

**CODIFIED ORDINANCES OF
GROVEPORT, OHIO**

PART ELEVEN

PLANNING AND ZONING CODE

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CODIFIED ORDINANCES OF GROVEPORT

PART ELEVEN - PLANNING AND ZONING CODE

TITLE ONE - GENERAL PROVISIONS

CHAPTER 1101 TITLE, PURPOSE, AND EFFECT OF ORDINANCE

1101.01 TITLE AND JURISDICTION

- (a) **Title**: This Zoning Ordinance and all provisions contained herein shall be known as the Municipality of Groveport Zoning Ordinance, and may be cited as such or as the Zoning Ordinance or “this Ordinance.”
- (b) **Authority**: This Zoning Ordinance is adopted under authority granted to Ohio Municipal Corporations under the Ohio Constitution, Article XVIII, by the Legislature of the State of Ohio in Ohio Revised Code Chapter 711 and Chapter 713, and Article IV, Section 4.11 (zoning measures) of the Charter for Groveport.
- (c) The Municipality of Groveport, Ohio approves and adopts these rules and regulations under provisions of Chapter 711 of the Ohio Revised Code to become effective upon certification to the County Recorder.
- (d) **Scope of Jurisdiction**: This Ordinance shall apply to the development, use, or subdivision of land, which is now or may become under the jurisdiction of Groveport and may apply to other development activities.

1101.02 PURPOSE OF ZONING ORDINANCE

- (a) The purpose of this Zoning Ordinance as is prescribed Ohio Revised Code 713.02, shall be to regulate buildings and land use to promote the public health, safety, convenience, comfort, prosperity, and general welfare throughout the Municipality.
- (b) To promote such public purpose, this Zoning Ordinance is designed to:
 - (1.) Encourage an appropriate use of lands;
 - (2.) Stabilize and preserve the value of property;

- (3.) Prevent congestion and hazard in the streets;
 - (4.) Secure safety from fire, flood, water contamination, air pollution and other dangers;
 - (5.) Provide adequate light, air and open space, to prevent the overcrowding of land and to avoid undue concentrations of population;
 - (6.) Manage growth and development in accordance with plans, policies or resolutions of the Municipality of Groveport;
- (c) To further promote such public purpose this Zoning Ordinance is further intended to be used to facilitate an appropriate and desirable comprehensive pattern of traffic circulation, water supply, storm water management, sanitary sewer service, airport influence, noise abatement, flood hazard, environmental conditions, schools, parks, and other essential public facilities and services.

1101.03 REPEAL OF PREVIOUS ZONING ORDINANCE

The zoning provisions in this Zoning Ordinance were originally adopted by Ordinance Number 4-85 (passed 1/28/1985). All previous zoning and subdivision land use ordinances inconsistent with the provisions of this Ordinance or in conflict with amendments this Unified Zoning Ordinance are hereby repealed to the extent necessary to give this Ordinance, as amended, full force and effect.

- (a) These Regulations shall not abate, abrogate, impair, or interfere with other applicable laws or regulations, or with deed restrictions.
- (b) All suits at law or in equity and/or all prosecutions resulting from violation of any Subdivision or Zoning Ordinance heretofore in effect which are now pending in any of the Courts of the State of Ohio or of the United States shall not be abated or abandoned by reason of the adoption of this Zoning Ordinance but shall be prosecuted to their finality the same as if this Zoning Ordinance had not been adopted; and any and all violations of existing Zoning Ordinances, prosecutions for which have not yet been instituted, may be hereafter filed and prosecuted; and nothing in this Zoning Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and or which may have heretofore been instituted or prosecuted.

1101.04 VALIDITY AND SEVERABILITY

If a court of competent jurisdiction finds any section, sentences, clauses, or portion of these Regulations invalid, such decisions shall not affect, impair or invalidate the remaining provisions of this Zoning Ordinance but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Zoning Ordinance held invalid and the invalidity of any section, sentence, clauses, or parts of this Zoning Ordinance in any one or more instances shall not attest or prejudice in any way the validity of this Zoning Ordinance in any other instance.

1101.05 EFFECT OF ZONING ORDINANCE

- (a) **New Development:** New development including the subdivision of land, construction and the use of land or structures shall conform to the regulations for the Zoning District in which such development is located.

(b) **Platting of New Subdivision Required:**

- (1.) No use shall be established or altered and no structure shall be constructed or altered except upon a lot that has been platted in accordance with, or which otherwise meets, the requirements of the Subdivision Regulations for the Municipality of Groveport, Ohio.
- (2.) The subdivision or re-subdivision of land shall not create lots less than the minimum size required for the Zoning District in which such land is located nor shall lots be provided or intended for uses not allowed in the Zoning District.

(c) **New Structures:** New structures and/or developments shall be permitted only on lots subdivided to meet the requirements of this Zoning Ordinance and in accordance with the Subdivision Regulations of Groveport, Ohio, and shall conform with the development standards of the Zoning Districts in which such construction is permitted, except as is otherwise provided for in Section 1181.02 (Nonconforming Lots) hereof.

(d) **New Uses:** Any new use of land or a structure shall be a permitted use or a conditional use for the Zoning District in which such use is to be located.

(e) **Existing Conforming Lots, Structures or Uses:** Lots, structures, or the use of lots and/or structures which conform with the regulations of the Zoning District in which they are located may be continued; and may be altered, extended, or changed in accordance with the following:

- (1.) **Conforming Lots:** A conforming lot may be changed, altered, enlarged or reduced in dimension, provided, however, that the remaining lot and/or resulting lots shall conform to the development standards for the Zoning District in which the lot is located.
- (2.) **Conforming Structures:** A conforming structure may be altered, reconstructed, or extended only in such manner as will comply with the development standards of the Zoning District in which the structure is located.
- (3.) **Conforming Uses:** A conforming use may be expanded, modified, or changed only in such a manner as will comply with the permitted use or conditional use regulations and with the development standards of the Zoning District in which the conforming use is located.

(f) **Exempt from Regulation:** The regulations set forth in this Zoning Ordinance shall affect all land, every structure, and every use of land or structure, except agriculture and public utilities or railroads as is now specifically exempt by law or as may be hereafter amended by law.

(g) **Accessory Structures for Public Utilities and Railroads:** Accessory structures for public utilities or railroads which are constructed and/or maintained to assist in the operation of the utility or railroad in question (i.e. equipment/material pole barns or buildings, electrical and/or natural gas substation buildings, railroad car/equipment storage buildings, etc.) shall not be prohibited in respect to location, erecting, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any the stated accessory buildings or structures.

- (h) **Governmental Functions:** Any local, State or Federal activity carried on for the purpose of administrative, protective, executive, legislative, or judicial functions shall not be prohibited.

CHAPTER 1102 DEFINITIONS

1102.01 WORD USAGE

Except where specifically defined herein, all words in this Zoning Ordinance shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural; the word "structure" includes the word "building," the word "lot" includes the words "plot" or "parcel;" the term "shall" is always mandatory; the words "used" or "occupied," as applied to any land or structure, shall be construed to include the words "intended, arranged or designed to be used or occupied".

1102.02 SPECIFICALLY DEFINED WORDS

The following listed words are specifically defined for use in this Zoning Ordinance.

A B C D E F G H I J K L M N O P Q R S T U V W
X Y Z

A

Accessory Use or Structure: A subordinate use or structure which is incidental to and in association with a principal use or structure and which is customarily required or provided for the principal use or structure.

Adult Entertainment Business: An adult bookstore, adult motion picture theater, adult drive-in motion picture theater, or an adult only entertainment establishment as herein defined.

Adult Bookstore: An establishment deriving twenty-five percent (25%) or more of its gross income from the sale or rental of, or having a majority of its stock in trade in, books, magazines or other periodicals, films, VCR tapes, or mechanical or non-mechanical devices, which constitute Adult Materials.

Adult Materials: Media, matter, or services distinguished or characterized by the emphasis on specified sexual anatomical areas or specified sexual activities. Adult materials may include any one or more of the following: books, magazines, newspapers, periodicals, pamphlets, posters, prints, pictures, photographs, slides, transparencies, figures, images, descriptions, motion picture films, video cassettes, compact discs, laser discs, DVDs, computer files or software, phonographic records, tapes, or other printed matter, visual representations, tangible devices or paraphernalia designed for use in connection with specified sexual activities, or any service capable of arousing prurient interest through sight, sound or touch.

Adult Motion Picture Theater: An enclosed motion picture theater or motion picture drive-in theater used for presenting and deriving twenty-five percent (25%) or more of its gross income from Adult Material for observation by patrons therein.

Adult Only Entertainment Establishment: An establishment which features services that constitutes Adult Material, or which features exhibitions of persons totally nude, or topless, bottomless strippers, male or female impersonators, or similar entertainment, which constitute Adult material.

Airport: Any airfield owned and operated by a governmental agency, and subject to DNL contours approved by the Federal Aviation Administration (FAA).

Airport Environs: The geographic area that is affected by the airport air traffic operations and is defined on the basis of those areas immediately impacted by the most recently charted and most restrictive 60 DNL Contour and greater noise exposure areas based upon the Land Use Compatibility Guidelines approved by the FAA. These areas constitute the Airport Noise Boundary (ANB) Overlay established in this chapter.

Airport Hazard: Any building, structure, object of natural growth, or use of land within an airport hazard area which obstructs the air space required for the flight of aircraft in landing or taking off at an airport or which is otherwise hazardous to such landing or taking off of aircraft.

Airport Hazard Area: Any area of land adjacent to an airport which has been declared to be an "airport hazard area" by its operating authority in connection with any airport approach plan recommended by such authority.

Alley: A public or private way between twenty (20) feet and twenty-four (24) feet in width dedicated (not as a street) to public uses for secondary means of access to the rear or side of properties otherwise abutting a street, and which may be used for public vehicular or utility access.

Aviation Easement: Agreement conveying to the grantee the right to direct aircraft over or near the property and to create disturbances related to aircraft flight.

B

Base Flood: A flood having a one percent (1%) chance of being equaled or exceeded in any given year. This is the regulatory standard also referred to as the "100-year flood." The base flood is the national standard used by the NFIP and all Federal agencies for the purposes of requiring the purchase of flood insurance and regulating new development. Base Flood Elevations (BFEs) are typically shown on Flood Insurance Rate Maps (FIRMs).¹ Sometimes referred to as "Regional Flood" or "100-Year Flood".

Board: The Zoning Board of Appeals.

Borrow Pit: A lot or parcel of land or part thereof used for the purpose of extracting sand, gravel or topsoil for sale or use on another premises, and exclusive of the process of grading a lot preparatory to the construction of a building for which application for a building permit has been made.

Bottomless: Less than full opaque covering of male or female genitals, pubic area or buttocks.

Buffer Yard: A unit of land, together with a specified type and amount of planting thereon, intended to eliminate or minimize conflicts between land uses.

Building: A structure intended for shelter, housing or enclosure of persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure shall be deemed a separate building.

Building Frontage: The building face nearest parallel to the street line.

Building: Height of- The vertical distance measured from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof.

¹ Federal Emergency Management Agency (FEMA) 500 C Street S.W., Washington, D.C. 20472

Building: Setback Line- A line establishing the minimum allowable distance between the nearest portion of any building and the centerline of any street right-of-way when measured perpendicularly thereto.

Buffer: Any combination of earthen mounds, fencing, landscaping, etc., intended to separate one land use or activity from another by minimizing the visual and/or noise impact which are often measured by opacity and noise decibels.

C

Certificate of Drainage: A certification by a builder of a structure(s) that the property that said structure(s) has been constructed upon, drains properly as described in the *Drainage Certification* form at the time of issuance of the certificate of occupancy.

Channel: A natural or artificial depression of perceptible extent with definite bed and banks to confine and conduct flowing water either continuously or periodically.

Child Care: Any place, home or institution which cares for young children apart from their parents when received for regular period of time for compensation such as kindergarten, nursery school or class for young children that develops basic skills and social behavior by games, exercise, toys and simple handicraft.

Commission: The Groveport Planning and Zoning Commission.

Community NFIP Administrator: The Groveport Municipal Administrator.

Comprehensive Plan: The Comprehensive Plan for the Municipality of Groveport is a document that is adopted by the Municipality that recommends a development direction of specific land uses and character of the Municipality.

Condominium: A form of real property ownership in which a declaration has been filed submitting the property to the condominium form of ownership pursuant to this chapter and under which each owner has an individual ownership interest in a unit with the right to exclusive possession of that unit and an undivided ownership interest with the other unit owners in the common elements of the condominium property.²

Condominium Association: The community association which administers and maintains the common property and common elements of a condominium.

Corner Lot: A lot situated at the intersection of two or more streets, which streets have an angle of intersection of not more than 135 degrees. Both such lot lines shall be considered front lot lines and each yard of a lot abutting upon a street shall be considered a front yard.

Crown: The upper mass or head of a tree.

Cultivar: A cultivated variety of plant material grown for its special form and characteristics

Curb Line: A line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb line shall be established by the Municipality Engineer.

D

Day-Night Sound Level (DNL): A cumulative aircraft noise index which estimates the exposure of an area to aircraft noise and relates the estimated exposure to an expected community response. The day-night sound level noise metric assesses a ten decibel (10dB) penalty to all noise events occurring between 10 p.m. and 7 a.m.

Deciduous: Plant material which normally sheds its foliage at the end of the growing season.

Deed: Legal document conveying ownership of real property.

Developer's Agreement: Agreement between a subdivider and the Municipality of Groveport, Ohio, which sets forth the financial, and performance responsibilities of both parties.

Detonable Materials: Generally unstable materials having the propensity to explode violently from a moderately irritating force. Examples of such materials include, but are not limited to, fulminates, nitrocellulose, black powder, dynamite, nitroglycerine, ozonide, per chlorates, gasoline, fuel oil, and other flammable gases and vapors.

DNL Contour: A line linking together a series of points of equal cumulative noise exposure based on the DNL metric. Such contours are developed by computer model based on aircraft flight patterns, number of daily aircraft operations by type of aircraft and time of day, noise characteristics of each aircraft, and typical runway usage patterns.

Double Frontage: See also – *Corner Lot*.

Dwelling: Farm - A single-family dwelling on a lot of five (5) or more acres.

Dwelling: Single-Family- A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

Dwelling: Apartment- A building designed or arranged to be occupied by two (2) families, the structure having two (2) dwelling units attached by a common wall and/or on separate floor levels. A building arranged or intended for three (3) or more families living independently of each other in separate dwelling units, any two (2) or more provided with a common entrance or hall and all dwelling units are intended to be maintained under single ownership or owned under condominium.

E

Easement: Rights granted by a landowner to and/or for the use by the public, a corporation, person, or entity for a specified purpose of a designated portion of land.

Erosion: The wearing away of the land surface by running water, wind, ice or other geological agents.

Evergreen: Plant material that retains its fundamental foliage, either needles or leaves, throughout the year.

F

Family: One (1) or more persons occupying a single dwelling unit. Any single dwelling unit with any number of persons related by blood, adoption or marriage, plus not more than three (3) additional persons not so related will be considered a family.

Fence/wall: A structure of wood, metal, masonry or materials used for post and boards, wire, pickets, rail or other materials used as an enclosure to screen a yard or lot or used as an enclosure for, or to mark the boundary of a yard or lot or any part thereof.

Floodplain: Any land area susceptible to being inundated by flood waters from any source.³

Foundation Drains: Subsurface drains laid around the foundation of a building, either within or outside of the building foundation for the purpose of carrying ground or subsurface water to some point of disposal.

G

Grade: The degree of rise or descent of a sloping surface.

Grade: Established- That point where the grade line intersects the fronting wall of the building.

H

Hedge: A row of shrubs or trees used as an enclosure for, or to mark the boundary of, or to screen a yard or lot or any part thereof.

Home Occupation: An occupation carried on within a dwelling unit by individuals residing in the residential dwelling.

I

Industrialized Unit: A building unit or assembly of closed construction fabricated in an off-site facility that is substantially self-sufficient as a dwelling unit or as part of a greater structure, and that requires transportation to the site of intended use. An 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 on a permanent foundation. An industrialized unit does not include a “manufactured home” or “mobile home” as defined herein. Such units are subject to the rules and regulations of the Ohio Board of Building Standards (OBBS).

Inoperable Motor Vehicle: Any motor-powered vehicle, including automobile, boat, motorcycle, truck, farm equipment or similar vehicle, which is in need of mechanical or structural repairs to return it to a normal and safe operating condition.

Intense Burning Materials: Materials having the propensity to burn with great intensity by virtue of characteristics such as low ignition temperature, high rate of burning and large heat evolution. Such materials include, but are not limited to, manganese, pyrotechnics, and pyroxylin.

J

Junk Storage: The temporary or permanent storage outdoors of junk, waste, discarded, salvaged, or used materials or inoperable vehicles or vehicle parts. This definition shall include but not be limited to the storage of used lumber, scrap, metal, tires, household garbage, furniture, and inoperable machinery. This definition shall not include outdoor storage of normal residential equipment and related activities such as garden tools, lawn mowers, firewood piles, grass clippings, compost heaps and similar items.

K

3 Federal Emergency Management Agency (FEMA) 500 C Street S.W., Washington, D.C. 20472FEMA

Kennel: A premises, except where accessory to an agricultural use, where four or more domestic animals over three months of age, such as dogs and cats, are boarded, trained, or bred, shown, treated, or groomed for compensation or for sale purposes.

L

Landscaping: The use of natural plant materials including but not limited to, ground covers, shrubs, and trees (deciduous and evergreen). Landscaping also involves the placement, preservation and maintenance of such plant materials and includes such elements as fences, walls, lighting and earth mounding.

Lot: A parcel of land of sufficient size to meet minimum regulations, health and zoning requirements for use, coverage and area and to provide such yards and other open spaces as are herein required and which has frontage on an improved public street or an approved private street.

Lot: Minimum- A parcel of land occupied or to be occupied by a principal structure or group of structures and accessory structures together with such yards, open spaces, lot width and lot area as are required by this Zoning Ordinance, and having not less than the minimum required frontages upon a street, either shown and identified by lot number on plat of record, or considered as a unit of property and described by metes and bounds.

Lot: Depth- The average horizontal distance between front and rear lot lines. "Typical lot depth" is calculated by the lot area divided by the median lot width.

Lot: Line- A line bounding or demarcating a plot of land or ground as established by a plat of record.

Lot: Width- The average horizontal distance between side lot lines.

M

Major Tree: A living tree with a trunk diameter of at least six inches, measured twenty-four (24) inches above ground level.

Manufactured Home: A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the Manufactured Housing Construction and Safety Standards Act of 1974, 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards. A manufactured home does not include an "industrialized unit" or a "mobile home" as defined herein.⁴

Manufactured Home: Permanently-Sited- A "permanently-sited manufactured home" means a manufactured home that meets all of the following criteria:

- a.) The structure is affixed to a permanent foundation and is connected to appropriate facilities.
- b.) The structure, excluding any addition, has a width of at least twenty-two (22) feet at one point, a length of at least twenty-two (22) feet at one point, and a total living area, excluding garages, porches, or attachments, of at least nine (900) hundred square feet.
- c.) The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering.

- d.) The manufactured home has conventional residential siding and a six (6) inch minimum eave overhang, including appropriate guttering.
- e.) The structure was manufactured after January 1, 1995.
- f.) The structure is not located in a “manufactured home park” as defined by Section 3733.01 of the Ohio Revised Code.⁵

Medical Marijuana Facility: Any entity that has been issued a certificate or license by the State of Ohio to operate as a cultivator, dispensary, processor or testing facility of medical marijuana. The following are Medical Marijuana Facility use types:

- a.) **Cultivator.** An entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package and transport medical marijuana.
- b.) **Dispensary.** An entity that has been issued a certificate of operation by the State of Ohio to sell medical marijuana products to qualifying patients and caregivers.
- c.) **Processor.** An entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
- d.) **Testing Laboratory.** An independent laboratory that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research or analysis.

Mini-Storage Facility: A building consisting of individual, self-contained spaces that are leased or owned for the storage of business goods, household goods, or contractor supplies. Business does not operate out of these individual spaces, they are solely for storage.

Mobile Home: A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length, or when erected on site, is three hundred twenty (325) or more square feet, built on a permanent chassis and is transportable in one or more sections, and does not qualify as an “industrialized unit” or a “manufactured home.”⁶

N

Nonconforming Use: A legal use of a building and/or of land that antedates the adoption of these regulations and does not conform to the regulations for the Zoning District in which it is located.

Nude or Nudity: The showing, representation or depiction of human male or female genitals, pubic area, or buttocks with less than full opaque covering or any portion thereof, or female breast(s) with less than a full, opaque covering of any portion thereof below the top of the nipple or of covered male genitals in a discernibly turgid state.

O

Odor: A scent of spicy, flowery, fruity, resinous, foul or burnt character of sufficient intensity and duration to be irritating to one or more individuals.

⁵ ORC 3781.06 (C) (6)

⁶ ORC 4501.01(O)

Obstruction: Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter which is in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or which is placed where the flow of water might carry the same downstream to the damage of life or property.

Opacity: The degree to which a structure, use or view is screened from adjacent properties.

Opaqueness: The degree to which a wall, fence, structure or landscaping is solid or impenetrable to light or vision in a generally uniform pattern over its surface.

Open Space: Useable open space for active or passive use such as recreation or parks. Ponds are not considered as open space.

Operating Authority: The Columbus Regional Airport Authority, who is responsible for management of the Rickenbacker International Airport.

Ornamental Feature: A structure or any part of a structure of wood, metal, masonry or other material used to ornament any part of a yard area.

P

Parcel: A piece of land created by a partition, subdivision, deed, or other instrument recorded with the appropriate recorder. This includes a lot, a lot of record, or a piece of land created through other methods.

Parking Area: Any part of a site used by vehicles not totally enclosed within a structure. This includes parking space and aisles, drives, loading areas and vehicle storage areas. This does not include driveways and permitted off street parking spaces for single and two-family residential uses.

Particulates: Fine particles, either solid or liquid, which are small enough to be dispensed or otherwise carried into the atmosphere.

Q

Quarrying: The process of removing or extracting stone, rock, or similar materials from an open excavation for financial gain.

R

Recreational Vehicle: A vehicle manufactured or modified for travel, recreation or vacation purposes. This definition shall include but is not necessarily limited to campers, travel trailers, truck campers, and motor homes, motorcycles, etc.

Regulations: Subdivision Regulations for the Municipality of Groveport, Ohio.

Regulatory Floodplain: A watercourse and the areas adjoining a watercourse which have been or hereafter may be covered by the Base Flood.

Required Improvements: Those items set forth in Chapter 1195 (Required Improvements) benefiting the subdivision and such other improvements which were required as a part of the applicable zoning approval.

