage in the Development will be developed and used for Common Open Space (As defined in the Resolution: **Common Open Space:** *Open space designed specifically to benefit the residents of a planned development through aesthetics, buffering, parks, recreation, entrance features, etc. Common Open Space is intended to be fully open and accessible by all residents of the planned development. Common Open Space can be improved or natural in character.*)

OWNERS' ASSOCIATION: Prior to the sale, lease, or occupancy of any residential unit in the Development, the Common Open Space shall be conveyed to an owners' association, to such other similar organization formed for the maintenance of the Development, or owned by unit owners as tenants in common under a condominium plan. The Common Open Space must be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the Common Open Space to the uses specified in the Final Development Plan and provide for maintenance of Common Open Space in a manner which insures its continuing use for its intended purpose. Membership in the owners' association or such other similar organization, or ownership as a unit owner in a condominium shall, by deed restriction, be mandatory for any owner within the Development.

DEED RESTRICTIONS/COVENANTS: Deed restrictions and covenants must be provided by the applicant with the Final Development Plan associated with the residential Development and approved by the Zoning Commission to further regulate the intended use of the Common Open Spaces. Prior to the sale, lease, or occupancy of any residential unit in the Development, deed restrictions and covenants for the Development must be recorded. Such covenants shall restrict the Common Open Spaces to the uses specified in the Final Development Plan and provide for the maintenance of the Common Open Spaces in a manner which assures their continuing use for their intended purposes regardless of ownership. The restrictions and covenants shall require the Common Open Spaces to remain accessible to all residents and guest of residents within the Development. Each residential unit will have access to Common Open Space in the Development either by sidewalks or walking trails.

USE OF RESIDENTIAL UNITS AS MODEL UNITS

Model units, defined as residential units used as sales offices by builders/developers to display the builder/developer's product, are permitted subject to the following restrictions:

1. Lighting: All exterior lighting must be fully shielded down-lighting, so that no lighting shall be cast onto adjoining residential units that is not otherwise permitted in this text. Off street parking areas must be illuminated. All exterior lighting, except for security lighting, shall be extinguished at the closing time of the model home.

2. Parking: Each model unit shall provide two (2) off street parking spaces in close proximity to the model unit to be used by the public. A driveway serving the model unit may be used for two (2) parking spaces.

3. Screening: Landscaping for a model unit shall be approved by the Township and installed prior to the use of a model unit.

4. Model Unit Sign: Etna Township may approve one (1) model unit sign provided the following conditions are met:
- a) The sign shall not exceed sixteen (16) square feet per side with thirty-two (32) square feet maximum total display area;
 - b) The overall height of the sign shall be no more than four (4) feet above grade;
 - c) The model unit sign shall be located in the model unit's yard area;
 - d) The model unit sign must be removed when the model unit is discontinued as a sales office.

STREET TREES REQUIRED IN THE DEVELOPMENT ALONG PRIVATE STREETS:

Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting, shall be placed one (1) for every fifty (50) foot of lineal private road frontage on at least one side of the street. Such street trees shall be selected from the Licking County Subdivision Regulations at Appendix XXVI, List of Acceptable Street Trees.

STREET LIGHTING REQUIRED IN THE DEVELOPMENT ALONG PRIVATE STREETS:

All private streets shall require lighting that is uniform in the Development and must be of white light. Said lighting shall require matching exterior lighting fixtures placed on matching decorative posts along private streets at fifty-foot intervals on the opposite side of the street from the required trees.

REQUIREMENT IN THE DEVELOPMENT REGARDING PRIVATE STREETS:

Private streets in the Development shall interconnect and provide at least one (1) access point to a public street. The Final Development Plan shall provide that construction of private streets shall be in accordance with the following requirements: (i) the minimum width of the right of way and street pavement shall not interfere on availability for utilities and safety for pedestrian and vehicular traffic, (ii) the pavement thickness and material used shall be constructed in accordance with the Licking County Subdivision Regulations for public streets, and (iii) an owners' association, other such similar organization formed for the maintenance of the Development, or the unit owners association of a condominium shall be required to own, maintain, and repair said private streets.

ACCESS FROM THE DEVELOPMENT TO CAMERON CHASE SUBDIVISION:

Any vehicular access from the Development to Cameron Chase, whether public or private, shall provide calming features that slow and/or restrict vehicular access to and from Cameron Chase. Said calming features shall be designed and constructed as required by Etna Township and the Licking County Planning Commission.