Reserve: Parcel of land set-aside for a specific use and or purpose.

Right-of-Way: That land owned by the Municipality and utilized for the purpose of public streets, sidewalks, utilities (e.g., railroad, electric lines, oil or gas pipeline, water line, sanitary and storm sewer), and other public facilities and structures.

S

Screening: A barrier, at least seventy-five percent (75%) opaque of living or non-living landscape material put in place for the purpose of separating and obscuring from view those areas so screened, including but not limited to any combination of walls, structures, fences, plantings, mounding or similar treatment which totally prevents the activity being screened from being seen from a specified area or location.

Sedimentation: The depositing of earth or soil that has been transported from its site of origin by water, ice, gravity or other means as a product of erosion.

Sexual Activity: Sexual conduct or sexual contact, or both.

Sexual Contact: Any touching of an erogenous zone of another, including, without limitation, the thigh, genitals, buttock, pubic region, or if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

Sexual Excitement: The condition of a human male or female genitals when in the state of sexual stimulation or arousal.

Sexually Oriented Business: An establishment where a substantial portion of the use is related to adult materials, visual representations, performances, or services characterized by an emphasis upon specified sexual activities or specified sexual anatomical areas, including an: adult arcade, adult bookstore, adult cabaret, adult motel, adult motion picture theater, adult-only entertainment establishment, adult theater, escort agency, nude model studio, sexual encounter center, or sexually oriented spa more specifically defined hereunder:

Adult Arcade: Any establishment offering adult material as a substantial portion of its stock-in-trade, to which the public is permitted or invited for any form of consideration and wherein coin operated, slug operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc players, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depiction or display of specified sexual activities or specified sexual anatomical areas.

Adult Bookstore: Any establishment that offers adult materials for retail sale or rental as a substantial portion of its stock-in-trade, for any form of consideration, including printed matter, visual representations, instruments, devices or paraphernalia.

Adult Cabaret: A nightclub, bar, restaurant, or other similar establishment that features, as a substantial portion of its business, live performances characterized by the exposure of specified sexual anatomical areas or by the depiction of specified sexual activities, and by films, motion pictures, computer files or software, laser discs, video cassettes, DVD's, slides, or other

photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material characterized by the emphasis upon the depiction or description of specified sexual activities or specified sexual anatomical areas.

Adult Motel: A hotel, motel, or similar commercial establishment that offers accommodation to the public for any form of consideration, provides patrons with close-circuit television transmissions, films, motion pictures, laser discs, videocassettes, DVDs, slides, or other photographic reproductions that are characterized by the depiction or description of specified sexual activities, or adult material, and:

- (1) Has a sign visible from the public right-of-way that advertises the availability of adult and/or sexually explicit materials along with room rentals, or
- (2) Offers a sleeping room for rent for a period of time that is less than ten (10) hours, or
- (3) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

Adult Motion Picture Theater: A establishment where, for any form of consideration, films, motion pictures, computer files or software, laser discs, video cassettes, DVD's, slides, or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material characterized by an emphasis on the description of specified sexual activities or specified sexual anatomical areas.

Adult-Only Entertainment Establishment: An establishment where the patron directly or indirectly is charged a fee and where the establishment features entertainment or services, such as exhibitions, dance routines, gyrational choreography, lingerie modeling, lingerie dancers, strippers (male or female), female impersonators, or similar entertainment, performed by persons who exhibit specified sexual anatomical areas, depict specified sexual activities, or which otherwise involves or constitutes adult materials as defined in this chapter.

Adult Theater: A theater, concert hall, auditorium, or similar commercial establishment that features, as a substantial portion of its stock-in-trade, persons or live performances that are characterized by the exposure of specified sexual anatomical areas or specified sexual activities.

Escort Agency: A person or business association, who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration. The escort is a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Nude Model Studio: Any place where a person who exhibits specified sexual anatomical areas is to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. A Nude Model Studio shall not include a proprietary school licensed by the State of Ohio or a College, Junior College, or University supported entirely or in part by public taxation, a private college or university that maintains and operates educational programs in which credits are transferable to a College, Junior College, or University supported entirely or partly by taxation, or in a structure provided such institution meets all of the following criteria:

- (1) There is no sign visible from the exterior of the structure and no other advertising that indicates a person exhibiting specified sexual anatomical areas is available for viewing; and
- (2) In order to participate in a class, a student must enroll at least three days in advance of the class; and

(3) No more than one person exhibiting specified sexual anatomical areas is on the premises at any one time.

Sexual Encounter Center: a business or commercial enterprise that for any form of consideration offers activities or physical contact, including wrestling or tumbling, between male and female persons and/or persons of the same sex when one or more of the persons exhibits or displays specified sexual anatomical areas for the purpose of specified sexual activities.

Sexually Oriented Spa: a place or building that provides massage services, bathing, saunas, showers or hot tubs, and engages in or offers to engage patrons in specified sexual activities or activities commonly associated with a sexual encounter center, for any form of consideration.

Specified Anatomical Areas: Means anyone of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola.
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Means human genitals in a state of sexual stimulation or arousal or acts of human masturbation, sexual intercourse, sodomy, or fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Sewerage: The liquid or water carried wastes from residences, businesses, institutions, and industrial establishments together with such ground water, surface water, and storm water as may be present.

Sewage: Domestic Sewage or Sanitary Sewage- Sewage derived principally from dwellings, businesses, institutions, and industrial establishments that originate within the building which include wastes from kitchens, water closets, lavatories, bathrooms, showers and laundries.

Sewage: Industrial Sewage- Sewage derived from industrial processes as defined by domestic sewage.

Sewer: Building (house connection)- that part of the sanitary sewerage system that connects the plumbing of the house or building to a common or public sewer. The building sewer begins three (three) feet outside the building foundation wall.

Sewer: Sanitary- A pipe or conduit designed for the purpose of carrying domestic and industrial sewage from the point of origin to a sewage treatment or disposal facility or a place of disposal, but which is not intended to carry storm, surface, ground, or subsurface waters.

Sewerage System or Sewage Works: All of the facilities for collecting, pumping, treating and disposing of sanitary sewage to and through the sewage treatment or disposal works owned by the Municipality or any additions or extensions thereof.

Shade Tree: A living tree with mature size of thirty (30) feet or more.

Sign: Any object, structure, device, fixture or placard containing a color, graphic, symbol, logo, character or written copy, which conveys information, ideas or opinions and is installed or displayed for the general public.

Sign: 'A' Frame: A sign made of rigid material designed in a triangle, letter "A" or similar shape, that is capable of standing on its own support(s); is portable and movable; is placed directly in front of the business for which it is intended; does not impede pedestrian or vehicular traffic, and is displayed only during hours of operation. A-Frame signs shall meet all Zoning District Chart specifications. Examples include Sandwich Board, Menu Board, Sign Stand, Wind Resistant Sign and Sidewalk Sign designs.

Sign: Advertising Area: The entire area within a continuous perimeter forming a basing geometric figure which encloses the message of display along with any frame or other material, color, internal illumination or other feature, which forms an integral part of the message and is used to differentiate the sign from the wall or supporting structure upon which it is placed. The necessary supports or uprights are excluded from the graphic area if to give the visual appearance of a single color.

Sign: Animated: Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation. For purposes of this article, this term does not refer to a message center sign. Examples include blinking, coursing, flashing, moving, racer-type, rotating, revolving, spinning, and other similar designs. Animated signs are prohibited in the Municipality of Groveport, Ohio.

Sign: Awning Sign/Canopy: A sign intrinsic to, painted on or affixed to an awning or canopy.

Sign: Banner: Any sign constructed of or applied to lightweight fabric or similar non-rigid material of any kind.

Sign: Bench: A sign located on the seat or back of a bench. Bench signs are prohibited in the Municipality of Groveport, Ohio.

Sign: Billboard: An outdoor display intended to advertise products or services at off-site locations, where activities related to their sale, distribution, production, repair and associated administrative functions are not maintained. Billboards also include outdoor displays intended to convey information, ideas or opinions to the public at locations not used by their sponsors for other professional administrative activities. Billboards are prohibited in the Municipality of Groveport, Ohio.

Sign: Building Directory: A sign advertising for more than one (1) business and containing only the name and address of the business/owner and containing no other advertising messages.

Sign: Bulletin Board: Signs which are customarily incidental to places of worship, libraries, museums, social clubs, or societies used to inform the public of upcoming activities or events.

Sign: Business Park Directory: A ground sign advertising for more than one (1) business and containing only the name and address of the business park or plaza and/or the names of the businesses occupying the Business Park or plaza and containing no other advertising messages.

Sign: Directional: Signs which are typically erected to designate entrances or exits, provide direction for traffic, operational instructions and the like; including the location of driveways, loading docks, drive through pickup and drop off facilities, and drive-in service facilities.

Sign: Feather: A sign made of lightweight, non-rigid material typically supported by one pole, with or without graphics, intended to attract instant attention. These signs are generally teardrop, rectangular, or pennant shaped. Examples include Flying Banner, Feather Flag, Attention Flag or similar designs. Feather signs are prohibited in the Municipality of Groveport, Ohio.

Sign: Fence: A sign installed on or otherwise affixed to a fence.

Sign: Freestanding: A sign attached to, erected on, or supported by some structure, such as a post, mast, or frame which is embedded in the ground, and is not itself an integral part of or attached to a building or other structure whose principal function is something other than support. Freestanding signs include ground, monument, yard and pole sign types.

Sign: Height: The vertical distance between the top of its advertising area and the nearest grade of the earth's surface.

Sign: Incidental: An on-premise freestanding or wall sign that includes information secondary to the use of the site on which it is located. Examples: Parking lot signs (speed limits, specially designated parking spaces, loading bay door identification, guard shack or office check-in information); interior parking lot stop signs; public restroom or telephone availability; emergency phone numbers; security alarm warnings; trade affiliations; “no solicitation”; “credit cards accepted”; hours of operation; official notices required by law, and other similar directives. No commercial message shall be considered incidental.

Sign: Marker or Plaque: Sign, plaque or monument which is permanently mounted to a building or otherwise permanently installed to memorialize or commemorate a person, site, or event of historical significance.

Sign: Message Center: A sign, or portion thereof, on which characters, letters or illustrations are changed mechanically or electronically. The rate of change is limited to every ten (10) seconds. Message center signs include controlled Reader Board sign types.

Sign: Nameplate: A sign which denotes only the name and/or address of a building or dwelling occupant.

Sign: Off-Premise: Any sign that pertains to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located. Off-Premise signs are prohibited in the Municipality of Groveport, Ohio.

Sign: Permanent: A sign, intended by design and construction, to be in place permanently, and is permitted and installed according to Zoning District Chart specifications.

Sign: Political Graphic: Signs identifying candidates or issues on the ballot.

Sign: Portable: A sign designed or constructed to be moved or relocated without involving any structural or support changes. Portable signs are prohibited in the Municipality of Groveport, Ohio.
*Exceptions include A-Frame signs and other signs specifically permitted by the code.

Sign: Projecting: Any sign attached to a building and extending perpendicular from the face of the building or structure to which it is attached. The projection is defined as the total distance by which a sign extends beyond the face of a building or structure.

Sign: Real Estate: A sign advertising the sale, rental or lease of the premises on which it is installed.

Sign: Roof: Any sign painted on or affixed to the roof of a building. Roof signs are prohibited in the Municipality of Groveport, Ohio.

Sign: Subdivision Gateway: A sign used to identify a residential subdivision.

Sign: Temporary: A sign, intended by design and construction, to be in place for a limited time and is permitted and installed according to Zoning District Chart specifications.

Sign: Trailer: A sign mounted on or originally designed to be mounted on a trailer chassis with or without wheels and used as an on-premises or off-premises sign. Trailer Signs are prohibited in the Municipality of Groveport, Ohio.

Sign: Two-sided: A sign with two (2) faces installed in a “V” formation at or exceeding a ninety-degree (90°) angle. The square footage of each sign face is included in the calculation of maximum square footage.

Sign: Wall: Any sign painted on or affixed to the wall of a building.

Sign: Wind Resistant: A portable/moveable freestanding sign attached to a support base via coil springs that flex to resist strong winds and return the sign to an upright position.

Sign: Window: A sign that is located on or inside a display window, door and/or structure which is clearly visible from the outside of the window and/or structure.

Sign: Yard: A sign, intended by design and construction, to be in place for a limited time and is permitted and installed according to Zoning District Chart specifications.

Snow Fence: Any temporary fence used to control the drifting of snow.

Storm Water Management: Practices, activities, and structures, manufactured or natural, for managing precipitation runoff to preclude damage to lands or structures including but not limited to: storm sewers and structures, detention and retention basins, subsurface drainage, grading, major storm routing paths, erosion and sedimentation control, road or drive culverts, mounds, swales, ditches, watercourses, bridges etc.

Street: Streets are classified into five (5) basic categories: Freeway, Principal Arterial, Minor Arterial, Collector and Local.

Street: Minor Arterial- Minor arterials interconnect with and augment the principal arterial system. They accommodate trips of moderate length at a somewhat lower level of travel mobility than principal arterials. Minor arterials place more emphasis on land access and distribute traffic to geographic areas smaller than do principal arterials.

Street: Collector Street- Collector streets provide both land access service and traffic circulation within residential neighborhoods and commercial and industrial areas. Collector streets penetrate neighborhoods, collect traffic from local streets, and distribute it to the arterial system.

Street: Freeway- An urban freeway serves long distance, high speed trips with limited access and minimal interruption to the free flow of traffic. Their function is to move large volumes of traffic between and within various metropolitan areas.

Street: Local Street- Local streets provide direct access to abutting properties and offer the lowest level of mobility. Local streets connect to collectors and arterials; through traffic is typically discouraged.

Street: Principal Arterial- Principal arterials move large volumes of traffic over moderately long distances and provide connections to the freeway system via interchanges. Service to abutting properties is subordinate to travel service to major traffic movement. Driveway access is highly controlled.

Street: Right-of-Way Line- The dividing line between a street right-of-way and the contiguous property.

Structure: Anything constructed or erected for occupancy or use and in addition means any object, whether permanent or temporary, including, but not limited to, tower, crane, smokestack, earth formation, transmission line or flagpole, and includes a mobile or tethered object, advertising signs, billboards and other construction or erection with special function or form, except fences or walks, and for purposes of this Development Ordinance, mobile homes which are otherwise herein defined and restricted.

Structure: Accessory or Ancillary- A subordinate structure, the use of which is incidental to that of a principal structure on the same lot.

Structure: Principal- A structure in which is conducted the principal use of the lot on which it is situated.

Structure: Twin Single- A structure containing two dwelling units which are divided by a common wall built to meet or exceed minimum fire and building code specifications.

Structure: Zero Lot Line- A dwelling unit which abuts one (1) side lot line to create additional yard area in the non-abutment side yard.

Subdivider: Landowner or their representatives proposing the subdivision of land.

Subdivision: As defined in the Ohio Revised Code, Chapter 711, Section 711.001(B) Definitions. The subdivision of any parcel of land shown as a unit or as a contiguous units on the last preceding tax roll, into two or more parcels, sites or lots, any of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the divisions or partitions of land into parcels of more than five (5) acres not involving any new streets or easements of access, and the sale and exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or the improvements of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

Subdivision: Regulations- The subdivision regulations of the Municipality of Groveport.

Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this Zoning Ordinance "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not; however, include any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Surety: Funds or other guarantees provided by the subdivider to the Municipal Administrator to ensure the construction, performance, or maintenance of improvements.

Swimming Pool: A body of water of artificial construction, used for swimming or recreational bathing, which is over twenty-four inches in depth at any point and has more than one hundred fifty (150) square feet of area on the water surface when filled to capacity, and includes the sides and bottom of such pool and the equipment and appurtenances thereof.

I

Temporary Portable Storage Unit: A transportable unit designed and used for the temporary storage of building materials, household goods, commercial goods, waste, or other similar materials.

Topless: The showing of a female breast with less than a full opaque covering of any portion thereof below the top of the nipple.

Townhouse: A building consisting of a series of three or more attached or semi-detached dwelling units divided by common fire walls built to meet or exceed minimum fire and building code specifications, each with a ground floor and a separate ownership or condominium.

Toxic Substance: Those toxic substances as defined by regulations adopted pursuant to the Resource Conservation and Recovery Act of 1976, and any future law or regulation of like tenor or effect.

Transmission Lines: Electric lines constructed between generating stations and substations.

U

V

Variance: Permission by the Board of Zoning Appeals to depart from the existing Regulations.

W

Waste: Deleterious: Oils, acids, cyanides, poisons and any other substances, gas or liquid which may in any way damage or interfere the use or operation of sanitary sewers or the sewage treatment plant and may create a hazard to life or property.

Watercourse: A channel in which a flow of water occurs either continuously or intermittently in a definite direction. The term applies to either natural or artificially constructed channels.

X

Y

Yard: means an open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein.

In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

Yard: Corner Side- The required open, unoccupied space between the closest point of the principal building and the side line of the lot which abuts a street, and extending from the front line of the building to the rear line of the building.

Yard: Front- A required open, unoccupied space extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

Yard: Interior- A required open unoccupied space area between the interior side lot line and the required interior side building setback line, extending between the front building setback line and the rear building setback line.

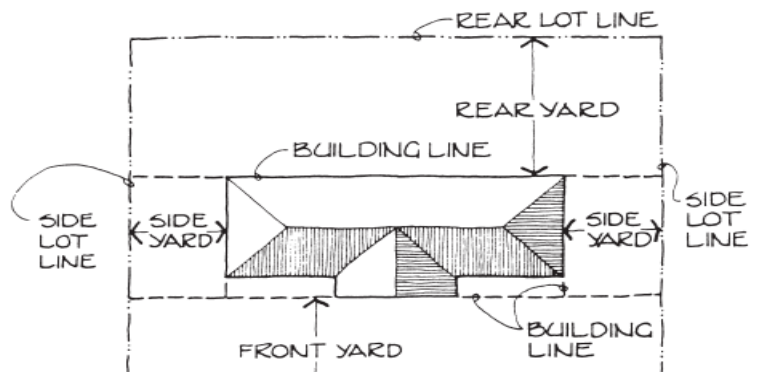
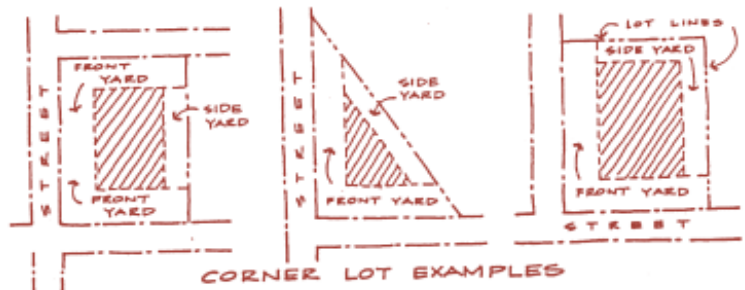
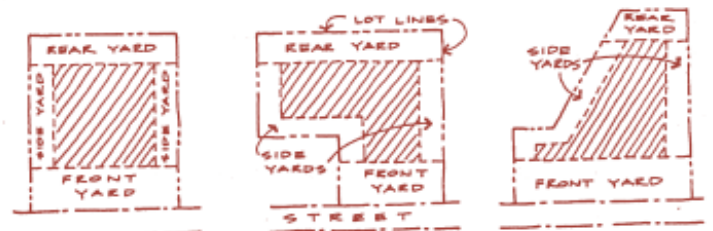


FIGURE 1



CORNER LOT EXAMPLES



INTERIOR LOT EXAMPLES



ODD-SHAPED LOT EXAMPLES

REQUIRED YARDS

BUILDING (ZONING) ENVELOPE
(TWO DIMENSIONAL)

Yard: Rear- A required open, unoccupied space between the rear line of the principal structure (exclusive of steps) and the rear line of the lot and extending the full width of the lot and may be used for accessory structures.

Yard: Side- A required open, unoccupied space on the same lot with a structure between the side line of the structure (exclusive of steps) and the side line of the lot and extending from the front line to the rear line of the lot.

Z

Zoning District: Any section of the Municipality in which zoning regulations are uniform.

CHAPTER 1103 ORGANIZATION OF THE ZONING ORDINANCE

1103.01 INTENT

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

1103.02 NATURE OF ZONING

- (a) This Zoning Ordinance is an exercise of the police power derived from the Ohio Constitution, the Groveport Charter, and the Ohio Revised Code and must bear some reasonable and substantial relationship to the public health, safety, convenience, comfort, prosperity, or general welfare.
- (b) The characteristic feature of this Zoning Ordinance that distinguishes it from most other police power regulations is that its regulations may differ from zoning district to zoning district, rather than being uniform throughout the Municipality. Despite this ability to differ in various zoning districts, the regulations must be uniform for each class and kind of building within a zoning district.
- (c) The purposes of this Zoning Ordinance are accomplished by the division of the Municipality into zoning districts in which there are only certain specified uses of land allowed and the regulations pertaining to the development and use of the land and buildings are uniform for each class or kind of building or use in such zoning district.
- (d) To the extent possible, the zoning districts as they are delineated on the Zoning District Map shall be comprehensive by their inclusion of all land similar in nature or circumstance as is determined by the type and extent of existing land use and the desirability of conserving such use. The zoning districts and the fixing of their boundaries shall further be determined in accordance with the need of encouraging such use as is made appropriate by a change in the character of land use, or the growth and development of the Municipality, and to this extent the zoning districts should be based on land use plans as such plans may exist at the time of determination.

1103.03 ORGANIZATION OF REGULATIONS

These regulations are set forth in five (5) groups based on the nature of the zoning districts and the purpose of the regulation. The intent of these zoning districts is to delineate areas where, due to circumstances of the land or requirements of the development, such activity can be carried on without subjecting the established land uses and zoning districts to undue interference or disturbance. These groups are organized under separate Titles of the Zoning Ordinance.

- (a) **Title One – General Provisions:** Provides the title, authority and purpose of the zoning ordinance including the repeal of previous zoning and subdivision ordinances. It stipulates that if any provision or section of the development ordinance is found to be invalid, that only that section or provision will be affected and that the remaining ordinance will remain valid. It lists the development activities covered under the ordinance including new developments, platting of new subdivision, new structures, new

uses and conformance standards for lots, structures and uses. It also lists exemptions to this ordinance.

- (b) **Title Three – Administration:** Sets forth the powers and duties of the Municipal Administrator, Planning Commission, Zoning Administrator, the Board of Zoning Appeals, and the Groveport City Council with respect to the Administration of the provisions of this ordinance.
- (c) **Title Five - Zoning District:** Is comprised of the regulations of the Rural District, three Residential Zoning Districts based on density and/or dwelling structure type; three Commercial Zoning Districts based on the types and nature of commercial uses ranging from office activities through sales and services of unique character; and two Industrial Zoning Districts based on use activity and methods of site development ranging from typically small totally enclosed development and operation to extensive or open industrial use of land. The intended use of the Zoning Districts Title is two-fold.
 - (1.) The primary use is to delineate areas of existing land use and developmental character most nearly represented by the regulations of one of these Zoning Districts so as to afford such areas the regulations necessary to maintain their essential qualities and to assure that additional development will be in keeping with that which has been established;
 - (2.) Secondly, the Zoning Districts Title is intended to be used to make limited adjustments in the Zoning District boundaries (rezoning) as are necessary and the ownership of the land is such that development cannot be achieved except on the basis of individual lots.
- (d) **Title Seven – Supplemental Land Use Regulations:** Establishes a set of specific conditions for various uses, classifications of uses, or areas wherein problems may occur, in order to alleviate or preclude such problems, and to promote the harmonious exercise of property rights without conflict.
- (e) **Title Nine – Subdivision Regulations:** Pertains to land use controls that govern the division of land into two or more lots, parcels, or sites for building. The regulations include procedures and standards that affect the design and layout of lots, streets, utilities (water, sewerage, gas, electric, telephone service, street lighting, and stormwater) and other public improvements. The regulations contain or make reference to minimum engineering specifications for public improvements; require performance bonds that ensure that the public improvements are built by the developer as approved and within a certain period of time, and may provide for fees-in-lieu of the improvements.
- (f) **Appendix Materials:** Materials furnished in the appendix of these Regulations consisting of:
 - Appendix A – Ohio Revised Code – Enabling Legislation For Planning Commission
 - Appendix B – Powers And Duties Of City Planning Commission

TITLE THREE - ADMINISTRATION

CHAPTER 1131 ADMINISTRATIVE OFFICERS AND AGENCIES

1131.01 MUNICIPAL ADMINISTRATOR

This Zoning Ordinance shall be administered and enforced by the Municipal Administrator or his designated representative who shall be appointed by the Mayor and confirmed by Council of the Municipality of Groveport and is hereby empowered:

- (a) **Certificate of Zoning Compliance:** To issue a Certificate of Zoning Compliance when these regulations have been followed or to refuse to issue the same in the event of noncompliance.
- (b) **Collection of Fees:** To collect the designated fees as set forth for Certificate of Zoning Compliance, application for amendment or changes, appeal and conditional use.
- (c) **Making and Keeping of Records:** To make and to keep all records necessary and appropriate to the office, including record of the issuance and denial of all Certificates of Zoning Compliance and of receipt of complaints of violation of this Zoning Ordinance and action taken on the same.
- (d) **Inspection of Building or Land:** To inspect any building or land to determine whether any violations of this Zoning Ordinance have been committed or exist.
- (e) **Enforcement:** To interpret and enforce this Zoning Ordinance and take all necessary steps to remedy any condition found in violation by ordering in writing, the discontinuance of illegal uses or illegal work in progress, and may request the Municipality Solicitor to commence appropriate action.
- (f) **Advise Planning Commission:** To keep the Planning Commission advised of all matters other than routine duties pertaining to the enforcement of this Zoning Ordinance and to transmit all applications and records pertaining to supplements and amendments.
- (g) **Advise Board of Appeals:** To keep the Board of Zoning Appeals advised of all matters pertaining to conditional use permits, appeals, or variances and to transmit all applications and records pertaining thereto.

1131.02 PLANNING COMMISSION

The creation, organization, and powers and duties of the Planning Commission are established in the Municipality **Charter Section 8.02** and as otherwise provided by Ohio Revised Code 713.

1131.03 BOARD OF ZONING APPEALS

The creation, organization, and powers and duties of the Board Of Zoning Appeals Commission are established in the Municipality **Charter Section 8.03** and as otherwise provided by Ohio Revised Code 713.11.

CHAPTER 1132 CERTIFICATE OF ZONING COMPLIANCE

1132.01 CERTIFICATE OF ZONING COMPLIANCE REQUIRED

- (a) No occupied or vacant land shall be changed in its use in whole or part until the Certificate of Zoning Compliance shall have been issued by the Municipal Administrator or designee.
- (b) No existing or new structure shall hereafter be changed in its use in whole or in part until the Certificate of Zoning Compliance shall have been issued by the Municipal Administrator or designee.
- (c) This section shall in no case be construed as requiring a Certificate of Zoning Compliance in the event of a change in ownership, without a change in use or intended use, provided that no repairs, alterations, or additions are proposed for such building.
- (d) **Building Permit:** No building permit for the extension, erection, or alteration of any building shall be issued before an application has been made and a Certificate of Zoning Compliance issued, and no building shall be occupied until such certificate is approved.

1132.02 APPLICATION PROCEDURE

- (a) **Application for Certificates:** Each application for a Certificate of Zoning Compliance for new development shall be accompanied by a Plot Plan drawn by a register surveyor or a Professional Engineer in duplicate drawn to scale, one copy of which shall be returned to the owner upon approval. The plan shall show the following:
 - (1.) The actual dimensions of the lot including easements;
 - (2.) The exact size and location of all buildings existing on the lot;
 - (3.) The proposed new construction, additions or alterations;
 - (4.) The existing and intended use of all parts of the land and buildings; and
 - (5.) Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Zoning Ordinance.
- (b) **Reasonable Substitute:** Note, the Municipal Administrator or his/her designee may, in his/her sole discretion, accept a Plot Plan that, while not drawn to scale nor prepared by a registered surveyor or professional engineer, never the less still provides the information required in Subsection (a) above, and as such, may be deemed a reasonable substitute therefore.
- (c) **Zoning Verification:** Tenants can qualify for a zoning verification if the property has a change in tenancy with no exterior alterations, additions, or expansions of the existing structure, and whose use is the same as the previous tenant.

1132.03 APPLICATION FEES AUTHORIZED

- (a) An application for a Certificate of Zoning Compliance or other administrative review shall not be complete and no action shall be taken until all required fees, as approved by separate ordinance of City Council, shall be paid to address the costs of administration, investigation, advertising, and compliance, unless otherwise specified herein.
- (b) The Municipal Administrator or designee may require additional fees to defray Municipality expenses associated with the review of complicated or poorly-prepared Site Plans, Development Plans, or other Subdivision plans, including the need to retain a registered professional engineer, surveyor, architect, landscape architect, or other professional consultant to advise the Municipality on any or all aspects of the application.
- (c) Additional fees will be charged for a tabled application – Amount equal to the original application fee.
- (d) Once the application is placed on the agenda the fees shall be non-refundable.

1132.04 REVIEW OF LANDSCAPING PLAN

- (a) **Landscaping Plan Required:** Pursuant to **Chapter 1176** (Landscaping Plan), any person seeking a Certificate of Zoning Compliance, Conditional Use approval, Site Plan approval, Development Plan approval, Subdivision Plat approval, Zoning Map Amendment, or Variance approval shall file with his application a Landscaping Plan drawn to scale and prepared in a professional manner which, by Plot Plan and description shall include:
 - (1.) The present location and size of all major trees, with a designation of major trees sought to be removed;
 - (2.) The location, size, and description of landscaping materials proposed to be placed on the lot in order to comply with this chapter;
 - (3.) The location and size of any structures presently on the lot, and those proposed to be placed on the lot;
 - (4.) The proposed location and description of screening and buffer yards proposed to be placed on the lot in order to comply with this chapter.
- (b) **Reasonable Substitute:** Note, the Municipal Administrator or his/her designee may, in his/her sole discretion, accept a Plot Plan that, while not drawn to scale nor prepared by a registered surveyor or professional engineer, never the less still provides the information required in Subsection (a) above, and as such, may be deemed a reasonable substitute therefore.
- (c) **Review:**
 - (1.) The Planning Commission shall consider a Landscape Plan as part of its review of any Site Plan, Development Plan, or Subdivision Plat application;
 - (2.) The Board of Zoning Appeals shall consider a Landscape Plan as part of its review of any Conditional Use or Variance application;
 - (3.) The Municipal Administrator or designee shall either approve or disapprove all Landscaping Plans submitted as part of an application for a Certificate of Zoning

Compliance within thirty (30) working days of their filing. On reviewing the application and receiving suggestions or recommendations from the Municipal Administrator or designee, the applicant may agree to modify his application including the plans and specifications submitted. The Zoning Certificate of Compliance will not be issued until plans reflecting the agreed upon changes are submitted to the Municipal Administrator or designee. An applicant may appeal a decision of the Municipal Administrator or designee disapproving his Landscaping Plan to the Board of Zoning Appeals. Notice of appeal must be filed with the Municipal Administrator or designee within twenty (20) days after the decision of the Municipal Administrator or designee is mailed to the applicant at the address listed on his application

- (d) No Certificate of Zoning Compliance, Conditional Use approval, Site Plan approval, Development Plan approval, Subdivision Plat approval, or Variance approval, shall be granted or issued until final approval of the Landscaping Plan.

1132.05 ISSUANCE OF CERTIFICATES

Certificates of Zoning Compliance shall be issued or refusal thereof given within fourteen (14) working days after the date of a complete application or any necessary approval from an administrative board or commission.

1132.06 NOTICE OF DENIAL

Written notice of such refusal and reason thereof shall be given to the applicant.

1132.07 EXPIRATION DATE

The approval of the Certificate of Zoning Compliance is invalid if construction, erection, alteration, or other work has not commenced within twelve (12) months of approval. In addition, if in the course of construction, work is delayed or suspended for more than six (6) months, the approval is invalid.

CHAPTER 1133 ENFORCEMENT MEASURES; PENALTIES

1133.01 VIOLATION

- (a) Violations of these Regulations are subject to penalties and enforcement measures set forth in the Regulations. The Municipal Administrator or designee shall be the primary official responsible for enforcement of this Zoning Code; however, any person may file a written complaint with the Municipal Administrator stating fully the causes and basis thereof, whereupon such complaint shall be properly recorded and investigated.
 - (1.) Inspection of private property shall only proceed with the consent of the owner unless there is an emergency; the property is open to the public; the activity conducted on the property has a history of government oversight so that no expectation of privacy exists; or under the authority of an administrative search warrant obtained from a judge;
 - (2.) Inspection of private property shall require proper Municipality identification and be conducted in a reasonable manner and where possible, at a reasonable hour.
- (b) Upon a finding that any of the provisions of this Ordinance is being violated, the Municipal Administrator or designee shall provide written notice to the owner and/or such person responsible for such violation(s) calling attention to the action necessary to correct such violation in order to conform to the Ordinance and any other requirements stated on the Certificate of Compliance or plans and plats.

1133.02 CIVIL REMEDIES

In case any building is, or is proposed to be, located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of law or of this Ordinance or any amendment thereto, then City Council, the Law Director, the Municipal Administrator, or any adjacent or neighboring property owner who would be especially damaged by such violation may in addition to other appropriate action, enter proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use. Such remedies shall include but are not limited to lien on the property of any owner for any costs incurred by the Municipality for the enforcement of this ordinance. The exercise of the rights and remedies granted in this Chapter shall in no way preclude or limit the Municipality or any other person from exercising any other right or remedy now or hereafter granted under the Municipality Charter or the laws of Ohio.

1133.03 PENALTY

- (a) Any person violating any provision of any Chapter of this Zoning Ordinance or who shall violate or fail to comply with any order made thereunder or who shall falsify plans or statements filed thereunder; or who shall continue to work upon any structure after having received written notice from the Municipal Administrator or designee to cease work, shall be guilty of a minor misdemeanor and, upon conviction thereof, shall be fined not more one hundred fifty dollars (\$150.00) plus court costs.

- (b) A separate offense subject to a separate fine shall be deemed committed for each and every day during or upon which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use occurs or continues.

CHAPTER 1134 CONDITIONAL USE REVIEW

1134.01 NATURE OF CONDITIONAL USES

- (a) Specifically listed conditional uses are provided within the Zoning District Regulations in recognition that such uses, although often desirable, will more intensely affect the surrounding area in which they are located than the permitted uses of such Zoning Districts.
- (b) **Intent:** The intent of the procedure for authorizing a conditional use is to set forth the Development Standards and criteria for locating and developing a conditional use in accordance with the nature of the surrounding area, conditions of development, and with regard to appropriate plans.

1134.02 WRITTEN APPLICATIONS

Form of Application: One (1) copy of a provided application form shall be filed with the Municipal Administrator or designee not less than twenty (20) days prior to the date of the public hearing.

- (a) **Description of Property and Intended Use:** The application shall include the following statements:
 - (1.) A legal description of the property;
 - (2.) The proposed use of the property;
 - (3.) A statement of the necessity or desirability of the proposed use of the neighborhood or community;
 - (4.) A statement of the relationship of the proposed use to adjacent property and land use;
 - (5.) Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the application or required for appropriate action by the Board of Zoning Appeals.
- (b) **Plot Plan:** The application shall be accompanied by ten (10) copies of a plot plan, drawn by a surveyor to an appropriate scale, clearly showing the following:
 - (1.) The boundaries and dimensions of the lot;
 - (2.) The size and location of existing and proposed structures;
 - (3.) The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces, and landscaping;
 - (4.) The relationship of the proposed development to the Development Standards;
 - (5.) The use of land and location of structures on adjacent property.

1134.03 ACTIONS OF THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall hold a public hearing and act on a Conditional Use within thirty (30) days following the public hearing.

- (a) **Public Notice:** Notice of the public hearing shall be given to the adjoining property owners as set forth in the second paragraph of Section 1136.03(a)(2)(b). (Notice of Hearing). No publication shall be necessary.
- (b) **Standards for Approval:** The Board of Zoning Appeals shall evaluate an application for a Conditional Use based upon the following criteria:
 - (1.) The proposed use is a Conditional Use of the Zoning District and the applicable Development Standards established in this Development Ordinance are met;
 - (2.) The proposed development is in accord with appropriate plans for the area;
 - (3.) The proposed development will be in keeping with the existing land use character and physical development potential of the area.
- (c) **Decision Options:** The Board shall make findings of fact and act on the application in one of the following ways:
 - (1.) Approval: Upon a favorable finding, the Board of Zoning Appeals shall approve a Conditional Use application;
 - (2.) Approval with Modification:
 - A. The Board of Zoning Appeals may approve with modification an application for a Conditional Use, if the proposed use is a Conditional Use of the Zoning District and the applicable Development Standards are met, but plot plan modification is required:
 - (1.) To be in accord with appropriate plans for the area; and
 - (2.) To prevent undesirable effects on adjacent property and the surrounding area.
 - B. Such modification may be a limitation on the extent or intensity of development, a requirement for additional screening by fence or landscaping, a change in the method or plan for lighting, control of access, or other conditions of development as may be required. Recommendations regarding the modification of plans or other appropriate actions shall be stated with the reasons for each recommendation.
 - (3.) Disapproval: The Board of Zoning Appeals shall only disapprove an application for a Conditional Use for any of the following reasons:
 - A. The proposed use is not a Conditional Use of the Zoning District or the applicable Development Standards are not and cannot be met.
 - B. The proposed development is not in accord with appropriate plans of the area.

- C. The proposed development will have undesirable effects on the surrounding area and is not in keeping with the existing land use character and physical development potential of the area.
- (d) **Effect of Approval of a Conditional Use:** A Certificate of Zoning Compliance may be issued for an approved Conditional Use only within the period of one (1) year from the date of final approval by the Board of Zoning Appeals.
- (e) **Building Permit:** A building permit may be obtained for the development only in accordance with the approved plot plan.

CHAPTER 1135 PLANNED DEVELOPMENT REVIEW

1135.01 PROCEDURE FOR ESTABLISHMENT OF PLANNED DEVELOPMENT ZONING

Planned development zoning may be established by application in accordance with the following procedure.

- (a) **Submission of Application:** The owner or owners of a tract of land may request that the Zoning District Map be amended to include such tract as a planned development in accordance with the provisions of Chapter 1136 (Amendments or Supplements).
- (b) **Development Plan:** The owner shall have the option to proceed with a concurrent submission of a Development Plan or to proceed with the rezoning first followed by a later submission of a Development Plan within three (3) years of zoning approval. However, where land is rezoned without a Development Plan, no subdivision of land or Certificate of Zoning Compliance shall be authorized or issued until a Development Plan is reviewed and approved.

The required Development Plan shall be submitted and approved within the three (3) year time limit, or the zoning approval shall be voided and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted in accordance with subsection (f) (Extension of Time or Modification) hereof.

Where a Development Plan is submitted for review, twenty (20) copies of the Development Plan shall be submitted at a scale of at least one inch equals one hundred feet (1"=100') prepared and sealed by either a registered engineer, surveyor, architect, or a landscape architect. Such Development Plan shall be in map form with accompanying text as appropriate and shall address the following:

- (1.) **Site Map:** A survey map of the boundary of the area being requested for zoning map amendment shall depict existing roads, streets, and easements within the subject tract as well as the proposed location and approximate size of all structures and ancillary uses. Off-site contour and easement locations shall be provided where necessary to determine special off-site circumstances as they relate to the development or off-site features affected by the development;
- (2.) **Vegetation:** Significant stands of existing vegetation are to be depicted;
- (3.) **Soils:** Soil types found on the subject tract are to be submitted based upon the Franklin County Soil Survey;
- (4.) Selected uses in accordance with Section 1153.03 (Land Use Matrix) to be permitted within a planned development district shall be specified by size of service type (use) areas, and proposed location of specific structures and ancillary uses as a part of the Development Plan submission. The Development Plan shall indicate total square feet in buildings and for residential uses shall note dwelling unit types, tenant types, dwelling unit densities and the total number of dwelling units for each density area, and the total number of dwelling units proposed in the Development Plan;
- (5.) The proposed size, location, and use of other portions of the tract, including: useable open areas, parks, playgrounds, school sites, landscaped, parking,

loading, service, maintenance, and other areas and spaces with the suggested ownership of such areas and spaces;

- (6.) The proposed provision of water, sanitary sewer and/or industrial waste disposal, and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness;
 - (7.) The proposed traffic circulation patterns, including public and private streets, access drives, parking arrangement, pedestrian walks and safety areas, and other access ways, indicating their relationship to topography, existing and proposed external streets and traffic patterns, or showing other evidence of reasonableness;
 - (8.) The proposed schedule of site development, construction of structures, and associated facilities, including sketches and other materials indicating design principles and concepts to be followed in site development, construction, landscaping, and other features. Such schedule shall include the proposed use or reuse of existing site development and associated facility features, such as topography, structures, streets, services, utilities, and easements;
 - (9.) The relationship of the proposed development to existing and future land use in the surrounding area, the street system, community facilities, services, and other public improvements;
 - (10.) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan, including street, water, sanitary sewers, waste disposal, surface drainage, and other facilities for subdivision development required by the Subdivision Regulations for Municipality of Groveport, Ohio. Evidence of control includes property rights and the engineering feasibility data which may be necessary;
 - (11.) Planned commercial districts shall include economic feasibility studies (market analysis or other data) justifying the proposed development.
 - (12.) The proposed landscape plan showing buffer yards, existing major trees, screening, and other landscaping as required in Section 1176.
 - (13.) Proposed signage such as ground, pole, wall, and other signage.
 - (14.) Proposed fencing.
- (c) **Basis of Approval:** The basis for approving a planned development district application shall be:
- (1.) That the proposed development is consistent in all respects with the purpose, intent, and applicable standards of this Zoning Ordinance;
 - (2.) That the proposed development is in conformity with a comprehensive plan or portion thereof as it may apply;
 - (3.) That the proposed development advances the general welfare of the Municipality and the immediate vicinity; and
 - (4.) That the benefits (including economic character), improved site arrangement, and the design of the proposed development justify the deviation from standard development requirements included in this Zoning Ordinance.

- (d) **Effect of Approval:** The Development Plan as approved by the Groveport City Council shall constitute an amendment to the planned development district regulations as they apply to the land included in the approved amendment.
 - (1.) The approval shall be for a period of five (5) years for the PR-6, PR-12, PSC, and PIP Districts, a period of three (3) years for the PR-18 and PHS Districts, and a period of two (2) years for the SCPD District to allow the preparation of the required Subdivision Plat, submitted in accordance with the Subdivision Regulations for the Municipality of Groveport, Ohio and a Certificate of Zoning Compliance;
 - (2.) Unless the required Subdivision Plat is submitted and recorded within the time limit, the approval shall be voided and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted in accordance with **subsection (f)** (Extension of Time or Modification) hereof.
- (e) **Plat Required:** In a planned development district, no use shall be established or changed and no structure shall be constructed or altered until the required Subdivision Plat has been recorded in accordance with the Subdivision Regulations for the Municipality of Groveport, Ohio. The Subdivision Plat shall be in accord with the approved Development Plan and shall follow the guidelines of Section 1191.09 (Final Plat).
- (f) **Extension of Time or Modification:** An extension of the time limit or the modification of the approved Development Plan may be approved by the City Council. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety, and welfare of the public or the development standards of the planned development district. Normal public notification procedures of the Planning and Zoning Commission shall be followed prior to recommending to City Council any modification to a previously approved planned development district or Development Plan.

1135.02 REGULATION OF USE AND DEVELOPMENT OF LAND AND STRUCTURES

Regulation pertaining to the use of land and/or structures, and the physical development thereof within each of the Zoning Districts as adopted as a planned development Zoning District in **Chapter 1152** (Zoning District Map) and as may be drawn on the Zoning District Map, are hereby established and adopted.

1135.03 RULES OF APPLICATION

The Planned Development Regulations set forth in this chapter shall be interpreted and enforced according to the following rules.

- (a) **Identification of Uses:** Listed uses are to be defined by their customary name or identification, except where they are specifically defined or limited in this Zoning Ordinance.
- (b) **Permitted Uses:** Only uses designated as a permitted use shall be allowed as a matter of right in a Planned Development District and any use not so designated shall be prohibited except when in character with the proposed development such additional uses may be approved as a part of the Development Plan.

- (c) **Procedures:** The procedures and conditions set forth for the determination of Planned Development Districts and development therein shall be followed except where a written statement by the applicant accompanying the application proposes that any such procedure or condition does not apply in the specific case. Such statement shall accompany the application and is subject to approval by the Planning and Zoning Commission.
- (d) **Development Standards:** The Development Standards set forth shall be the minimum allowed for development in a Planned Development Zoning District.

Exception: In the case that an approved development plan is no longer attached to the ordinance approving the Zoning Amendment for the effected property or the approved development plan cannot be found or is no longer in existence in City records the following shall apply;

1. Within an existing developed planned district: Compliance with the zoning text for the specific planned district and other pertinent zoning regulations will be adequate as compliance for the planned district the property is located in.
2. Within an undeveloped planned district: A development plan shall be submitted as required in Chapter 1135 Planned Development Review and the specific requirements of the approved planned district zoning of the property.