PEDESTRIAN CIRCULATION SYSTEM REQUIRED FOR THE DEVELOPMENT:

A pedestrian circulation system will be designed/constructed to provide a bike and walking path interior to the Development and shall provide connections to contiguous pedestrian circulation systems with a minimum width of 5' surfaced with asphalt or such other hard surface as approved by Etna Township. Sidewalks that interconnect with the bike and walking path circulation system shall be extended to residential units not directly accessed by a bike and/or walking path.

EXTERIOR DESIGN STANDARDS/REQUIREMENTS FOR THE DEVELOPMENT:

All structures will have an exterior design consistent with the exterior design of other structures in the Development. The exterior design of structures in the Development shall give due regard to the footprints, building orientation, massing, roof shape, pitch and exterior materials to blend with other architectures in the community. Deed restrictions, recorded prior to the construction of any structure in a Development, shall require that the exterior of all structures shall be finished with one or more of the following materials: brick, stone (or fabricated stone finish products), stucco, wood, hardiplank siding (or similar product). Vinyl siding is not permitted but vinyl products can be used for soffit purposes and such other exterior finishes.

BUFFERING:

Buffering shall be required as provided in Article 16 of the Resolution.

SETBACKS AND YARDS FOR THE DEVELOPMENT:

>Setbacks: All structures shall be setback forty (40) feet from the edge of pavement on private streets, and forty (40) feet from the street right of way on public streets. No structure shall be closer than fifteen (15) feet from a side or rear property line.

>Minimum side, rear, internal yards for detached homes for the elderly: (1) No single family detached unit shall be closer than thirty (30) feet to another single family detached unit or fifteen (15) feet from a side or rear property line;

>Lot sizes for detached single family dwellings and non-residential structures: Every lot shall have a minimum width of one hundred (100) feet and a minimum lot area of not less than one (1) acre (43,560 square feet) exclusive of road right-of-way, and shall be in addition to any easement of record.

HEIGHT FOR THE DEVELOPMENT:

No structure shall exceed thirty-five (35) feet in height. (As defined in the Resolution: **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 or gambrel roofs.*)

PARKING REGULATIONS FOR THE DEVELOPMENT:

At the time of construction of any improvement in the Development, off-street parking shall be provided with adequate provisions for ingress and egress. Parking requirements for permanent parking in the Development shall be as regulated in Article 12 of the Resolution.

LANDSCAPING FOR THE DEVELOPMENT:

Yards and all improved spaces shall be landscaped in accordance with a landscape plan showing the caliper, height, numbers, name and placement of all material, and shall be approved as part of the Final Development Plan for the Development. In the event that Etna Township has adopted regulations governing landscaping in its Resolution, then said landscape plan shall be in accordance therewith.

UTILITIES:

Centralized water and sanitary sewer service is available and shall be extended/constructed in the Development as required by Southwest Licking Community Water Sewer District, its successors and assigns. All fire and emergency provisions required by West Licking Joint Fire District shall be provided in each Development. All local service lines for electric, cable, internet or any other utility service provided shall be buried underground. High voltage overhead electric transmission lines are not considered local service lines for the purpose of this text.