CHAPTER 1136 AMENDMENTS OR SUPPLEMENTS

1136.01 CHANGE OR AMENDMENT BY COUNCIL

The City Council may change or amend the text of this Zoning Ordinance, or the Zoning District Map.

- (a) **Initiation by Ordinance:** Proposed changes or amendments may be initiated by the City Council by ordinance or by motion of the Planning and Zoning Commission.
- (b) **Initiation by Application:** Proposed changes or amendments may be initiated by one (1) or more owners or owner's agent of land within the area that is proposed to be changed by amendment of the Zoning District Map or by one or more owners or owner's agent of land to be affected by change or amendment of other provisions of this Zoning Ordinance.
- (c) **Resubmission of Application:** If a proposed amendment or supplement initiated by application is disapproved by the City Council, another application for amendment or supplement affecting the land included in the disapproved application shall not be submitted within one (1) year from the date of disapproval, except with a statement by the Planning and Zoning Commission of changed or changing conditions affecting the land sufficient to warrant reconsideration.
- (d) **Withdrawal of Application:** An application proposing a change or amendment to the text of the Zoning Ordinance or the Zoning District Map may be withdrawn by the applicant in writing prior to or at the second reading of the legislation pertaining to the proposed change or amendment. Applicants exercising this right of withdrawal shall be responsible for any and all postage fees incurred by the Municipality in notifying the owners of the property within, contiguous to, and directly across the street from the affected parcel or parcels when the proposed change or amendment to the Zoning District Map involves ten or less parcels of land as listed on the tax duplicate.

1136.02 INITIATION OF ACTION BY OWNER OR OWNER'S AGENT OF LAND

An application shall be filed with the Zoning Officer not less than thirty (30) days prior to the public hearing of the Planning and Zoning Commission at which the proposal is to be considered.

- (a) **Application:** The application for any proposed change for amendment shall contain:
 - (1.) A completed application form.
 - (2.) Description or statement of the present and proposed provisions of this Zoning Ordinance or the proposed change of the district boundaries of the Zoning District Map.
 - (3.) A description by map or text of the property to be affected by the proposed change or amendment.
 - (4.) A statement of the relation of the proposed change or amendment to the general health, safety and welfare of the public in terms of need or appropriateness within

the area by reason of changed or changing conditions and the relation to appropriate plans for the area.

- (5.) A list of owners of property within, contiguous to and directly across the street from such area proposed to be rezoned. Such list to be in accordance with the Franklin County Auditor's current tax list.

1136.03 PROCEDURE FOR PROPOSED CHANGE OR AMENDMENT

(a) **Public Hearing:**

- (1.) Hearing Date: Upon receipt of an application, the Planning and Zoning Commission shall hear the proposed change or amendment at the next regularly scheduled Commission hearing
- (2.) Notice of Hearing:
 - A. Notice setting forth the time and the place of such hearing and the nature of the proposed change or amendment shall be given by the Planning and Zoning Commission by publication in one (1) or more newspapers of general circulation in the Municipality once a week for one (1) consecutive week affected by such proposed change or amendment at least seven (7) days before the date of such public hearing.
 - B. If the proposed change or amendment intends to affect (rezone or redistrict) ten (10) or less parcels of land, as listed on the tax duplicates written notice of the public hearing shall be mailed by the Planning and Zoning Commission by first class mail, at least fifteen (15) days before the date of the public hearing to all owners of property within and contiguous to and directly across the street from such area affected by the proposed change or amendment. Such notice is to be mailed to the address of such owners appearing on the County Auditor's current tax list.

(b) **Action by the Planning and Zoning Commission:** After a public hearing, the Planning and Zoning Commission shall act on a proposed change or amendment.

- (1.) Consideration: The Planning and Zoning Commission shall consider the approval, denial or some modification of the proposed change or amendment as such proposal in the Commission's judgment advances the general health, safety, and welfare of the public by encouraging appropriate use and development of the land affected and the comprehensive or overall development of the surrounding area;
- (2.) Recommendation: Within thirty (30) days after the public hearing, the Planning and Zoning Commission shall submit to the City Council a recommendation of approval, denial or some modification of the proposed change or amendment, including a statement of reasons for such recommendation, together with such resolution or application, the text and map pertaining thereto.

(c) **Action by City Council:** Upon receipt of such recommendation concerning proposed change or amendment the City Council shall set a time for a public hearing.

(1.) Hearing Date: The date for a public hearing shall be set for at least thirty (30) days from the date of the receipt of recommendation from the Planning and Zoning Commission;

(2.) Notice of Hearing;

A. The Clerk of Council shall cause notice of the public hearing to be published one (1) time in a newspaper of general circulation within the Municipality, said publication to be made at least seven (7) days prior to the date of the public hearing.

B. When the amendment, revision, change or repeal involves ten (10) or less parcels of land as listed on the tax duplicate, written notice of the hearing shall be mailed by the Clerk of Council by certified mail at least seven (7) days before the date of the public hearing to the owners of the property within, contiguous to and directly across the street from the affected parcel or parcels. Such notices shall be sent to the addresses or owners appearing on the County Auditor's current tax list and to other lists as may be required by Council. The failure of delivery of the notice shall not invalidate any ordinance or resolution.

(d) Final Action:

(1.) Within thirty-five (35) days after such public hearing, the City Council shall either adopt or deny the recommendation of the Planning and Zoning Commission or adopt some modification thereof;

(2.) In the event the City Council denies or modifies the recommendation of the Planning and Zoning Commission, a vote of 5 of 6 of the Council shall be required.

CHAPTER 1137 APPEAL AND VARIANCE ADMINISTRATIVE REVIEW

1137.01 PROCEDURE FOR APPEALS

- (a) Appeals to the Board of Zoning Appeals may be taken by any person aggrieved where it is alleged there is error in any order, requirement, decision, or determination made by the Municipal Administrator or designee in the enforcement of this Zoning Ordinance.
- (b) **Submission of Notice of Appeal:** An appeal shall require a formal filing within twenty (20) days after the final decision of the Municipal Administrator or designee by filing a Notice of Appeal on forms provided by the Municipality with the Municipal Administrator or designee. The Notice of Appeal shall specify the grounds for the appeal. The Municipal Administrator or designee shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action was taken.
- (c) **Review by Board of Zoning Appeals:** The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least fifteen (15) days' notice in writing to all owners of property within and contiguous to and directly across the street from such affected area and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appear in person or by attorney.

1137.02 PROCEDURE FOR VARIANCE

- (a) **Nature of Variance:** On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable Development Standards of the Zoning Ordinance unreasonable and, therefore, the procedure for variance from Development Standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change in the primary use of the land or structure permitted.
- (b) **Written Application:** One (1) copy of a provided application accompanied by a copy of the denied Certificate of Zoning and a statement of the reason for denial shall be filed with the Municipal Administrator or designee not more than twenty (20) days from the date such denial of the Certificate of Zoning Compliance is issued.
- (c) **Description of Property and Nature of Variance:** The application shall include the following statements
 - (1.) The nature of the variance, including the specific provisions of the Zoning Ordinance upon which the variance is requested;
 - (2.) A legal description of the property;
 - (3.) A statement of the special circumstances or conditions applying to the land or structure and not applying generally throughout the Zoning District;
 - (4.) A statement showing that the special conditions and circumstances do not result from the actions of the applicant;

- (5.) A statement showing that the granting of the application is necessary to the preservation and enjoyment of substantial property rights;
 - (6.) Such other information regarding the application for appeal as may be pertinent or required for appropriate action by the Board of Zoning Appeals.
- (d) **Plot Plan:** The application shall be accompanied by ten (10) copies of a plot plan drawn by a professional surveyor to an appropriate scale showing the following:
- (1.) The boundaries and dimensions of the lot;
 - (2.) The nature of the special conditions or circumstances giving rise to the application for approval;
 - (3.) The size and location of existing and proposed structures;
 - (4.) The proposed use of all parts of the lot and structures including access ways, walks, off-street parking and loading spaces, and landscaping;
 - (5.) The relationship of the request variance to the Development Standards;
 - (6.) The use of land and location of structures on adjacent property.
- (e) **Actions of the Board of Zoning Appeals:** The Board of Zoning Appeals shall hold a public hearing and act on an appeal in one of the following ways:
- (1) **Public Notice:** Notice of the public hearing shall be given to the adjoining property owners as set forth in Section 1136.03(a)(2)(b) (Notice of Hearing). No publication shall be necessary.
 - (2) **Approval of Variance:** The Board shall only approve a variance or modification thereof if extraordinary circumstances exist. The Board shall consider the following to determine if extraordinary circumstances exist:
 - (A) Whether the property in question will yield a reasonable return or whether there can be any beneficial use without the variance;
 - (B) Whether the variance is substantial;
 - (C) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
 - (D) Whether the variance would adversely affect the delivery of governmental services (e.g., water, sewer, garbage);
 - (E) Whether the property owner purchased the property with knowledge of the zoning restriction;
 - (F) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
 - (G) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance;

- (H) Whether the property owner's predicament feasibly can be obviated through some method other than a variance; and
 - (I) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- (1.) Certificate of Zoning: A Certificate of Zoning Compliance may be issued only within the period of one (1) year from the date of final approval by the Board of Zoning Appeals;
 - (2.) Building Permit: A building permit may be obtained only for the development in accordance with the approved plot plan.

1137.03 Variances by City Council

- (a) **City Council may grant the following zoning variances:**
 - (1.) Use Variance: Permit a use of the property otherwise not permitted by the underlying zoning district established on the property, if such use will not be incompatible with permitted uses on the affected property and will not adversely affect the surrounding property or surrounding neighborhood, and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty, or is appropriate due to special circumstances, which warrants a variance from the comprehensive plan or the underlying zoning district;
 - (2.) Area Variance: Permit a variation in the yard, height, parking requirements or other prescribed development standards of any district only in conjunction with a change in zoning or a development plan approval adopted as otherwise provided in this chapter or a use variance granted pursuant to subparagraph (a)(1), above, and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other unique conditions, provided that such variance will not seriously adversely affect any adjoining property or the general welfare.
- (b) Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the municipality.
- (c) In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, standards of use, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.
- (d) Such a variance shall only be considered upon application, and shall follow the form prescribed in Section 1137.02(c). In addition, the applicant shall provide the information prescribed by Sections 1137.02 (Description of Property and Nature of Variance) and Section 1377.02(d) (Plot Plan). Hearing on the variance request shall proceed as any other matter before City Council. Consideration of a variance request made pursuant to this section is purely discretionary by Council and refusal by Council to consider an application for such a variance shall not give rise to any remedy in equity or law as a result of such refusal.

TITLE FIVE - ZONING DISTRICTS

CHAPTER 1151 ESTABLISHMENT OF ZONING DISTRICTS

1151.01 NATURE OF THE ZONING DISTRICTS

Each of the Zoning Districts includes all land so zoned or classified in the Municipality of Groveport, and differs from all others by reason of the uses that are permitted or by reason of the standards of development that are applicable in the Zoning Districts.

1151.02 RURAL DISTRICT ESTABLISHED

The Rural District is intended for areas where agricultural uses are appropriate and where conservation of the land is important. It is also intended as a holding zone for newly annexed areas. The Rural District regulations attempt to protect agricultural and open land from the intrusion and premature development of uses which are not compatible with agricultural activities or which are not in conformance with the Comprehensive Plan. However, as growth and development occurs it is likely that land within the Rural Zoning District will be subject to requests for amendment to other zoning categories. In order to protect the integrity of the vicinities in which changes are proposed and ensure equitable application of zoning standards, amendments should be comprehensive in scope, should include all land similarly situated and subject to the same conditions, and should be related to the capability of the Municipality to service the proposed development densities. The principal use of land is for agricultural and farm dwellings, although other uses, such as rural residences, religious and educational facilities may be permitted subject to meeting special development standards and/or conditional land suitability requirements.

1151.03 LOW DENSITY RESIDENTIAL (R-3) DISTRICT ESTABLISHED

The Low Density Residential (R-3) District is intended to provide for functional and safe low-density residential neighborhoods. It should be located only in periphery areas of the community comprehensive and growth plans provide for low-density residential uses. Generally, R-3 areas should be provided with urban sewer and water systems. However, in special cases it may be appropriate to develop unserved areas of the community with R-3 uses, provided the larger lot sizes specified by this District for unserved areas will be functional, safe and healthful, or such application of the R-3 District shall be deemed by the Municipality to be premature and subject to availability of central sewer and water systems.

1151.04 SUBURBAN RESIDENTIAL (R-4) DISTRICT ESTABLISHED

The Suburban Residential (R-4) District is provided in recognition of sections of the Municipality with low density residential development and land which appears appropriate for such development.

The creation or protection of stable, healthy and safe residential neighborhoods is the major objective of this district. Public Central Sanitary sewer and water services are required for development in the R-4 District.

1151.05 URBAN RESIDENTIAL (R-6) DISTRICT ESTABLISHED

The Urban Residential (R-6) District is provided in recognition of sections of the Municipality with moderate density residential development that is urban in character and contains a substantial proportion of two-family structures. Land which appears appropriate for such development may also be included in this Zoning District. Among these sections is land served by public water and sewer, or those utilities are readily available with adequate capacity; land where the established use character and density of development would be best maintained by these regulations; sections of the Municipality where the general welfare is best served by the provisions of this district in providing essential services and facilities at an adequate level in an efficient and economic manner without overcrowding the land.

1151.06 PLANNED LOW DENSITY RESIDENTIAL (PR-6) DISTRICT ESTABLISHED

The Planned Low Density Residential (PR-6) District is established to provide for residential subdivision development in accordance with an approved Development Plan on a parcel of at least twenty-five (25) acres at a maximum net density of six (6) dwelling units per acre with a minimum of ten (10) percent of the parcel provided as public open space or public uses.

1151.07 PLANNED MEDIUM DENSITY RESIDENTIAL (PR-12) DISTRICT ESTABLISHED

The Planned Medium Density Residential (PR-12) District is established to provide for residential subdivision development in accordance with an approved Development Plan on a parcel of at least twenty-five (25) acres at a maximum net density of twelve (12) dwelling units per acre with a minimum of ten (10) percent of the parcel provided as public open space or public uses.

1151.08 PLANNED HIGH DENSITY RESIDENTIAL (PR-18) DISTRICT ESTABLISHED

The Planned High Density Residential (PR-18) District is established to provide for residential subdivision development in accordance with an approved Development Plan on a parcel of at least three (3) acres at a maximum net density of eighteen (18) dwelling units per acre with a minimum of twenty-five (25) percent of the parcel provided as public open space or public uses.

1151.09 SUBURBAN OFFICE (SO) DISTRICT ESTABLISHED

The Suburban Office (SO) District is intended to provide an opportunity for development of low-density office and related service uses which functionally and aesthetically blend with and complement residential and rural land uses. Abutment on or suitable access to an arterial road is generally necessary for SO uses. The SO district can be used as a transition or buffer between residential and commercial or industrial areas. Development standards to limit the intensity of SO uses are therefore provided to minimize potential for land use conflicts.

1151.10 COMMUNITY COMMERCIAL (CC) DISTRICT ESTABLISHED

The Community Commercial (CC) District is intended to encourage the concentration of a broad range of individual commercial establishments that together may constitute an area of general

commercial activity. A Community Commercial District should be centrally located and accessible to the population served, and will normally be developed at the intersection of major thoroughfares at distances one or more miles apart.

1151.11 COMMUNITY SERVICE (CS) DISTRICT ESTABLISHED

The Community Service (CS) District is provided in recognition of the need to allocate adequate space in appropriate location to major commercial service and repair establishments and certain processing establishments serving the community at-large. The Community Service District is intended for service, repair, and certain processing establishments serving a large trade area, usually a whole community. It is the intent of these District regulations that establishments desiring location along major traffic routes are grouped with appropriate and adequate access ways provided.

1151.12 PLANNED SHOPPING CENTER (PSC) DISTRICT ESTABLISHED

The Planned Shopping Center (PSC) District is established to provide for shopping centers developed, operated, and maintained within an organized development of associated commercial activities (shopping center) on a parcel of at least four (4) acres in accordance with an approved Development Plan to assure compatibility with the existing and future land use development in the vicinity.

1151.13 PLANNED HIGHWAY SERVICE (PHS) DISTRICT ESTABLISHED

The Planned Highway Service (PHS) District is established to provide for commercial establishments normally associated with and intended to service the traveling public such as motels, restaurants, gasoline service stations, automotive repair and trailer parks provided for overnight parking on a parcel of at least three (3) acres in accordance with an approved Development Plan to assure compatibility with the existing and future land use development in the vicinity.

1151.14 LIMITED INDUSTRIAL (LI) DISTRICT ESTABLISHED

The Limited Industrial (LI) District is provided in recognition of the location and space needs of a broad range of industrial activities diverse in products, operational techniques, and size, but possessing compatible development characteristics and seeking similar locations. These industrial uses should be encouraged to group in industrial areas where greater economies can be achieved by sharing necessary services and facilities and where individual plan efficiency can be improved by a larger, appropriately developed, and stable industrial environment.

1151.15 PLANNED INDUSTRIAL PARK (PIP) DISTRICT ESTABLISHED

The Planned Industrial Park (PIP) District is established to provide for manufacturing, processing, warehousing, and industrial service activities on a parcel of at least twenty-five (25) acres in accordance with an approved Development Plan to assure compatibility with the existing and future land use development in the vicinity.

1151.16 SELECT COMMERCIAL PLANNED (SCPD) DISTRICT ESTABLISHED

- (a) The Select Commercial Planned District (SCPD) is intended to provide an innovative approach to commercial developments. In some cases, the standard commercial and industrial zoning districts do not provide sufficient flexibility to allow a beneficial mixture of related commercial, industrial, and open space land uses. In addition, the standard

commercial and industrial zoning districts do not in all cases permit a creative use of land and related physical development in areas where an orderly transition of land uses from residential to nonresidential activities is appropriate. An example would be undeveloped land in a primarily residential area adjacent to an existing or planned major highway. Continued residential development may not be appropriate. However, nonresidential development of a specified type, character, and mix may be suitable with proper controls.

- (b) The SCPD is intended to provide an applicant for a zoning map amendment and the Municipality of Groveport with the controls necessary to ensure compatibility and integration of the select commercial area with the surrounding environment. Performance criteria are included in the SCPD in order to promote the development of an overall design concept designed to be compatible with the surrounding environment.
- (c) The requirements for an overall design plan and the selection of specific commercial uses to be applied to an individual application are intended to ensure that the plan can be evaluated on its merits for compatibility with existing conditions and the surrounding environment. This procedure is designed to protect the character of both substantially developed and developing areas as appropriate.

CHAPTER 1152 ESTABLISHMENT OF ZONING DISTRICT MAP

1152.01 ZONING DISTRICT MAP ADOPTED

- (a) **Division of Land:** All land in the Municipality within the scope of this Zoning Ordinance is placed into Zoning Districts as is shown on the Zoning District Map of Groveport, Ohio, which is hereby adopted and declared to be a part of this Zoning Ordinance.
- (b) **Final Authority:** The Zoning District Map, as amended from time to time, shall be the final authority for the current Zoning District status of land under the jurisdiction of this Zoning Ordinance.
- (c) **Land Not Otherwise Designated:** All land under this Zoning Ordinance and not designated or otherwise included within another Zoning District on the Zoning District Map shall be included in the Rural District.
- (d) **Identification of the Zoning District Map:** The Zoning District Map, with any amendments made thereon, shall be identified by the signatures of the Mayor and Clerk of Groveport, Ohio, under the following words:

"Zoning District Map, No. _____ Groveport, Ohio.
Adopted by the Council of Groveport, Ohio.

Date _____

Mayor, City of Groveport

Clerk, City of Groveport

1152.02 MAP SYMBOLS FOR ZONING DISTRICTS

- (a) **Legend:** There shall be provided on the Zoning District Map a legend which shall list the name and symbol for each Zoning District which appears on the Zoning Map. Names and symbols for districts which are established in the zoning text but which do not appear on the Zoning Map do not need to be added to the legend.
- (b) **Use of Color or Pattern:** In lieu of a symbol, a color or black and white pattern may be used on the Zoning District Map to identify each Zoning District as indicated in the Legend. A Planned Zoning District boundary shall be in green. An Overlay District shall have a black and white pattern.

- (c) The name and symbol for Zoning Districts as shown on the Zoning District Map are as follows:

<u>Zoning Districts</u>	<u>Map Symbol</u>
Rural	none
Low Density	R-3
Suburban Residential	R-4
Urban Residential	R-6
Planned Low Density Residential	PR-6
Planned Medium Density Residential	PR-12
Planned High Density Residential	PR-18
Suburban Office	SO
Community Commercial	CC
Community Service	CS
Planned Shopping Center	PSC
Planned Highway Service	PHS
Limited Industrial	LI
Planned Industrial Park	PIP
Select Commercial Planned District	SCPD
OVERLAY DISTRICTS	
Airport Environs Overlay District	AEO
Excavation and Quarry Overlay District	EQ
Exceptional Uses Overlay District	EU

- (d) **Explanatory Notes:**

- (1.) The Rural District has no symbol and includes all land under this Zoning Ordinance not designated or otherwise included within another Zoning District;
- (2.) A Planned Zoning District is prefixed by the letter "P", except for the Select Commercial Planned District (SCPD).

1152.03 NEWLY ANNEXED AREAS

Any territory annexed to the Municipality on or after adoption of this Development Ordinance, shall immediately upon its acceptance by the Municipality be rezoned as a "Rural" Zoning District unless such other zoning district is considered and acted upon in accordance with requirements of law at the time of annexation.

1152.04 INTERPRETATION OF ZONING DISTRICTS BOUNDARIES

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

- (a) **Along a Street or Other Right-of-Way:** Where Zoning District boundary lines are indicated as approximately following a center line of a street or highway, alley, railroad easement or other right-of-way, or a river, creek or other watercourse, such center line shall be the Zoning District boundary.
- (b) **Along a Property Line:** Where Zoning District boundary lines are indicated as approximately following a lot line, such lot line shall be the Zoning District boundary.

- (c) **Parallel to Right-of-Way or Property Line:** Where Zoning District boundary lines are indicated as approximately being parallel to a center line or a property line, such Zoning District boundary lines shall be parallel thereto and, in the absence of specified dimension on the map, at such scaled distance as indicated on the Zoning District Map.
- (d) **Actual Conflict with Map:** When the actual street or lot layout existing on the ground is in conflict with that shown on the Zoning District Map, the party alleging that such a conflict exists shall furnish an actual survey for interpretation by the Municipality Board of Zoning Appeals.

CHAPTER 1153 PERMITTED AND CONDITIONAL USES

1153.01 USE DESIGNATIONS IN THE LAND USE MATRIX

- (a) **Permitted Land Uses:** When used in connection with a particular land use listed in Section 1153.03 (Land Use Matrix), the letter “P” means that the use is a permitted use and shall be allowed as a matter of right in the indicated zoning district with a Certificate of Zoning Compliance issued by the Municipal Administrator or designee.
- (b) **Conditional Land Uses:** When used in connection with a particular land use listed in Section 1153.03 (Land Use Matrix), the letter “C” means the use is designated as a conditional use in the indicated zoning district and shall be subject to review and approval by the Board of Zoning Appeals in accordance with **Chapter 1134.03** (Actions of the Board of Zoning Appeals). Such uses may only be allowed in a zoning district when such conditional use, its location, extent, and method of development will not substantially alter the character of the vicinity or unduly interfere with the use of adjacent lots in the manner prescribed for the zoning district in addition to the development standards for the zoning district. To this end, the Board of Zoning Appeals may set forth such additional requirements as will, in its judgment, render the conditional use compatible with the existing and future use of adjacent lots and the vicinity.
- (c) **Prohibited Land Uses:**
 - (1.) When a particular land use listed in Section 1153.03 (Land Use Matrix) does not indicate the letter “P” or “C”, the specified use shall be considered prohibited, except when in character with the zoning district, such additional uses may be added to the permitted or conditional uses of the zoning district by amendment of this Zoning Ordinance;
 - (2.) When the letter “X” is used in connection with a particular land use, it shall not only mean the land use is prohibited in that district, but further indicates that the specified land use may not be interpreted as similar to any other permitted or conditional land use in that district.

1153.02 INTERPRETATION OF SPECIFIED LAND USES

- (a) Permitted and conditionally permitted land uses listed in the following Land Use Matrix are to be interpreted as specifically defined or limited in this Zoning Ordinance, and lacking such definition herein, as defined by their customary name or identification in common reference books.
- (b) The presumption established by this chapter is that most suitable uses of land are located within at least one zoning district in the municipality’s planning jurisdiction. Therefore, because the list of land uses set forth in the Land Use Matrix cannot be all-inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.
 - (1.) **Determination by Municipal Administrator or Designee:** Determination of whether or not a proposed land use is specifically permitted or conditionally permitted, by virtue of being similar in character to a specified permitted or conditionally permitted use in the district, shall be made by the Municipal Administrator or designee based on the purposes for establishment of the district and other similar land use regulations in this Zoning Ordinance;

- (2.) Where Proposed Land Use Specified in Different District: The Land Use Matrix shall not be interpreted to allow a proposed use in one zoning district where it is not specified when the proposed land use is more closely related to another specified use that is allowed in other zoning districts.

(c) **Mixed Uses:**

- (1.) Whenever a proposed mixed-use development could fall within more than one use classification for a zoning district in the Land Use Matrix, the classification that most closely and most specifically describes the development shall control. Any development requirements which apply to any one of such similar use classifications may be applied to the proposed use;
- (2.) When a mixed use development comprises two (2) or more principal uses where any of the principal uses is a conditional use, the entire mixed-use development shall become a conditionally permitted use subject to administrative review and approval of the Board of Zoning Appeals in accordance with **Chapter 1134** (Conditional Use Review).

1153.03 LAND USE MATRIX

[illegible]

<u>Zoning Districts</u> <u>Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
EMS, Fire, and Police facilities provided there is minimum impact on surrounding residential neighborhoods	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P
Utility -- Electrical transmission and distribution													P		
(c) <u>Commercial</u> <u>Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
Agriculture, including farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry	P														
Animal Husbandry. Boarding and care of agricultural livestock, poultry, and dogs in kennels or other facilities for care or boarding of animals provided it occupies a lot of not less than five (5) acres and building, pen or other enclosure so used shall not be within two hundred (200) feet of any property line.	C														
Funeral homes, mortuaries, and other similar services								P	P	P					P
Motels and trailer parks provided for overnight parking normally associated with and intended to service the traveling public											P	P			
Offices -- Administrative offices primarily engaged in general administrative supervision, purchasing, accounting, and other management functions								P	P	P					
Offices -- Business for insurance, real estate, data processing, advertising, business, professional or civil associations, and other similar management and/or service functions								P	P	P					P
Offices -- Call Centers								P	P	P			P	P	
Offices -- Professional offices for physicians, dentists, other licensed health practitioners, attorneys, accountants, engineers, architects and other similar professions								P	P	P					P

[illegible]

<u>Zoning Districts</u> <u>Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
<p>Rentals -- Vehicle. Automobile, truck, motorcycle, and other large vehicle rentals, subject to the following supplementary development standards:</p> <p>a.) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained, and screened from the view of adjacent residential and office areas.</p> <p>b.) Repair and service of automotive and marine items shall be conducted wholly within an enclosed structure permanently located on the lot.</p> <p>c.) All exterior lighting shall be designed to prevent direct glare on adjoining residential zoning.</p> <p>d.) The required parking setback shall be established by the appropriate placement of bumper guards designed to prohibit direct access from the display area onto the public road right-of-way. Bumper guards may be concrete canted, landscaping timbers, or vertical poles off of which are permanently attached to the ground and designed to prohibit direct access to the public road.</p> <p>e.) Attention-getting devices such as banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices shall be prohibited.</p> <p>f.) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at the property line on which such loudspeakers or noise attention-getting device is used, the noise level emitted from such loudspeaker shall not be above a single event decibel level (SEL) of sixty (60) decibels, as measured at any property line.</p>										C					P
<p>Research. Educational and research institutions which in appearance and land use functional characteristics are similar to permitted office uses</p>								P	P	P					P

[illegible]

<u>Zoning Districts</u> <u>Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
Retail Sales – General hardware, drug, department, mail order, variety and other general merchandise stores									P	P					P
Retail Sales – Home furnishings, furniture, household appliance, radio, television, computer, and music stores									P	P					P
Retail Sales – Lawn and garden plants and supplies									P	P					P
Retail Sales – Liquor stores and establishments serving liquor									P	P					P
Retail Sales – Miscellaneous small item retail stores, including antique, book, and stationary, sporting goods, bicycle, small appliance, camera, and photo, optical, gift and similar miscellaneous retail stores									P	P					P
Retail Sales – Mobile Food Vendors	P							P	P	P			P	P	P
Retail Sales – Restaurants serving food for consumption on the premises and/or takeout restaurants, except that a drive-in, drive-up, or drive-through will not be permitted unless approved under /Chapter 1134 (Conditional Use Review)								C	P	P	P	P	P	P	P
Retail Sales – Vehicle Parts and Supplies, Automobile and other small vehicle parts stores, tire, battery and accessory dealers, and retail sales of other vehicle related accessories										P	P	P			P
Retail Sales -- Vehicles. New and used motor vehicle dealers, including automobiles, motorcycles, trucks, aircraft, marine, farm equipment, and similar vehicle and equipment dealers, subject to the following supplementary development standards: a.) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained, and screened from the view of adjacent residential and office areas. b.) Repair and service of										C					P

<u>Zoning Districts</u> <u>Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
<p>automotive and marine items shall be conducted wholly within an enclosed structure permanently located on the lot.</p> <p>c.) All exterior lighting shall be designed to prevent direct glare on adjoining residential zoning.</p> <p>d.) The required parking setback shall be established by the appropriate placement of bumper guards designed to prohibit direct access from the display area onto the public road right-of-way. Bumper guards may be concrete canted, landscaping timbers, or vertical poles off of which are permanently attached to the ground and designed to prohibit direct access to the public road.</p> <p>e.) Attention-getting devices such as banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices shall be prohibited.</p> <p>f.) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at the property line on which such loudspeakers or noise attention-getting device is used, the noise level emitted from such loudspeaker shall not be above a single event decibel level (SEL) of sixty (60) decibels, as measured at any property line.</p>															
<p>Service and Repair -- Small item service and repair shops, including shoes, watches and jewelry, furniture, TV and other electrical appliances, bicycles and similar items.</p>									P	P					P

<u>Zoning Districts</u> <u>Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
<p>Service and Repair – Engine or machinery repairs, including automobiles, trucks, motorcycles, boats, lawn mowers, and other large engine or machinery repairs, subject to the following supplementary development standards:</p> <p>a.) All yard areas shall be planted with grass or natural vegetation and shall be properly maintained, and screened from the view of adjacent residential and office areas.</p> <p>b.) Repair and service of automotive and marine items shall be conducted wholly within an enclosed structure permanently located on the lot.</p> <p>c.) All exterior lighting shall be designed to prevent direct glare on adjoining residential zoning.</p> <p>d.) The required parking setback shall be established by the appropriate placement of bumper guards designed to prohibit direct access from the display area onto the public road right-of-way. Bumper guards may be concrete canted, landscaping timbers, or vertical poles off of which are permanently attached to the ground and designed to prohibit direct access to the public road.</p> <p>e.) Attention-getting devices such as banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices shall be prohibited.</p> <p>f.) Noise attention-getting devices such as loudspeakers and amplified music shall be so controlled that at the property line on which such loudspeakers or noise attention-getting device is used, the noise level emitted from such loudspeaker shall not be above a single event decibel level (SEL) of sixty (60) decibels, as measured at any property line.</p>										C	P	P	P	P	P

<u>Zoning Districts</u> <u>Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
Services -- Consumer Services. Concerning services generally involving the care and maintenance of tangible property or the provision of intangible services for personal consumption or enjoyment, including motion picture, theaters, dancing halls, studios or schools, bowling, billiards and pool halls, and similar facilities									C	P					P
Services -- Financial institutions and offices including banks, savings and loans, brokerage firms, credit institutions, and other similar financial and related services								P	P	P			P	P	P
Services -- Personal services generally involving the care of the person, including barber shops, beauty shops, portrait photography, and similar services. No unrelated retail trade is permitted.								P	P	P					P
Services -- Printing, duplicating, blueprinting, photocopying, and similar business services								P	P	P					P
Services -- Contractor trade services establishments engaged in the general construction, maintenance, or repair of real or other tangible property, including landscape, general building, highway, plumbing, heating, air conditioning, painting, electrical, masonry, carpentering, roofing, concrete, water well drilling and similar contracting services										P			P		P
Shopping Center which is developed, operated, and maintained within an organized development of associated commercial activities (shopping center) in accordance with Chapter 1135 (Development Plan Review Procedure)											P				P

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

<u>Zoning Districts Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
<p>Drive-In Facility developed in association with a permitted use. In addition to the standards of Chapter 1195 (Conditional Use Review), the following standards shall be met:</p> <p>1.) The Board of Zoning Appeals may require that the applicant submit a detailed plot plan performed by a registered professional engineer that demonstrates the proposed drive-in facility will not create traffic congestion or unsafe points of traffic conflict. All parking, ingress, egress, and interior circulation shall be clearly marked with striping and/or curb barriers.</p> <p>2) The proposed drive-in facility and access drive shall conform to all building setback and other development standards and shall be screened by plantings or other appropriate methods when adjacent to residential areas.</p>								C	C	C					P
<p>Farm Market. Sales of agricultural products in association with an agricultural permitted use shall be permitted provided at least fifty (50) percent of the gross income from the farm market is derived from produce raised on the farm owned or operated by the market operator in a normal crop year. All requirements of these regulations for building and parking, setback, off-street parking, ingress and egress, and accessory structures shall be adhered to in conjunction with the sales of agricultural products.</p>	P								C	C					
<p>Home occupation in association with a permitted dwelling and in accordance with the provisions of Chapter 1175 (Home Occupation)</p>	P	P	P	P	P	P	P								
<p>Lodging and food services serving the occupants of the building, but not open to the general public</p>								C	C	C					P

<u>Zoning Districts</u> <u>Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
Office facilities for the management function, development, and operation, including property sales, of a Planned Development, provided that such facilities are an approved part of the Development Plan					P	P	P							P	
Recreation facilities or other personal enrichment facilities established primarily for the use and/or the amenities of the occupants of Planned Development residential dwellings, employees of industrial establishments, or in conjunction with commercially operated recreation establishments, provided that such facilities are an approved part of the Development Plan					P	P	P						C	P	P
Residential farm dwelling structures	P														
Residential farm labor quarters for labor working on the premises	P														
Residential Guest House – Noncommercial, in association with agriculture or permitted dwellings as specified in Chapter 1171 (Accessory Uses and Structures), provided the lot is five (5) acres or more and that the gross floor area of the noncommercial guest house is less than fifty percent (50%) of the gross floor area of the principal use.	P														
Residential living quarters as an integral part of a permitted use structure, and restricted to the second story and above									C	C					P

<u>Zoning Districts</u> <u>Land Uses</u>	<u>Rural</u>	<u>R-3</u>	<u>R-4</u>	<u>R-6</u>	<u>PR-6</u>	<u>PR-12</u>	<u>PR-18</u>	<u>SO</u>	<u>CC</u>	<u>CS</u>	<u>PSC</u>	<u>PHS</u>	<u>LI</u>	<u>PIP</u>	<u>SCPD</u>
Residential single-family uses in association with a permitted principal use, provided that the residential portion of the lot is included with the permitted use in the determination of lot area coverage. The applicant shall clearly indicate on a plot plan the areas intended for residential use and the areas intended for commercial use. Sewage and water system approvals from both the Ohio EPA and County Board of Health shall be required.								C	C	C					P
Retail sales within a warehouse. Outlet sales and showrooms accessory to a warehouse, provided no more than the lessor of twenty (20) percent or 2,500 s.f. of the gross floor area may be used for sales purposes, all activities are conducted within an enclosed building, no outdoor storage of supplies and equipment shall be permitted, and the gross floor area used for sales shall meet the minimum parking space requirements of Section 1177.04(b)(2) (Schedule of Parking Spaces)													C	P	P
Open display or outdoor service facility developed in association with a permitted use, except for a gasoline service station when all of its lot lines are twenty-five feet or more from a Residential Zoning District or a Planned Residential Zoning District as listed in Section 1127.02 (Designation of Zoning Districts)									C	C					P

CHAPTER 1154 GENERAL DEVELOPMENT STANDARDS

1154.01 GENERAL REGULATION OF THE ARRANGEMENT AND DEVELOPMENT OF LAND AND STRUCTURES

- (a) **Minimum Requirements:** Development Standards are minimum requirements for the arrangements of lots and spaces to be achieved in all developments;
- (b) These general standards pertain generally and uniformly to the arrangement and development of land and structures within each of the Zoning Districts;
- (c) All permitted and conditional land uses shall meet the land suitability and environmental standards of Section 1154.04(b) and public nuisance standards of Section 1154.07 and the environmental, health, and sanitation requirements of the appropriate agency.

1154.02 GENERAL LOT REQUIREMENTS

- (a) For each permitted use and conditional use the lot area shall be adequate to meet the sanitation requirements of the County Board of Health, but shall not be less than that prescribed for such district or land use;
- (b) All lots shall abut a street and have adequate width to provide the yard space required by these Development Standards;
- (c) **Lot Area to Be Preserved:** The minimum lot area required within a zoning district or as specified for a use or structure shall be maintained and shall not be reduced below the minimum requirements

1154.03 GENERAL YARD REQUIREMENTS

- (a) **Yard Measurement:** In measuring a yard, the building line shall be deemed to mean a line parallel to the lot line drawn through the point of a structure or the point of a group of structures nearest to such lot line. This measurement shall be taken at the right angles from the building line to the nearest lot line.
- (b) **Yard Space to Be Preserved:** The yard space required within a zoning district or as specified for a use or structure shall not be reduced below the minimum requirements or counted as yard space for any other use or structure.
- (c) **Yards Required Open:** The yard space of a structure shall not be occupied by another structure, except as follows:
 - (1.) Eaves, cornices, window sills, and belt courses or any other architectural projections may project into any required yard a distance not to exceed two (2) feet;
 - (2.) Open and uncovered porches may project beyond the front building line or into a required rear yard a distance not to exceed five (5) feet;
 - (3.) Or as otherwise specifically provided within the ordinance.

- (d) **Yards Not Otherwise Required:** Yard space not otherwise required but provided shall be five (5) feet or more in width.
- (e) **Yards Maintained:** All yard space shall be maintained in accordance with one or more of the following provisions:
 - (1.) Fenced as permitted or required;
 - (2.) Landscaped by lawns, shrubbery, trees, and other plantings, maintained in a neat and orderly natural state, or used for permitted accessory or ancillary use;
 - (3.) Paved for parking as permitted.
- (f) **Sight Triangle Visibility to be Maintained:** At every intersection of street rights-of-way as prescribed in the Thoroughfare Plan, a sight distance triangle shall be established as described by the right-of-way lines of the intersecting streets and the third side being a line passing through a point on each right-of-way line that is a distance from their point of intersection equal to the sum of the width of both rights-of-way divided by four (4).
 - (1.) Within the sight distance triangle there shall be maintained a clear visibility between the heights of two and one-half (2-1/2) feet and ten (10) feet above the average center line grade of the intersecting streets within the sight distance triangle, except trunks of existing trees or light or sign supports;
 - (2.) Such supports shall have a maximum dimension of six (6) inches or less of its horizon section. If two (2) or more supports on a framework, they shall not have an opaqueness of more than ten (10) percent when viewed parallel to the third side of the sight distance triangle;
 - (3.) The maintenance of clear visibility first requires that there shall be no vehicle parking or standing space provided, nor any access drive be allowed within the sight distance triangle.
- (g) **Conditional Use or Variance Review:** Where a conditional use or a variance is approved, the minimum yard requirements specified in this Development Code may be increased as a condition for approval.

1154.04 GENERAL BUILDING AND LAND USE STANDARDS

- (a) Only one principal building or land use shall be permitted on a residential lot, except in the SO District or as otherwise specifically provided herein.
- (b) **Land Suitability and Environmental Performance Standards:** No land which is subject to flooding, improper or inadequate stormwater drainage, limiting topographic, soil or geologic conditions, or other conditions which may be harmful to the health, safety and general welfare of the present or future inhabitants of the Municipality shall be approved for development unless the applicant presents and commits to methods adequate to overcome or avoid the limiting conditions.
 - (1.) **Soils Criteria:**
 - A. Floodplain Soil Development Constraints: The following soils are floodplain soils, as determined by the USDA Soil Survey of Franklin County, Ohio. The frequency, duration, and extent of flooding may

vary. However, in most cases, these soils do not constitute acceptable sites for building.

<u>Symbol</u>	<u>Soil Types Typically Unacceptable for Development</u>
Ag	Algiers Silt Loam
Ee	Eel Silt Loam
Gn	Genesee Silt Loam
Mh	Medway Silt Loam
Rs	Ross Silt Loam
Sh	Shoals Silt Loam
So	Sloan Silt Loam

- B. High Water Table Soil Constraints: Most soils in the nearly level areas of Groveport are subject to a seasonally high water table which should be properly drained in order to create good building areas. However, the following soils, which are located in very flat or low areas, characteristically have severe seasonally high water table problems which often cannot be completely resolved. The creation of buildings with basements or wastewater leaching systems in the following soil types is therefore discouraged. The burden is on the applicant to demonstrate that safe and healthful building and leaching sites can be provided in these soils.

<u>Symbol</u>	<u>Soil Types Typically Unacceptable for Basements or Wastewater Leaching Systems</u>
Cn	Condit Silt Loam
Ko	Kokomo Silty Clay Loam
Ms	Montgomery Silty Clay Loam
Pm	Pewamo Silty Clay Loam
Wt	Westland Silty Clay Loam

(2.) Stormwater Runoff.

- A. All proposed development with a runoff rate exceeding the capacity of the downstream system shall be required to control the rate of stormwater discharge, as determined by the Municipality Engineer.
- B. The Municipality shall not approve an application when the Municipality Engineer determines that adequate stormwater drainage cannot be provided to the proposed development.

- (3.) Natural and Scenic Features: Applications for zoning approval shall include measures to protect outstanding scenic spots, streambanks and watercourses, or exceptionally fine wooded areas when deemed necessary by the Planning Commission and Council.

- (4.) Use of Individual Sewage Treatment and Water Supply: A tract of land that was of record on the date of adoption of this Zoning Ordinance shall not be developed

with individual sewage treatment or individual water supply for more than fifteen (15) dwelling units nor to more than fifty (50) percent of the tract area (whichever is the most restrictive) within a three (3) year period.

(c) **Building Lines Along Public Rights-of-Way:**

- (1.) *Building Lines Established:* Along every street right-of-way a building line shall be established from the edge of that right-of-way one half (1/2) the width of such right-of-way. See 1154.03(c) for exceptions.
- (2.) *Required Setback:* A structure or other use of land, except parking, shall locate no closer to a street right-of-way than the established building line.
- (3.) *Parking Area Setback:* Open parking, service, or loading spaces shall be located no closer to a street right-of-way than sixty (60) percent of the required setback distance. This does not include single and two-family residential uses.
- (4.) *Reduced Setback:* If existing structures or uses on both lots adjacent to a lot have a setback less than the setback line established by these Regulations, the setback on the center lot shall be the average setback established on the adjacent lots.

(d) **Determination of Height:**

- (1.) The height measurement shall be determined as the vertical distance measured from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof.
- (2.) Height Restriction within Airport Hazard Overlay. A developer of construction within 20,000 feet of the Rickenbacker International Airport shall comply with the height restrictions contained in Section 1165.07 (Airport Hazard Overlay) and Federal Aviation Regulations, Part 77.

1154.05 GENERAL LIVING SPACE REQUIREMENTS

Minimum Plumbing Facilities and Square Footage:

- (1.) *Plumbing Facilities in One-Family, Two-Family and Three or More Family Dwellings:* In each dwelling unit there shall be provided at least one (1) toilet room and one (1) kitchen sink, located in different rooms. The toilet room shall contain not less than one (1) water closet, one (1) lavatory and one (1) tub or shower bath.
- (2.) *Square Footage:*
 - A. In one-family dwellings: There shall be provided a minimum of four (4) rooms, exclusive of utility rooms, attics and basements, a two-car attached garage with a minimum of three hundred eighty (380) square feet, a basement with a minimum area equivalent to sixty (60) percent of the square footage of the first floor living space up to a maximum requirement of three hundred eighty (380) square feet, and a minimum floor area of living space of 1,600 square feet. Living space shall not include attics, garages, and basements.
 - B. In two-family dwellings: There shall be provided a minimum of four (4) rooms, exclusive of utility rooms, garages, attics or basements, a one-

car attached garage per unit, basements with a minimum area equivalent to sixty (60) percent of the square footage of the first floor living space. A maximum requirement of three hundred eighty (380) square feet, and a minimum floor area of living space of eight hundred (800) square feet per unit for one (1) story structures; and six hundred fifty (650) square feet per unit for the first story and four hundred (400) square feet per unit for the second story, a total of 1,050 square feet per unit, on split level, one and one-half story dwellings, not including basements, attics or attached garages.