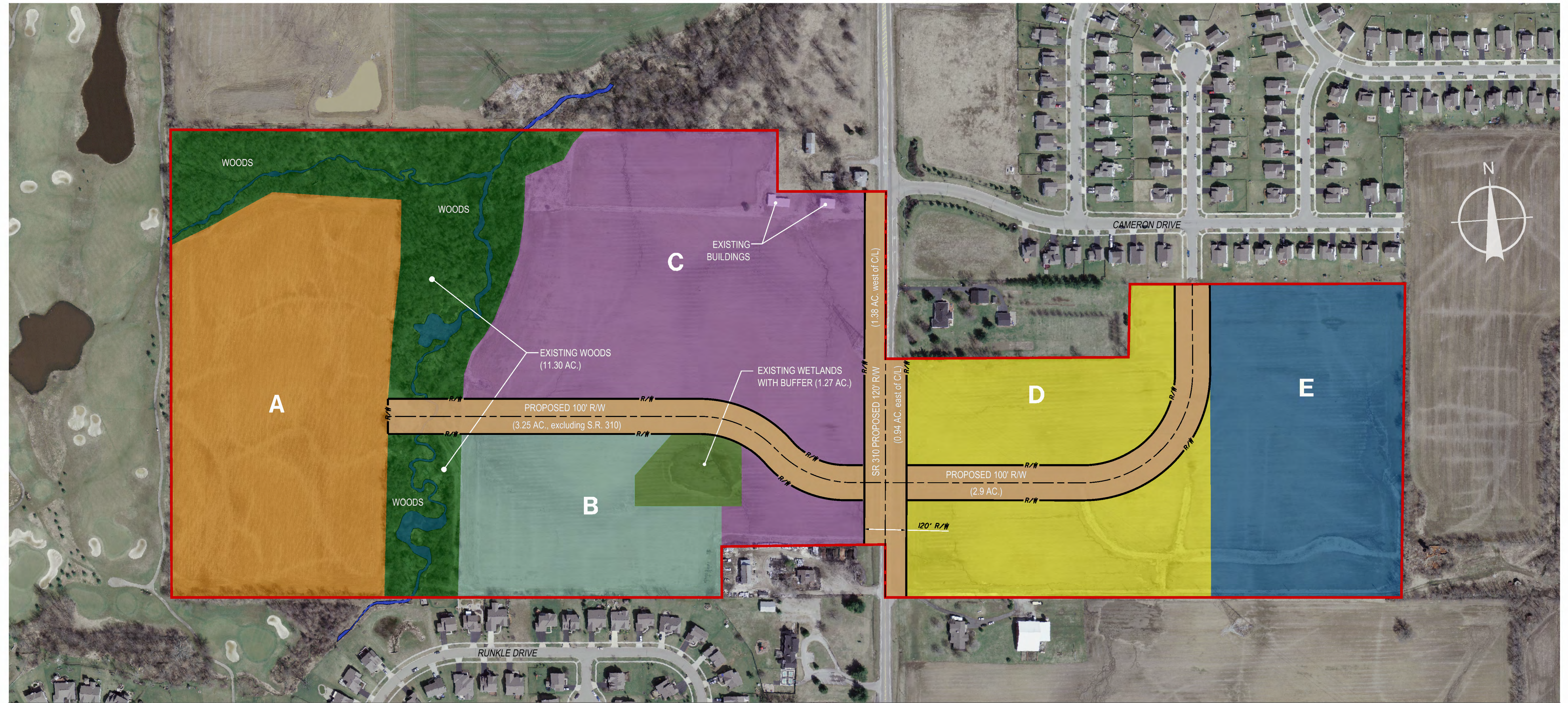
Requirements for Fire Hydrants & Surface Drainage:

All fire hydrant locations and spacing will be in compliance with the West Licking Joint Fire District (see attached Regulations). The Final Development Plan shall be developed with the WLJFD representatives' review and comment so that all concerns are addressed. All surface drainage will be handled in accordance with the requirements of the OEPA. Also, the Phase II requirements for water quality and quantity control relative to site construction run-off as described in the NPDES permit will be adhered to.

Design of Reserve Areas, Open Spaces & their Uses and Maintenance:

The West side provides more than 12 acres of Natural Open Space (Woods, Stream, Wetland). In addition to the Natural Open Space, each residential development in the west acreage is required to provide Common Open Space totaling at least 10% of its gross developable acreage. The East side has no Natural Open Space, and therefore, the professional office, local business, and residential development in the east acreage is required to provide Common Open Space of at least 30% of its gross developable area, thereby resulting in Common Open Spaces in the east acreage totaling 30% of the gross developable eastern acreage. In all residentially and commercially used developments, the developer shall form a homeowners association or such other organization, or condominium unit ownership to oversee and control the Open Spaces in accordance with Ohio Revised Code Section 5312. All open spaces shall be designed in accordance with the design criteria delineated above.

JBW "PMUD" USE MAP



<p> Project 86.52 Acres</p> <p> Green Space 12.57 Acres</p> <p> Proposed Public Right-of-way 8.44 Acres</p>	<p>A 16.02 Acres Residential Permitted uses: Agricultural Nursing Care Facilities Continuing Care Retirement Communities Attached & Detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care Detached Single Family Dwellings Accessory Uses</p>	<p>B 6.96 Acres Residential Permitted uses: Agricultural Detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care Detached Single Family Dwellings Accessory Uses</p>	<p>C 19.37 Acres Retail Permitted uses: Agricultural Professional Research Offices & Local Business Accessory Uses</p>	<p>D 11.84 Acres Professional Research Offices Permitted uses: Agricultural Professional Research Offices & Local Business Accessory Uses</p>	<p>E 11.29 Acres Residential Permitted uses: Agricultural Detached homes for the elderly that are retirement homes without nursing care and senior citizen's homes without nursing care Detached Single Family Dwellings Accessory Uses</p>	<p>FEMA Floodplain Mapping Zone "X" Depicted on FIRM panels: 39089C0430H 39089C0435H Zone "X" from FEMA floodplain mapping confirms that NO 100 floodplain zone is within the development. Slopes within development area do NOT exceed 20%.</p>
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JBW Properties LLC

A Proposed Planned Mixed-Use Development
in Etna Township, Licking County, Ohio



Prepared By:



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