- C. In three or more family dwellings: There shall be provided a minimum of five hundred (500) square feet per unit of living space for one (1) bedroom apartments, six hundred fifty (650) square feet per unit for two-bedroom apartments, and nine hundred (900) square feet per unit for three-bedroom apartments, not including basements or garages. There shall be provided a minimum of three (3) rooms.
- D. In efficiency apartments: No bedrooms shall be required. A minimum of five hundred (500) square feet per unit is mandatory. In town houses or condominiums there shall be provided a minimum of five hundred (500) square feet per unit of living space for one-bedroom, six hundred fifty (650) square feet per unit for two-bedrooms, and nine hundred (900) square feet per unit for three-bedrooms, not including basements or garages.

1154.06 LIGHTING PERFORMANCE STANDARDS

- (a) Where a Site Plan or Development Plan is required for multi-family, religious, educational, commercial, and industrial usage, a photometric computer printout of the lighting model which indicates the location, the height above grade, the type of illumination, the source lumens, and the luminous area for each source light which is proposed must be submitted for review and approval to insure that the following light restrictions are followed.
- (b) High Intensity Discharge (HID) mercury-vapor and quartz lighting shall be prohibited for most outdoor uses due to glare hazard and aesthetic reasons. HID high-pressure sodium lighting shall only be used where glare hazard and light trespass can be prevented. HID metal halide or incandescent lighting is preferred exterior lighting schemes due to the soft, white, attractive light produced. HID low pressure sodium lighting is acceptable, but should not be used in areas where color distortion could be a security problem.
- (c) Up-lighting shall be prohibited unless it is designed for aesthetic purposes to light architectural details on buildings or site surfaces, or trees or shrubs.
- (d) The maximum height of lighting fixtures shall not exceed the maximum building height permitted in the Zoning District.
- (e) When located adjacent to business uses, the light source shall not be visible at a height greater than five (5) feet above ground level. When located adjacent to residential uses, the light source shall not be visible at ground level or above.
- (f) Any multifamily, commercial, or industrial parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents.
- (g) Parking lot lighting shall not exceed an average of two (2) foot candles.

- (h) Lighting fixtures used to illuminate a parking lot shall be so arranged as to reflect the light away from an adjoining property and shall allow no direct light above a five (5) foot horizontal plane anywhere along a property line.
- (i) Lighting fixtures higher than fifteen (15) feet or exceeding 0.1 foot candle measured on a vertical plane anywhere along a property line shall be shielded by a full cut-off shade that totally cuts off light spillover at a cutoff angle smaller than ninety (90) degrees.

1154.07 PUBLIC NUISANCE

- (a) **Prevention of Nuisance:** Every structure or use subject to the provisions of this Zoning Ordinance shall be located, arranged, and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property.
- (b) **Required Limits:** The following limits of development and operation are provided to control hazardous, obnoxious, or other nuisance activity or uses subject to the provisions of this Zoning Ordinance.
 - (1.) **Noise:** Noise or vibration shall be so controlled that at the property line on which such noise or vibration is produced it will not be a level above that normally perceptible from other development in the area or from the usual street traffic observed at the street right-of-way line of the lot, except occasional blast or shock required in normal operation and produced in such a manner as not to create hazard. This shall not apply to normal construction activity, but shall apply to the repeated use of firearms, vehicles, and similar noise generators;
 - (2.) **Air Pollution:** No visible smoke, dust or other particular emissions, excluding steam, shall be permitted, excepting those produced from fossil fuel, wood-burning stoves, fireplaces, furnaces, or similar systems so long as such systems are primarily used for heating or cooking purposes and are not in connection with the manufacture of goods or other commercial activity;
 - (3.) **Radioactivity or Electrical Disturbance:** No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment any point other than that located at the source of such activity;
 - (4.) **Lighting and Glare:** No direct or reflected glare from processing, lighting, or other activities shall extend in a manner which adversely affects neighboring areas or interferes with safety on any public street, road or highway;
 - (5.) **Toxic and Hazardous Substances:** No toxic substance shall be emitted or otherwise discharged into the atmosphere, ground, surface waters, or ground water. No storage, use or transport of toxic or hazardous substances shall be permitted unless such activity is in full compliance with applicable State and Federal environmental protection regulations and the express prior written approval of the Madison Township Fire Chief;
 - (6.) **Fire Hazards and Explosives:** There shall be no storage, utilization, or manufacture of detonable materials or intense burning materials unless the express written approval of the Madison Township Fire Chief is obtained. The Fire Chief shall have the authority to specify the location, quantity, methods of storage, and methods of utilization, and otherwise exert other controls which are necessary to protect the health and safety of the residents of the Municipality;

CHAPTER 1155 DEVELOPMENT STANDARDS BY DISTRICT

1155.01 DEVELOPMENT STANDARDS MATRIX

In addition to the provisions of Chapter 1154 (General Development Standards), the lot area, lot widths, height, front, side, and rear yards; lot coverage, and the floor area requirements for the location and erection of buildings and structures on any lot or tract of land are established and shown in the accompanying table. Supplemental requirements for the development standards, where indicated in the table, are provided following the table.

District		Minimum Lot Size			Maximum Height of Structures	Minimum Yard Setbacks (per lot)						Max. Lot Coverage by Structures (i) (k)	Max. Gross Floor Area of structures
						Principal Structures				Detached Accessory Structures / Pavement			
		Min. Lot Area	Min. Road Frontage	Min. Lot Width		Front Yard	Either Side Yard	Sum of Side Yard	Rear Yard	Side Yard	Rear Yard		
Rural		5 Acres (a)	150 ft. (b)	150 ft. (b)	35 ft.	See Section 1154.04(c) (Building Setback Lines Along Public Right-of-Ways)	(c) 25 ft.	50 ft.	20% of depth up to 50 ft.	25 ft. (c) (i)	(j)	20%	--
R-3 Low Density Residential	Central Water & Sewer	12,000 s.f.	70 ft.	80 ft.	35 ft.		Dwelling: 8 ft.; Conditional Uses: 25 ft.	Dwelling 20 ft.; Conditional Uses: 50 ft.	20% of depth up to 50 ft.	5'	(j)	20%	--
	Central Sewer Only	14,000 s.f.	70 ft.	80 ft.	35 ft.						-	20%	--
	No Central Water or Sewer	40,000 s.f.	70 ft.	100 ft.	35 ft.						(j)	20%	--
	Conditional uses: child day care, community facilities, EMS, Fire, Police												
R-4 Suburban Residential	Dwellings	8,500 s.f.	60 ft.	75 ft.	35 ft.	8 ft.	20 ft.	20% of depth up to 50 ft.	Same as Principal Building (j)	(j)	35%	--	
	Conditional Uses: 2 family structure – townhouses, child day care, community facilities, EMS, Fire, Police	8,500 s.f.	Shall be adequate to meet the R-4 development stds.			25 ft	50 ft.			(j)	35%	--	

District		Minimum Lot Size			Maximum Height of Structures	Minimum Yard Setbacks (per lot)						Max. Lot Coverage by Structures (i) (k)	Max. Gross Floor Area of structures
						Principal Structures				Detached Accessory Structures / Pavement			
		Min. Lot Area	Min. Road Frontage	Min. Lot Width		Front Yard	Either Side Yard	Sum of Side Yard	Rear Yard	Side Yard	Rear Yard		
R-6 Urban Residential	One Family Dwellings	7,200 s.f.	30 ft.	60 ft.	35 ft.	5 ft., but not less than the min. side yard of any adjacent single-family district	12 ft.	20% of depth up to 50 ft.	Same as principal building (i)	6	50%	--	
	Two Family Dwellings	8,500 s.f.	35 ft.	70 ft.	35 ft.					6	50%	--	
	Multi Family Dwellings	8,500 s.f. plus 1,200 s.f. per additional dwelling unit over two	35 ft.	70 ft. plus 10 ft. per additional dwelling unit over two	45 ft.					6	50%	--	
	Conditional Uses: 2 family structures, apartments with up to 4 units, child day care, community facilities, EMS, Fire, Police	Shall be adequate to provide the lot and yard space prescribed for the yard space, the land use, or County sanitation requirements			45 ft.		25 ft.	25 ft.	20% of depth	25 ft.	--	50%	--
SO Suburban Office		Shall be adequate to provide the lot and yard space prescribed for the yard space, the land use, or County sanitation requirements.			35 ft.	None, except when adjacent. to an R or a Planned Zone (d)			--	--	50%	80%	
CC Community Commercial					35 ft.				--	(e)	--	--	
CS Community Service					35 ft.				--	(e)	--	--	
LI Limited Industrial/g,h						100 ft.	50 ft.	(f)			(f)	(f)	--

1155.02 FOOTNOTES TO DEVELOPMENT STANDARDS MATRIX

The following standards shall apply in addition to the particular specification where noted in the table above:

- (a) **Rural District Agricultural Uses:** For agricultural purposes in the determination of accessory and associated uses the lot area shall be five (5) acres or more, but this shall not exclude agricultural use of any smaller lot.
- (b) **Rural District Road Frontage Exception for Triangular-Shaped or Flag Lots:**
 - (1.) Road frontage and abutment requirements for "pie-shaped" lots on cul-de-sacs or curved streets may be reduced to a minimum of sixty (60) feet provided the lot has a width of one hundred fifty (150) feet or more at the front line of dwelling;
 - (2.) Road frontage and abutment requirements may be reduced to a minimum of sixty (60) feet for flag lots, provided;

- (A) A minimum lot width of three hundred (300) feet is established at the front line of the dwelling. The full minimum required width shall extend in the front yard of the dwelling for a minimum distance of one hundred (100) feet.
- (B) The lot is at least five (5) acres in size, excluding all areas of the lot which are less than three hundred (300) feet width.
- (c) The side yard requirement for pens and enclosures for the care and or husbandry of animals shall be two hundred (200) ft.
- (d) A side and rear yard shall be required when adjacent to a Residential Zoning District or Planned Development Zoning District.
 - (1.) Such required side or rear yards shall be not less than one-fourth (1/4) the height of the structure or twenty (20) feet whichever is greater.
- (e) Where a use is to be serviced from the rear, such use shall have a service court, alleyway, or combination thereof not less than forty (40) feet.
- (f) One-half (1/2) the height of the structure, but never less than fifty (50) feet from any Residential Zoning District, except in accordance with the development standards.
- (g) A use allowed in this District shall emit no dust, smoke, noxious odor, fumes, or produce a noise level audible at any residential property line greater than the average noise level occurring on any adjacent street.
- (h) A use allowed in the Limited Industrial District shall entirely enclose its primary operation within a structure except as a Conditional Use in accordance with Section 1134.03 (Actions of the Board of Zoning Appeals).
 - A. Open storage and service areas and loading docks shall be screened by walls or fences at least six (6) feet but not more than twelve (12) feet in height;
 - B. These walls or fences shall have opaqueness of seventy-five (75) percent or more, so as to effectively conceal production, storage, service, and loading operations from adjoining streets and from a Residential Zoning District or a Planned District.
- (i) R-6 lot coverage shall include structures and required off-street parking areas.
- (j) See section 1171.02 for reduced side or rear yards.
- (k) Swimming pool lot coverage is calculated independently from other structure/parking lot coverage as governed by Section 1179.01(a).

CHAPTER 1156 PLANNED LOW DENSITY RESIDENTIAL (PR-6) DISTRICT

1156.01 PROCEDURE

PR-6 Planned Low Density Residential District zoning may be established by application in accordance with the provisions of **Chapter 1135** (Planned Development Review).

1156.02 DEVELOPMENT STANDARDS

In addition to other applicable provisions of this Development Ordinance, the following standards for arrangement and development of land and buildings are required in the Planned Low Density Residential District.

- (a) **Minimum Size of Development:** A PR-6 Planned Low Density Residential Development shall require a minimum tract of land of twenty-five (25) acres or more in area.
 - (1.) The tract size may be reduced to ten acres where proposed development is to be only with single family dwellings;
 - (2.) There is no minimum tract size if all adjacent lands are platted or developed.
- (b) **Intensity of Use:** The maximum net density shall be six dwelling units per acre of area devoted to residential use as defined below, except that the density may be reduced to comply with the Health and Sanitation requirements of the Franklin County Board of Health.
- (c) **Calculation of Density:** The calculation of residential density shall include all land devoted to residential use, and shall further include easements for utilities (except major facilities which do not serve individual dwellings), minor surface drainage channels, recreation space and other areas provided as common open space including land dedicated to public use except required street rights-of-way.
- (d) **Open Space:** A minimum of ten (10) percent of the area included in the calculation of residential density shall be provided as open space or public use organized, arranged and restricted by easement covenant, deed or dedication and not included in the minimum yard space required for dwelling or used to provide the required off-street parking.
 - (1.) Public use that will give benefit to the occupants of the dwelling units. Such public use may include but is not limited to educational and recreational facilities, flood protection, additional street rights-of-way (such additional street rights-of-way shall be defined as that which is more than sixty (60) feet in width), or other public improvements necessary to the health, safety and welfare of the people;
 - (2.) Common use and benefit of the occupants of the dwelling units. Such common use may include but is not limited to landscaped areas, recreational facilities, or other common use as will provide amenity to the area.

(e) **Arrangement of Area:**

- (1.) The location and arrangement of areas of various densities within the Planned Low Density Residential District, in addition to achieving these Development Standards, shall be so arranged and distributed that development of higher density shall be appropriately balanced by open space and/or low density development.
- (2.) Residential development, at a density higher than that permitted on land in adjacent Residential Zoning Districts or other permitted uses shall not be located nearer than one hundred (100) feet to such Zoning District boundary.

(f) **Yards:** The physical relationship of dwelling units and their minimum yard space shall be determined in accordance with one or more of the following methods:

- (1.) The Development Standards of the Residential Zoning District most appropriate for the dwelling type.
 - A. One-family dwellings: according to the density of the development (R-4);
 - B. Two-family dwellings and townhouses (R-4);
 - C. Apartment dwellings, two stories or less (PR-18).
- (2.) Arrangement in accordance with the provisions of **Chapter 1154**: General Development Standards;
- (3.) Arrangement of structures and provisions of yard space and building setback in accordance with a plan of the site and structure prepared by a team composed of an Architect licensed to practice in the state of Ohio and a Landscape Architect licensed to practice in the state of Ohio. Such plan shall be subject to approval as the Development Plan or in conjunction with the subsequent Subdivision Plan as complying with the other requirements of these Development Standards and in accord with the purpose and intent of the Planned Low Density Residential District regulations.

(g) **Other Yard Space:** The arrangement of other uses and associated yard space shall be determined in accordance with the Development Standards of the Zoning District in which the use is a permitted use except that arrangement may be determined as in subsection (f) (2) or (3) hereof.

(h) **Private Roads and Parking:**

- (1.) Private roads as a common easement may be used to provide access to clustered lots and/or structures in accordance with the following:
 - A. The easement shall not be counted as required open space;
 - B. The easement does not serve an area larger than two acres, except that such area will contain six dwellings or less;
 - C. Approved as a part of the Subdivision Plat as the most appropriate form of access to the lots and/or structures.

- (2.) Off-street parking shall be provided in accordance with **Chapter 1177** (Off-Street Parking and Loading), except residential parking may be provided in group garages or parking lots within one hundred fifty (150) feet of the dwellings served. Curb indented parking bays or courts may be provided within the street right-of-way, but in addition to the required roadway. Such parking shall be permitted only along streets internal to the area and not a major thoroughfare.

CHAPTER 1157 PLANNED MEDIUM DENSITY RESIDENTIAL (PR-12) DISTRICT

1157.01 PROCEDURE

PR-12 Planned Medium Density Residential District zoning may be established by application in accordance with the provisions of **Chapter 1135** (Planned Development Review).

1157.02 DEVELOPMENT STANDARDS

In addition to other applicable provisions of this Zoning Ordinance, the following standards for arrangement and development of land and buildings are required in the Planned Medium Density Residential District.

- (a) **Minimum Size of Development:** A PR-12 Planned Medium Density Residential Development shall require a minimum tract of land of twenty-five acres or more in area.
 - (1) The tract size may be reduced to ten (10) acres where proposed development is to be only with single family dwellings;
 - (2) There is no minimum tract size if all adjacent lands are platted or developed.
- (b) **Intensity of Use:** The maximum net density shall be twelve dwelling units per acre of area devoted to residential use as defined below, except that the density may be reduced to comply with the Health and Sanitation requirements of the Franklin County Board of Health.
- (c) **Calculation of Density:** The calculation of residential density shall include all land devoted to residential use, and shall further include easements for utilities (except major facilities which do not serve individual dwellings), minor surface drainage channels, recreation space and other areas provided as common open space including land dedicated to public use except required street rights-of-way.
- (d) **Open Space:** A minimum of ten (10) percent of the area included in the calculation of residential density shall be provided as open space or public use organized, arranged and restricted by easement covenant, deed or dedication and not included in the minimum yard space required for dwelling or used to provide the required off-street parking.
 - (1) Public use that will give benefit to the occupants of the dwelling units. Such public use may include but is not limited to educational and recreational facilities, flood protection, additional street rights-of-way (such additional street rights-of-way shall be defined as that which is more than sixty (60) feet in width), or other public improvements necessary to the health, safety and welfare of the people;
 - (2) Common use and benefit of the occupants of the dwelling units. Such common use may include but is not limited to landscaped areas, recreational facilities, or other common use as will provide amenity to the area.
- (e) **Arrangement of Areas:**
 - (1) The location and arrangement of areas of various densities within the Planned Medium Density Residential District, in addition to achieving these Development

Standards, shall be so arranged and distributed that development of higher density shall be appropriately balanced by open space and/or low density development.

- (2) Residential development, at a density higher than that permitted on land in adjacent Residential Zoning Districts or other permitted uses shall not be located nearer than one hundred (100) feet to such Zoning District boundary.
- (f) **Yards**: The physical relationship of dwelling units and their minimum yard space shall be determined in accordance with one or more of the following methods:
- (1.) The Development Standards of the Residential Zoning District most appropriate for the dwelling type;
 - A. One-family dwellings: according to the density of the development (R-4);
 - B. Two-family dwellings and townhouses (R-4);
 - C. Apartment dwellings, two (2) stories or less (PR-18).
 - (2.) Arrangement in accordance with the provisions of **Chapter 1154**: General Development Standards;
 - (3.) Arrangement of structures and provisions of yard space and building setback in accordance with a plan of the site and structure prepared by a team composed of an Architect licensed to practice in the state of Ohio and a Landscape Architect licensed to practice in the state of Ohio. Such plan shall be subject to approval as the Development Plan or in conjunction with the subsequent Subdivision Plan as complying with the other requirements of these Development Standards and in accord with the purpose and intent of the Planned Medium Density Residential District regulations.
- (g) **Other Yard Space**: The arrangement of other uses and associated yard space shall be determined in accordance with the Development Standards of the Zoning District in which the use is a permitted use except that arrangement may be determined as in **subsection (f) (2) or (3)** thereof.
- (h) **Private Roads and Parking**:
- (1.) Private roads as a common easement may be used to provide access to clustered lots and/or structures in accordance with the following:
 - A. The easement shall not be counted as required open space.
 - B. The easement does not serve an area larger than two (2) acres, except that such area will contain six (6) dwellings or less.
 - C. Approved as a part of the Subdivision Plat as the most appropriate form of access to the lots and/or structures.
 - (2.) Off-street parking shall be provided in accordance with **Chapter 1177** (Off-Street Parking and Loading), except residential parking may be provided in group garages or parking lots within one hundred fifty (150) feet of the dwellings served. Curb indented parking bays or courts may be provided within the street right-of-way, but in addition to the required roadway. Such parking shall be permitted only along streets internal to the area and not a major thoroughfare.

CHAPTER 1158 PLANNED HIGH DENSITY RESIDENTIAL (PR-18) DISTRICT

1158.01 PROCEDURE

PR-18 Planned High Density Residential District zoning may be established by application in accordance with the provisions of **Chapter 1135** (Planned Development Review).

1158.02 DEVELOPMENT STANDARDS

In addition to other applicable provisions of this Zoning Ordinance, the following standards for arrangement and development of land and buildings are required in the Planned High Density Residential District.

(a) **Minimum Size of Development:**

- (1.) A PR-18 Planned High Density Residential Development shall require a minimum tract of land of three (3) acres or more in area;
- (2.) There shall be no minimum site size requirement if the proposed location is restricted by nonresident use or the proposed development is in keeping with the general land use character of the adjacent lands.

(b) **Intensity of Use:** The maximum net density shall be eighteen (18) dwelling units per acre of area devoted to residential use as defined below.

(c) **Calculation of Density:** The calculation of residential density shall include all land devoted to residential use, and shall further include easements for utilities except major facilities which do not serve individual dwellings, minor surface drainage channels, recreation space and other areas provided as common open space, including land dedicated to public use except required street right-of-way.

(d) **Open Space:** A minimum of twenty-five (25) percent of the area included in the calculation of residential density shall be provided as open space or public use organized, arranged and restricted by easement, covenant, deed or dedication and not included in the minimum yard space required for dwelling or used to provide the required off-street parking.

- (1.) Public use that will give benefit to the occupants of the dwelling units. Such public use may include but is not limited to educational and recreational facilities, flood protection, additional street rights-of-way (such additional street rights-of-way shall be defined as that which is more than sixty (60) feet in width), or other public improvements necessary to the health, safety and welfare of the people;
- (2.) Common use and benefit of the occupants of the dwelling units. Such common use may include but is not limited to landscaped areas, recreational facilities, or other common use as will provide amenity to the area, but does not include required yards;
- (3.) The required open space may be reduced to twenty (20) percent when the proposed site is adjacent to permanent open space under public ownership.

(e) **Arrangement of Areas:**

- (1.) The location and arrangement of areas of various densities within the Planned High Density Residential District, in addition to achieving these Development Standards, shall be so arranged and distributed that development of higher density shall be appropriately balanced by open space and/or low density development;
- (2.) Residential development at a density higher than that permitted on land in adjacent Residential Zoning Districts, or other permitted uses shall not be located nearer than fifty (50) feet to such Zoning District boundary, except when along a street right-of-way of eighty (80) feet or more.

(f) **Yards:** The physical relationship of dwelling units and their minimum yard space shall be determined in accordance with one or more of the following methods:

- (1.) There shall be a side and rear yard for a main building of not less than one-fourth (1/4) the sum of the height of the building and the length of the wall adjacent to and most nearly parallel to the lot line, but in no case shall the rear yard be less than twenty-five (25) feet;
- (2.) Arrangement in accordance with the provisions of **Chapter 1154: General Development Standards**;
- (3.) Arrangement of structures and provision of yard space and building setback in accordance with a plan of the site and structure prepared by a team composed of an Architect licensed to practice in the state of Ohio and a Landscape Architect licensed to practice in the state of Ohio. Such plan shall be subject to approval as the Development Plan or in conjunction with the subsequent Subdivision Plat as complying with the other requirements of these Development Standards and in accord with the purpose and intent of the Planned High Density Residential District Regulations.

(g) **Other Yard Space:** The arrangement of other uses and associated yard space shall be determined in accordance with the Development Standards of the Zoning District in which the use is a permitted use except that arrangement may be determined as in **subsection (f)(2) or (3)** Thereof.

(h) **Private Roads and Parking:** Private roads as an easement may be used to provide access to structures provided they are approved as a part of the Subdivision Plat as the most appropriate form of access.

- (1.) Off-street parking shall be provided in accordance with **Chapter 1177 (Off-Street Parking and Loading)**, except residential parking may be provided in group garages or parking lots within one hundred fifty (150) feet of the dwelling served;
- (2.) Curb indented parking bays or courts may be provided within the street right-of-way, but in addition to the required roadway, and approved as a part of the Development Plan. Such parking shall be permitted only along streets internal to the area and not a major thoroughfare.

CHAPTER 1159 PLANNED SHOPPING CENTER DISTRICT (PSC)

1159.01 PROCEDURE

PSC Planned Shopping Center District zoning may be established by application in accordance with the provisions of **Chapter 1135** (Planned Development Review).

1159.02 DEVELOPMENT STANDARDS

In addition to other applicable provisions of this Development Ordinance, the following standards for arrangement and development of land and buildings are required in the Planned Shopping Center District.

- (a) **Minimum Size of Development:** A PSC Planned Shopping Center shall require a minimum tract of four acres or more in area.
- (b) **Screening:** Open storage, sales, service and loading areas shall be screened by walls, fences, or other enclosures at least six feet but not more than eight (8) feet in height. These walls, fences, or enclosures shall have an opaqueness of seventy-five (75) percent or more, so as to effectively conceal sales, service, storage and loading operations from a Residential Zoning District or Planned Residential District as listed in **Chapter 1151: Establishment of Zoning Districts**.
- (c) **Lot Width:** No minimum lot width is required. However, adequate lot width shall be provided to achieve the yard space required by these Development Standards.
- (d) **Side Yard:** A side yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in **Chapter 1151: Establishment of Zoning Districts**. Such required side yards shall equal one-fourth (1/4) the sum of the height and depth of the structure, but in no case shall be less than twenty (20) feet.
- (e) **Rear Yards:** A rear yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in **Chapter 1151: Establishment of Zoning Districts**. Such required rear yards shall equal one-fourth (1/4) the sum of the height and width of the structure, except when adjacent to a dedicated alley of not less than twenty (20) feet.
- (f) **Arrangement of Areas:** The location and arrangement of structures, parking, access drives, outdoor lighting, signs, and other uses and developments within the Planned Shopping Center District, in addition to achieving these Development Standards, shall be accomplished in accordance with an approved Development Plan established to assure compatibility with the existing and future land use development in the vicinity. The Development Plan should include walks, fences, landscaping, and other devices which will meet the purpose and intent of the Planned Shopping Center District.
- (g) **Reserve Areas:** All areas designated for future expansion or not intended for immediate improvement or development shall be specified as Reserve Areas. The future use and the limitations on future use of such area shall also be specified, although the use of such area may later be reconsidered in accordance with **Chapter 1153** (Permitted and Conditional Uses) or **Chapter 1154** (General Development Standards) and reviewed and

approved by the Planning Commission and City Council. Reserve Areas shall be landscaped or otherwise maintained in a neat and orderly manner.

- (h) **Parking and Loading**: Off-street parking, loading and service areas shall be provided in accordance with **Chapter 1177**: Off-Street Parking and Loading. These areas shall be arranged for an internal traffic circulation pattern adapted to the site and the structural arrangement set forth in the Development Plan.

CHAPTER 1160 PLANNED HIGHWAY SERVICE (PHS) DISTRICT

1160.01 PROCEDURE

PHS Planned Highway Service District zoning may be established by application in accordance with the provisions of **Chapter 1135** (Planned Development Review).

1160.02 DEVELOPMENT STANDARDS

In addition to other applicable provisions of this Zoning Ordinance, the following standards for arrangement and development of land and buildings are required in the Planned Highway Service District.

- (a) **Minimum Size of Development:** A PHS Planned Highway Service District shall require a minimum tract of land of three (3) acres or more in area.
- (b) **Intensity of Use:** Open storage, service, and loading area shall be screened by walls, fences, or other enclosures at least six (6) feet but not more than eight (8) feet in height. These walls, fences, or enclosures shall have an opaqueness of seventy-five (75) percent or more, so as to effectively conceal storage, service, and loading operations from a Residential Zoning District or Planned Residential District as listed in **Chapter 1151: Establishment of Zoning Districts**.
- (c) **Lot Width:** A minimum lot width of three hundred (300) feet is required at the front setback line; however, adequate lot width shall be provided to achieve the yard space required by these Development Standards.
- (d) **Side Yards:** A side yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in **Chapter 1151: Establishment of Zoning Districts**. Such required side yards shall equal one-fourth (1/4) the sum of the height and depth of the structure, but in no case shall be less than thirty-five (35) feet.
- (e) **Rear Yards:** A rear yard shall be required adjacent to a Residential Zoning District or another Planned Development District as listed in **Chapter 1151: Establishment of Zoning Districts**. Such required rear yards shall equal one-fourth (1/4) the sum of the height and width of the structure, but in no case shall be less than thirty-five (35) feet.
- (f) **Arrangement of Areas:** The location and arrangement of structures, parking, access drives, outdoor lighting, signs, and other uses and developments within the Planned Highway Service District, in addition to achieving these Development Standards, shall be accomplished in accordance with an approved Development Plan established to assure compatibility with the existing and future land use development in the vicinity. The Development Plan should include walks, fences, landscaping, and other devices which will meet the purpose and intent of the Planned Highway Service District.
- (g) **Reserve Areas:** All areas designated for future expansion or not intended for immediate improvement or development shall be specified as Reserve Areas. The future use and the limitations on future use of such area shall also be specified, although the use of such area may later be reconsidered in accordance with **Chapter 1153** (Permitted and conditional uses) or **Chapter 1154** (General Development Standards and reviewed and approved by the Planning Commission and City Council. Reserve Areas shall be landscaped or otherwise maintained in a neat and orderly manner.

- (h) **Parking and Loading:** Off-street parking, loading, and service areas shall be provided in accordance with **Chapter 1177** (Off-Street Parking and Loading). These areas shall be arranged for an internal traffic circulation pattern adapted to the site and the structural arrangement set forth in the Development Plan.

CHAPTER 1161 SELECT COMMERCIAL PLANNED DISTRICT (SCPD)

1161.01 PROCEDURE

SCPD Select Commercial Planned District zoning may be established by application in accordance with the provisions of **Chapter 1135: Planned Development Review**.

1161.02 DEVELOPMENT STANDARDS

In addition to other applicable provisions of this Zoning Ordinance, the following standards for arrangement and development of land and buildings are required in the SCPD Select Commercial Planned District.

- (a) **Minimum Size of Development**: A SCPD Select Commercial Planned District may be any size tract of land.

1161.03 SCPD PERFORMANCE STANDARDS

Applications for the SCPD shall meet the following performance standards. The Development Plan will be reviewed to determine whether the following standards have been addressed and satisfied. Unless otherwise indicated, information required by the performance standard criteria shall be submitted in conjunction with the Development Plan submission. A compliance waiver for any performance standard may be granted as a part of the Development Plan if approved by the City Council.

- (a) **Traffic**: Each Development Plan shall be accompanied by an analysis of traffic conditions that can be expected to result from the proposed development.
 - (1.) The analysis shall estimate the Average Daily Traffic (ADT), the peak hour(s) of traffic and distribution of the same to the existing and proposed street system(s), together with an analysis of street improvements necessary to accommodate the additional traffic. The applicant shall state and document assumptions made regarding the projected traffic figures. Standard techniques and references shall be utilized;
 - (2.) Traffic expected to be generated by the proposed development shall not cause any tributary street or highway facility to operate below a level of service "C", as defined in the current edition of the "Highway Capacity Manual."
- (b) **Access**: Whenever multiple structures to be located in the SCPD are located on a collector or arterial street, as defined by the Municipality of Groveport Thoroughfare Plan, access onto the collector or arterial shall be via interior local streets or marginal access (frontage) roads. All uses within the SCPD shall derive their access from the interior streets within the SCPD, unless specific exemptions are made as a part of the approved Development Plan.

- (c) **Parking:** Off-street parking, loading, and service areas shall be provided in accordance with **Chapter 1177** (Off-Street Parking and Loading). These areas shall be arranged for an internal traffic circulation pattern adapted to the site and structural arrangement set forth in the Development Plan.
 - (1.) All open off-street parking areas consisting of five (5) or more parking spaces or one thousand (1,000) square feet or more shall be screened from abutting residential uses in accordance with **Chapter 1161.03(I): Screening and Landscaping Plan**.
 - (2.) Whenever a parking lot or access drive is located adjacent to a residential area, screening shall be designed to prevent vehicle lights from shining directly onto the residential property.
- (d) **Stormwater Drainage:** A preliminary drainage plan shall be submitted showing topographical contours in two (2) foot intervals and general locations of existing and proposed improvements. Drainage and runoff from the proposed development shall not cause property damage. All drainage improvements shall be designed in conformance with the requirements of the Municipality of Groveport Subdivision Regulations.
- (e) **Water Supply and Sewage Disposal:** Information regarding water supply and sewage disposal to be utilized shall be submitted. All water supply and sewer disposal improvements shall be designed in conformance with the requirements of the Municipality of Groveport Subdivision Regulations.
- (f) **Architectural Design:** The Development Plan shall indicate general exterior design, building elevations and potential materials.
 - (1.) All buildings shall be constructed with materials compatible with the surrounding environment. All buildings shall be constructed with material consistent with the design character for each building on all sides;
 - (2.) All private deed restrictions pertaining to design character and location of buildings shall be included in the Development Plan.
 - A. **Building Density:** No tract shall have constructed thereon any building(s), which shall have a ground level, floor density of greater than thirty-five (35) percent of the tract upon which said building(s) is constructed.
 - B. **Building Height:** No building shall exceed twenty-five (25) feet unless otherwise indicated and approved as part of the Development Plan as appropriate to the specific site and neighborhood character.
- (g) **Outside Storage:** Outside storage shall be permitted only as a part of an approved Development Plan within an SCPD, and screened in accordance with **Chapter 1161.03(I)** (Screening and Landscaping Plan). No rubbish or debris of any kind shall be placed or permitted to accumulate on any portion of the parcel or lot so as to render any portion of the property unsanitary, unsightly or detrimental to the public health, safety or welfare.
- (h) **Utilities and Facilities:** All utilities shall be placed underground. All below ground storage facilities not under the ground floor of structures must be illustrated on the Development Plan.
- (i) **Pollution:**

- (1.) **Smoke:** No smoke from an industrial or commercial process shall be emitted from any structure in the SCPD.
 - (2.) **Odor:** No use shall emit odorous gases or other odorous matter in such quantities as to be offensive at any point on or beyond the SCPD boundary.
 - (3.) **Noise:** No commercial, service, or industrial use shall emit noise greater than sixty (60) decibels at the lot line.
- (j) **Graphics:** The Development Plan shall specify the signage concept indicating the general locations and size of all exterior signs and the relationship of signs to overall architectural design of the development. No sign located within the SCPD shall advertise off-premise activity. Signs shall meet the applicable provisions of **Chapter 1178: Sign Regulations** as well as the following:
- (1.) **Wall Signs:** Each business may have one (1) sign attached to the structure below roof level, other than identification signs for service areas. Signs for individual businesses may be no greater than ten (10) percent of the area below the roof of the exterior surface of the wall to which they are attached;
 - (2.) **Freestanding Signs:** Except site identification signs or traffic control signs, all freestanding signs shall be directory in nature. There can be no more than one (1) freestanding sign for each building on a lot other than traffic control signs. The total size of a freestanding sign shall not exceed forty (40) square feet unless otherwise approved as a part of the Development Plan. Freestanding signs shall be no more than twenty (20) feet in height, unless otherwise approved as a part of the Development Plan;
 - (3.) **Development Area Identification Sign:** One (1) development area identification sign shall be permitted within the SCPD as a part of the Development Plan. More than one development area identification sign may be approved based upon information submitted as a part of the Development Plan verifying the need for same. Total maximum area permitted for one (1) development area identification sign shall not exceed the following:
 - A. One (1) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way for the first fifty (50) feet;
 - B. One-half (1/2) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way for the second fifty (50) feet;
 - C. One-fourth (1/4) square foot of additional sign area per lineal foot of lot abutment on a public right-of-way exceeding (100) feet;
 - D. No development area identification sign shall exceed one hundred (100) square feet in area unless otherwise indicated and approved as a part of the Development Plan as being appropriate to the specific site and neighborhood character.
 - (4.) **Temporary real estate "For Sale" or "For Lease" Signs:** Shall not exceed fifty (50) square feet in total area;
 - (5.) **Illumination:** A sign may be illuminated provided that no flashing, traveling, animated or intermittent illumination shall be used. Permitted illumination shall be confined to the area of the sign except when such illumination is back lighting for an otherwise non-illuminated sign;

- (6.) All private deed restrictions pertaining to signs shall be included as part of the Development Plan.
- (k) **Lighting**: The Development Plan must indicate the types of lamps and lighting fixtures, and the height of lighting fixtures to be used and the relationship of lighting fixtures to overall architectural design of the development as indicated in Section 1154.06 (Lighting Performance Standards).
- (l) **Screening and Landscaping Plan**: Screening shall consist of earth mounding, plantings, fencing or a combination of the same. A Screening and Landscaping Plan shall be submitted as part of the Development Plan that incorporates the following:
 - (1.) **Fencing**: Fencing utilized in providing screening shall be architecturally appealing and shall be incorporated into the overall architectural design concept;
 - (2.) **Abutting Residential Areas**: Whenever a proposed SCPD abuts a residential area, screening shall be provided along the entire area of abutment in a manner that is aesthetically pleasing and effectively screens the residential areas from the proposed select commercial activities;
 - (3.) **Plantings**: When mounding is utilized in conjunction with plantings, the plant materials shall be of a size and species suitable which together will produce a minimum six (6) foot high screen within a two (2) year period. When plant material without mounding is utilized, the plant materials shall be a minimum five (5) feet in height when planted and be of such species that will produce a dense six (6) foot visual screen within a two (2) year period. All screen plantings shall be maintained permanently, and any plant material which does not survive shall be replaced within one (1) year with material meeting the specifications of the original planting. Maintenance responsibilities for the screen plantings shall be addressed in the Development Plan;
 - (4.) **Minimum Opacity**: All screens must provide a minimum opaqueness of sixty percent (60%) or more;
 - (5.) **Landscaping**: Landscaping shall mean the improvement of the natural beauty of the land by grading, clearing and decorative planting or grass to create a pleasant and functional environment;
 - A. Landscaping of a lot shall be installed within six (6) months after the month in which the building is completed;
 - B. Any portion of a lot upon which a building or parking area is not to be constructed per the Development Plan shall be landscaped;
 - C. For every ten (10) parking spaces on an individual lot, the owner shall be required to place at least one (1) tree (3" caliper or larger) in such a manner as to be spaced and placed in or among the parking rows; Such trees shall be in addition to any screening requirements contained herein and all replacement material shall meet the specifications of the original planting;
 - D. All shrubs, trees, grass, ground covers, and plantings of every kind or type shall be well-maintained, properly cultivated and free from trash and other unsightly material and/or debris.

- E. During the course of development of a single lot or subdivision the developer or owner shall be required to replace major trees pursuant to Chapter 1176.03 (Preservation of Trees and Wooded Areas) on a one-for-one basis. See Chapter 1176.04 for Major Tree Requirements.

(6.) Exceptions to screening requirements may be made where:

- A. Existing topographical or vegetative characteristics provide the necessary screening effect; or
 - B. Existing topographical conditions make it difficult to adequately screen the proposed use from adjacent properties. When the use cannot be adequately screened due to elevation differences between adjacent properties and the proposed site, the proposed design should minimize negative visual impact.
- (m) Lot Width: No minimum lot width is required. However, all lots shall abut a public street or otherwise provide access to such public street by means of roadway easement.
- (n) Any additional information necessary to demonstrate compliance with Section 1161.03 (SCPD Performance Standards).

CHAPTER 1162 PLANNED INDUSTRIAL PARK (PIP) DISTRICT

1162.01 PROCEDURE

PIP Planned Industrial Park District zoning may be established by application in accordance with the provisions of **Chapter 1135** (Planned Development Review).

1162.02 DEVELOPMENT STANDARDS

In addition to other applicable provisions of this Zoning Ordinance, the following standards for arrangement and development of land and buildings are required in the Planned Industrial Park District.

- (a) **Minimum Size of Development:** A PIP District Development shall require a minimum tract of land twenty-five (25) acres or more in area. The twenty-five (25) acre requirement may be reduced if the use of the total area is set forth in the application, including:
 - (1.) The type of firm or firms;
 - (2.) A site plan for the development of each lot, including the placement of structures, storage area, parking areas, yard space, and other activities.
- (b) **Intensity of Use:**
 - (1.) A use allowed in this District shall entirely enclose its primary operation within a structure;
 - (2.) Open storage and service areas and loading docks shall be screened by walls or fences at least six (6) feet but not more than twelve (12) feet in height. These walls or fences shall have an opaqueness of seventy-five (75) percent or more, so as to effectively conceal production, storage, service, and loading operations from adjoining streets and from a Residential Zoning District or another Planned Development District as listed in **Chapter 1151: Establishment of Zoning Districts**.
- (c) **Lot Width:** No minimum lot width is required. However, all lots shall abut a public street or otherwise provide access to such public street by means of roadway easement.
- (d) **Side Yards:** For main and accessory structures, including open storage, service, and loading areas, the required side yards shall equal the height of the structure when adjacent to a residential district and one-half (1/2) height of the structure when adjacent to any non-residential district, but in no case shall be less than fifty (50) feet from any Residential Zoning District or Planned Residential District.
- (e) **Improvements Required:** The following improvements shall be required:
 - (1.) Street improvements within or adjacent to the tract in accordance with the requirements of the Subdivision Regulations for the Municipality of Groveport, Ohio;
 - (2.) Water and sewer facility improvements in accordance with the requirements of the Subdivision Regulations for the Municipality of Groveport, Ohio;

- (3.) An easement twenty-five (25) feet or more in width shall be provided around the entire tract and shall be landscaped in accordance with an approved Landscape Plan;
 - A. Such plan shall provide plantings which will achieve a height of ten (10) feet or more and an opaqueness of at least seventy-five (75) percent within five years of normal growth;
 - B. This easement, when adjacent to a street right-of-way eighty (80) feet or more in width, or other industrial zoning district, may be reduced to fifteen (15) feet, a twenty-five (25) percent opaqueness, and two (2) feet in height;
- (f) **Plat and Landscape Required:** The Subdivision Plat shall be developed and recorded in accordance with the Subdivision Regulations for the Municipality of Groveport, Ohio. Landscaping shall be accomplished in accordance with the approved Landscape Plan in conjunction with development of adjacent lots in the Industrial Park.

CHAPTER 1163 EXCEPTIONAL USE DISTRICT (EU)

1163.01 SPECIAL USE

The following listed uses shall be subject to these Exceptional Use District regulations, except as they may be permitted by other provisions of this Zoning Ordinance.

- (a) **Transportation:** Airport or flying field, transportation terminals, depots or other transportation facilities not exempt from regulation.
- (b) **Recreation and Amusement:**
 - (1.) Amusement center, amusement park, skating rink, miniature golf, swimming pool, drive-in theater, or similar facility;
 - (2.) Athletic field, stadium, race track or similar sports facility not otherwise allowed by the provisions of this Zoning Ordinance;
 - (3.) Golf club, country club, fishing club or lake, gun club, riding stable, including boarding of animals, or similar recreational facility operated on an admission fee or membership basis;
 - (4.) Resort establishment, park, camping or boating facilities, picnic grounds or similar recreational facility operated on an admission fee or membership basis.
- (c) **Social and Cultural Institution:**
 - (1.) Cemetery or crematory not otherwise allowed by the provisions of this Development Ordinance;
 - (2.) Hospital, sanitarium, convalescent home, rest home or home for children or the aged, not otherwise allowed by the provisions of this Zoning Ordinance;
 - (3.) Private school or college including those with students or faculty in residence, not otherwise allowed by the provisions of this Zoning Ordinance.
- (d) **Other Uses Not Provided For:** Other legal uses of unique or exceptional requirement or circumstances that are otherwise not permitted by this Zoning Ordinance.

1163.02 PROCEDURES

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

- (a) **Development Plan:** Three (3) copies of a Development Plan shall be submitted with the application for amendment of the Zoning District Map and such plan shall include in text or map form:
 - (1.) The proposed location and size of areas of use, indicating size, location and type of structure;
 - (2.) The proposed location, size and use of all open storage areas landscaped and other open space with suggested ownership of such areas;

- (3.) The proposed provision of water, sanitary sewer and surface drainage facilities including engineering feasibility or other evidence of reasonableness;
 - (4.) The proposed circulation pattern including streets both public and private, parking areas, walks and other access ways including their relation to topography, existing streets and other evidence of reasonableness;
 - (5.) The proposed schedule of site development and construction of buildings and associated facilities including sketches or other documentation indicating design principles or concepts for site development, buildings, landscapes or other features. Such schedule shall include the use or redevelopment of existing features such as structures, streets, easements, utility line and land uses;
 - (6.) The relationship of the proposed development to the existing and future land use in the surrounding area, the street system, community facilities, and other public improvements;
 - (7.) Evidence that the applicant has sufficient control over the land to effectuate the proposed Development Plan within three (3) years. Such control includes property rights, economic resources and engineering feasibility as may be necessary.
- (b) **Basis of Approval:** The basis of approval for the Exceptional Use District shall be:
- (1.) That the proposed development is consistent in all respects to the purpose, intent and applicable standards of this Zoning Ordinance;
 - (2.) That the proposed development is in conformity with the Comprehensive Plan or a portion thereof as it may apply;
 - (3.) That the proposed development advances the general welfare of the Municipality and that the benefit to be derived from the proposed use justifies the change in the land use character of the area.
- (c) **Effect of Approval:** The Development Plan as approved by Council shall constitute an amendment of the Zoning District Map and a supplement to the Exceptional Use District regulations as they apply to the land included in the approved amendment. The approval shall be for a period of three (3) years to allow the preparation of the Subdivision Plat, submitted in accordance with the Subdivision Regulations for the Municipality of Groveport, Ohio, if required; or if no plat is required for the completion of plans for application for a Certificate of Zoning Compliance. If the plat is not submitted and filed nor such Certificate applied for and used within the three (3) year period, the approval shall become voided and the land shall revert to its last previous Zoning District, except if an application for time extension is submitted and approved in accordance with subsection (d) hereof.
- (d) **Extension of Time or Modification:** An extension of the time limit or the modification of the approved Development Plan may be approved by Council. Such approval shall be given upon a finding of the purpose and necessity for such extension or modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such extension or modification is not in conflict with the general health, safety, and welfare of the public or the Development Standards of the Exceptional Use District.

1163.03 DEVELOPMENT STANDARDS

The provisions of **Chapter 1154** (General Development Standards) shall pertain to the Exceptional Use District. Because of the unique nature and requirements of these uses, and because their locations cannot be readily predetermined, appropriate Development Standards cannot be set forth, but full usage of Development Standards, requirements, and other provisions of this Zoning Ordinance as they may be appropriate shall be used.

CHAPTER 1164 AIRPORT ENVIRONS OVERLAY (AEO) DISTRICT

1164.01 INTENT

To define the current and future aircraft noise exposure at the Rickenbacker International Airport, the Rickenbacker Port Authority initiated a noise and land use compatibility study under Part 150 of the Federal Aviation Regulations (FAR). Through the Airport Noise Compatibility Planning process, as outlined in FAR Part 150, the following general goals and objectives were addressed:

- (a) Reduce, where feasible, existing and forecasted aircraft noise levels over existing noise-sensitive land uses (i.e., though runway use and aircraft flight procedures)
- (b) Reduce new noise-sensitive developments near the airport (i.e., through local comprehensive planning, zoning regulations/ordinances, building and subdivision regulations)
- (c) Provide mitigation alternatives that are sensitive to the needs of the community and its stability (i.e., where feasible, programs of voluntary acquisition or sound insulation)
- (d) Through the analysis of current and future aircraft noise conditions at the airport, areas impacted by noise were identified. Depending upon the level of aircraft noise exposure, recommendations could be made to:
 - (1.) Remove existing residential or other noise-sensitive land use through a program of voluntary acquisition;
 - (2.) Prohibit the future development of residential/noise-sensitive land use through the implementation of land use controls; or
 - (3.) Mitigate existing residential/noise-sensitive land use to make it compatible with aircraft noise through a program of sound insulation.
- (e) Airport hazards within the AEO District are hereby declared a public nuisance. Within the AEO District specific airport standards and requirements shall apply to each property in addition to the standards and requirements of the underlying zoning district. In case of conflicting standards and requirements, the more stringent standards and requirements shall apply.

Definitions contained in **Section 1102**, and not in conflict, shall apply.

1164.02 AIRPORT NOISE BOUNDARY (ANB) OVERLAY

- (a) The ANB District shall contain all airport environs for Rickenbacker International Airport and shall be identified on the Groveport Zoning Map in accordance with the noise contours recommended for protection in the most recent Part 150 Study for Rickenbacker International Airport.
- (b) The ANB Overlay is subdivided into four districts, which represent different levels of noise impact. The geographic location of these noise zone districts shall be identified on the Groveport Zoning Map, as per the requirements of this Zoning Code, as follows:
 - (1.) District A: Which shall include the area within the 60 DNL to 65 DNL aircraft noise exposure area;

- (2.) District B: Which shall include the area within the 65 DNL to 70 DNL aircraft noise exposure area;
 - (3.) District C: Which shall include the area within the 70 DNL to 75 DNL aircraft noise exposure area;
 - (4.) District D: Which shall include the area within the 75 DNL and greater aircraft noise exposure area.
- (c) The boundaries of the ANB Overlay and its districts, as adopted herein, shall be reviewed and amended as appropriate whenever the Rickenbacker Port Authority certifies its update or amendment of the noise contour maps and/or the FAR Part 150 Noise Compatibility Study to the Municipality of Groveport with a copy thereof.
- (d) Copies of the appropriate noise contour maps and FAR Part 150 Noise Compatibility Study shall be on file and open to public inspection at the Rickenbacker Port Authority and at the Groveport Municipal Building.

1164.03 APPLICATION

Within the ANB Overlay, any proposed building, structure, or use shall be subject to review and evaluation relative to the standards and requirements set forth herein.

1164.04 EXEMPTIONS

The provisions of this chapter shall not be deemed applicable to the following uses in the ANB Overlay when permitted in the underlying district.

- a) Existing Use: A use existing on the effective date of this chapter shall not be required to change in order to comply with these regulations.
- b) Temporary Structure and Use: A temporary building or structure that is not used for residential purposes and which meets applicable requirements as contained within this Zoning Code.
- c) Agricultural Structures: Bona fide agricultural building, structure, improvement, or associated nonresidential development.
- d) Accessory Use or Structure: Accessory use or structure incidental to a permitted principal structure or use and within the intent, purpose, or objectives of these regulations.

1164.05 DEVELOPMENT STANDARDS

The following development standards shall apply to all proposed uses and structures in the ANB Overlay.

- a) Proposed Uses: Table 1 (Land Use Compatibility Standards), contained herein identify development standards that apply to proposed uses within the ANB Overlay. Any proposed use shall comply with these standards, and zoning standards overlaid. In the case of a conflict, the more restrictive standard shall apply.
- b) Interior Day-Night Average Noise Level (DNL): All proposed uses and structures must comply with the Noise Level Reduction (NLR) standards as provided in Table 1 (Land Use Compatibility Standards) of this section. Compliance with NLR requirements shall be evidenced prior to issuance of an occupancy permit.

1164.06 AVIATION EASEMENT

In the case of a variance or conditional use permit, the applicant, prior to receiving final approval of said request, shall convey to the Rickenbacker Port Authority an aviation easement permitting the right of flight in the airspace above subject property. Aviation easements may be obtained for all other new uses. Such easement shall be supplied in a form prescribed by the Rickenbacker Port Authority and shall be recorded on the title of the subject property.

1164.07 NOTICE TO PURCHASERS REQUIRED

The Municipality of Groveport may provide notice to all applicants for any development related permit informing that the respective property is located, either partially or wholly, within the ANB Overlay and may be subject to aircraft over flight.

1164.08 DEVELOPMENT PLAN

A development plan including maps, plans and drawings shall be submitted with any application for a Certificate of Zoning Compliance or rezoning, and shall include:

- a) **Proposed Use**: All elements of the proposed development shall be consistent with Table 1 (Land Use Compatibility Standards).
- b) **Siting**: Buildings, structures and active outdoor recreational space shall be located the greatest distance from the noise source, taking maximum advantage of existing topographical features to minimize noise impact, and within zoning district requirements, such as required setbacks. Buildings and structures shall be oriented to minimize exposure to the noise source and building openings, such as windows, shall be located away from the noise source.
- c) **Site/DNL Contour Map**: Showing the location of subject property on the contour map.
- d) **Location of Structures**:
- e) **Specification of Uses**:
- f) **Narrative Description**:
- g) **Design Consideration Regarding Noise**: The amount of passive outdoor recreational space where individuals would be subject to noticeable or severe levels of noise should be minimized. Natural or man made materials would be used to deflect noise.

Table 1
LAND USE COMPATIBILITY STANDARDS – FAR PART 150
Rickenbacker International Airport

YEARLY DAY-NIGHT AVERAGE SOUND
LEVEL (DNL) IN DECIBELS

LAND USE	District			
	A	B	C	D
	60-65	65-70	70-75	75+
RESIDENTIAL				
Residential other than mobile homes and transient lodgings	25	N1	N1	N
Manufactured home parks	N	N	N	N
Transient lodgings	25	N1	N1	N1
PUBLIC USE				
Schools	25	N1	N1	N
Hospitals, nursing homes	25	25	30	N
Churches, auditoriums and concert halls	25	25	30	N
Government services	Y	Y	25	30
Transportation	Y	Y	Y2	Y3
Parking	Y	Y	Y2	Y3
COMMERCIAL USE				
Offices, business and professional	Y	Y	25	30
Wholesale and retail – building materials, hardware and farm equipment	Y	Y	Y2	Y3
Retail trade, general	Y	Y	25	30
Utilities	Y	Y	Y2	Y3
Communication	Y	Y	25	30
MANUFACTURING AND PRODUCTION				
Manufacturing, general	Y	Y	Y2	Y3
Photographic and optical	Y	Y	25	30
Agriculture (except livestock) and forestry	Y	Y6	Y7	Y8
Livestock farming and breeding	Y	Y6	Y7	N
Mining and fishing, resource production and extraction	Y	Y	Y	Y
RECREATIONAL				
Outdoor sports arenas and spectator sports	Y	Y5	Y5	N
Outdoor music shells, amphitheaters	N	N	N	N
Nature exhibits and zoos	Y	Y	N	N
Amusements, parks, resorts and camp	Y	Y	Y	N
Golf courses, riding stables and water recreation	Y	Y	25	30

Key to Table 1 ⁷
LAND USE COMPATIBILITY STANDARDS – FAR PART 150
Rickenbacker International Airport

Y (Yes) Land Use and related structures are compatible without restrictions.

N (No) Land Use and related structures are not compatible and should be prohibited.

NLR Noise Level Reduction (outdoor to indoor) are to be achieved through incorporation of noise attenuation into the design and construction of the structure.

25, 20, 35 Land Use and related structures generally compatible; measures to achieve a NLR of 25, 30 or 35 dB must be incorporated into design and construction of structure.

Notes for Table 1

1. Where the community determines that residential or school uses must be allowed, measures to achieve outdoor to indoor Noise Level Reduction (NLR) of at least 25 dB and 30 dB should be incorporated into building codes and be considered in individual approvals. Normal residential construction can be expected to provide a NLR of 20 dB; thus, the reduction requirements are often stated as 5, 10 or 15 dB over standard construction and normally assume mechanical ventilation and closed windows year round. However, the use of NLR criteria will not eliminate outdoor noise problems.

2. Measures to achieve NLR of 25 dB must be incorporated into the design and construction of portions of these buildings where the public is served, office areas, noise-sensitive areas, or where the normal noise level is low.

3. Measures to achieve NLR of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.

4. Measures to achieve NLR of 35 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.

5. Land use compatible provided special sound reinforcement systems are installed.

6. Residential buildings require a NLR of 25.

7. Residential buildings require a NLR of 30.

a) Residential buildings not permitted.

Field Testing of Interior Noise Levels:

Field testing of interior noise levels may be made by a property owner within the affected noise contours of the Rickenbacker Port Authority. Such field testing must be performed using appropriate sound measuring devices by technicians trained in their use if the results are to be relied upon for sound related land use decisions.

⁷ Source: FAR Part 150 Airport Noise Compatibility Planning, Appendix A, Table 1.

1164.09 AIRPORT HAZARD OVERLAY (AHO)

The purpose of the AHO Overlay is to protect the airspace and approaches to each runway at Rickenbacker International Airport from hazards which could affect the safe and efficient operation of aircraft. The following regulations are based on Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace.

- a.) **Obstruction Plan**: An Obstruction Plan exists for Rickenbacker International Airport. A copy of this plan is on file at the Municipality of Groveport and Rickenbacker Port Authority.
- b.) **Regulations**: Per the Federal Aviation Regulations Part 77, height restrictions are set on the height of objects near the airport. The developer of construction near an airport is required to comply with the Part 77 Regulations. Any structure is presumed to have a substantial adverse effect upon the safe and efficient use of navigable airspace if its height exceeds the following standards:
 - (1.) A height of two hundred (200) feet above ground level at the site of the object;
 - (2.) Within 20,000 feet of Rickenbacker International Airport and the object would exceed a slope of 100:1 (100 feet horizontally for each 1 foot vertically) from the nearest point of the nearest runway;
 - (3.) **Site Lighting**: Lighting on site shall not cause interference to air traffic. The lights must reflect downward to avoid any interference;
 - (4.) **Radio Frequency or Transmitting Power**: The owner must ensure any radio frequency or transmitting power does not cause electromagnetic interference to air traffic or airport operations;
 - (5.) **Detention or Retention Ponds**: If detention or retention ponds are required, they should be steep-sided, narrow, linearly shaped, dry detention ponds rather than retention ponds. If a wet pond must be used, marsh-like wetland area must be eliminated. Foliage around the pond must be avoided.

1164.10 DEVELOPMENT REVIEW

The zoning compliance process shall apply to the AEO District with the following additional review: Airport Authority Staff Review - The Municipality of Groveport shall provide a copy of any application for a Certificate of Zoning Clearance within the AEO District, including the development plan, within five (5) days of its submittal by the applicant, to the staff of the Columbus Regional Airport Authority (CRAA) for the subject site and which shall provide a written recommendation to the Municipality of Groveport within seven (7) days after receipt.

1164.11 FIELD TESTING OF INTERIOR NOISE LEVELS

Field testing of interior noise levels may be made by a property owner within the affected noise contours of the Rickenbacker Port Authority. Such field testing must be performed using appropriate sound measuring devices by technicians trained in their use if the results are to be relied upon for sound related land use decisions.

TITLE SEVEN - SUPPLEMENTAL LAND USE REGULATIONS

CHAPTER 1170 MEDICAL MARIJUANA FACILITIES

1170.01 PURPOSE

The purpose of these provisions is to establish rules that regulate the operation and location of Medical Marijuana Facilities in the City of Groveport. The standards in this section are intended to insure compatibility of Medical Marijuana Facilities with the other uses in the areas in which they are located.

1170.02 WHERE PERMITTED

Medical Marijuana Facilities, as defined in **Chapter 1102 (Definitions)**, shall be allowed as a Permitted Use under the **Limited Industrial (LI) or Planned Industrial Park (PIP) zoning districts**. In addition to the requirements of those districts, the following standards shall also apply.

- (a) Such use shall not be permitted within one thousand (1000) feet of any of the following uses:
 - (1.) Church, synagogue or other place of religious worship;
 - (2.) Public, private or parochial school;
 - (3.) Day care center;
 - (4.) Public or private community park or playground;
 - (5.) Residence or residential district, or Planned Unit Development that includes residential land uses;
 - (6.) Public library;
 - (7.) Public swimming pools;
 - (8.) Community Addiction Service Providers

1170.03 OTHER PROVISIONS

(a) Medical Marijuana Facilities shall also comply with all requirements, rules and regulations of the Medical Marijuana Control Program as administered by the State of Ohio Department of Commerce and State Board of Pharmacy.

CHAPTER 1171 ACCESSORY USES AND STRUCTURES

1171.01 ACCESSORY USES AND STRUCTURES PERMITTED

Accessory uses and structures shall be permitted as a subordinate use or structure which is incidental to and in association with a principal use or structure and which is customarily required or provided for the principal use or structure provided that the area of the accessory use or structure shall be thirty-five (35) percent or less of the gross floor area of the principal use or structure. Both detached and attached garages shall be considered as accessory uses and structures and shall be subject to the size limitation. Accessory structures shall not be utilized for living quarters.

1171.02 LOCATION OF UNATTACHED ACCESSORY STRUCTURES

- (a) On residential lots of one (1) acre or less, unattached accessory structures shall be located to the side or rear of the principal structure. The accessory structure shall conform to the minimum side yard and rear yard requirements.
- (b) On residential lots larger than one (1) acre, unattached accessory structures may be located to the front, side or rear of the principal structure, provided all minimum building line and side yard requirements are met.
- (c) The minimum rear and/or side yard setback may be modified to permit placement of an unattached accessory structure as close as six (6) feet to the rear and/or side lot line if the structure is not more than twelve (12) feet in height and no easements exist; otherwise, use principle structure rear and side yard setbacks.

1171.03 REQUIRED LOCATION IN OTHER ZONING DISTRICTS

In any Zoning District except a Residential Zoning District, accessory uses or structures shall be on the same lot as the principal use or structure and located subject to the Development Standards of the Zoning District in which it may be located.

1171.04 EXEMPTIONS

Accessory structures that are less than 50 square feet in area. Not more than four (4) such structures are permitted.

CHAPTER 1172 ADULT ENTERTAINMENT BUSINESSES

1172.01 PURPOSE

Adult Entertainment Businesses or Sexually oriented businesses are subject to additional regulations in order to protect children from accidental or other exposure to adult materials and because of the likelihood of harmful secondary health, safety, and aesthetic effects on residential neighborhoods and other specified land uses. These harmful effects are documented in previously published studies conducted by cities across the country, such as The City of Denver, City of New York, Indianapolis, Springfield Missouri, Kansas City Missouri, Boston Massachusetts, State of Minnesota, and Manatee County Adult Use Studies. Sexually oriented business uses are categorized as any establishment consisting of, including, or having the characteristics of any or all of the following uses: adult arcade, adult bookstore; adult cabaret; adult motel; adult motion picture theater; adult-only entertainment establishment; adult theater; escort agency; nude model studio; sexual encounter center; sexually oriented spa, or other establishment engaged in the sale or other distribution of adult materials. Since sexually-oriented business uses have been proven to impact the quality of life of a community, the following regulations are established.

1172.02 WHERE PERMITTED

Adult Entertainment Businesses, as defined in **Chapter 1102 (Definitions)**, shall be allowed as a Conditional Use under the **Community Service (CS)**, or **Limited Industrial (LI) districts**. In addition to the Conditional Use requirements of **Chapter 1134 (Conditional Use Review)**, the following standards shall also apply.

- (a) Such use shall not be permitted within five hundred (500) feet of any of the following uses:
 - (1.) Church, synagogue or other place of religious worship;
 - (2.) Public, private or parochial school;
 - (3.) Day care center;
 - (4.) Public or private community park or playground;
 - (5.) Residence or residential district, or Planned Unit Development that includes residential land uses;
 - (6.) Public library;
 - (7.) Museums;
 - (8.) Public swimming pools;
 - (9.) Bar, tavern, or other establishment offering sale of beer or intoxicating liquor consumption on the premises as regulated by the Ohio Division of Liquor Control (ORC Title 43)
- (b) No Adult Entertainment Business shall be established within one thousand feet (1,000) of any other Adult Entertainment Business. For the purposes of this Section, measurement shall be made in a straight line, without regard to the intervening structures or objects,

from the nearest portion of the building or structure used as the part of the premises where a Adult Entertainment Business is conducted, to the nearest property line of the premises of a use listed above in this section. Presence of a municipal, county, or other political subdivision boundary shall be irrelevant for the purposes of calculating and applying the distance requirements of this Section.

1172.03 Other Performance Standards

- a) **Prohibited Public Display:** No displays, promotions, or advertisement which depict or describe adult materials, specified sexual activities or specified anatomical areas as defined in **Chapter 1102** shall be shown, distributed or exhibited so as to be visible to the public from any other privately owned property, pedestrian sidewalks or walkways, or from other public or semi-public areas.
- b) **Public View to Be Prevented:** All building openings, entries, windows, and doors of sexually oriented businesses shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any other privately owned property, pedestrian sidewalks or walkways, or from other public or semi-public areas. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from any other privately owned property, pedestrian sidewalks or walkways, or from other public or semi-public areas.
- c) **External Audio and Visual Impact:** No screens, loudspeakers, or sound equipment shall be used for adult motion picture theaters (enclosed or drive-in) or any other sexually oriented businesses shall be operated in such a manner as to be seen or discerned by the general public from any other privately owned property, pedestrian sidewalks or walkways, or from other public or semi-public areas. Exterior identification signage is permitted subject to other applicable provisions of these regulations. However, to limit exposure of sexual images to minors, no exterior signage shall include verbal or written messages, graphics, drawings, or other illustrations of specified sexual anatomical areas or specified sexual activities.
- d) **Exterior Signage:** Exterior identification signage is permitted subject to other applicable provisions of these regulations. However, to limit exposure of sexual images to minors, no exterior signage shall include sexually explicit verbal messages, graphics, drawings, or other illustrations of specified sexual anatomical areas or specified activities.

1172.04 DISCONTINUANCE OR ABANDONMENT

Once a sexually-oriented business is discontinued or abandoned, the use shall not thereafter be resumed unless and until all of the requirements of **Chapter 1172** have been met.

1172.05 PUBLIC NUISANCE

The operator of an adult entertainment business shall maintain peace, quiet and order in and about the premises. Failure to do so shall constitute a public nuisance and shall be deemed a violation of this Zoning Code.

CHAPTER 1173 EXCAVATION AND QUARRY (EQ)

DELETED

CHAPTER 1174 FENCES

1174.01 PERMITS REQUIRED

- (a) No person shall commence to erect, enlarge, or move any fence within the Municipality or cause the same to be done without first obtaining a fence permit from the Municipal Administrator or designee.
- (b) To obtain a permit, the applicant shall first file an application in writing on a form furnished for that purpose. Each application shall include a plot plan showing the proposed fence location, the location of all existing structures, and a drawing elevation of the fence including all dimensions.

1174.02 GENERAL REQUIREMENTS

- (a) No fence or hedge shall be erected nearer to the right-of-way than the required building setback line. It may be permissible to erect no more than two (2) sets of eight (8) foot length decorative fence sections in front of the building setback line, provided they are not nearer than five (5) feet to the right-of-way of any street and do not exceed thirty-six (36) inches in height.
- (b) Decorative fences shall not be of solid construction such as stockade, basket weave, or chain link.
- (c) No fence over thirty-six (36) inches in height shall be located in a front yard beyond the front of the structure.
- (d) The maximum height of a fence in a residential or rural district shall be six (6) feet and the maximum height of a fence in a commercial district shall be ten (10) feet.
- (e) Fences or walls supported by posts on one side of the fence or wall shall be erected so that exposed posts and supporting cross elements shall face the property initiating the request or on which the fence will be constructed. This section shall not apply if the fence is the same on both sides such as split rail or board-on-board.
- (f) Temporary snow fences forty eight (48) inches or less in height may be erected during the months of December through March each year in a location approved by the Municipal Administrator or designee. Such fences are to be used only to control the drifting of snow on walks, driveways, streets, or alleys.
- (g) Solid fences shall not block drainage swales.
- (h) Existing, non-conforming fences may be reconstructed with the approval of the Administrator or designee, provided the type, height, and location do not vary from the original and the placement is not located within the sight distance triangle as defined in section 1154.03(f). Fences shall not be constructed in the Right-of-Way without City Council approval.

1174.03 BARBED WIRE FENCE

- (a) No person shall cause a fence containing barbs to be erected, constructed or maintained within the Municipality of Groveport except as provided in **subsections (b) and (c)** hereof.
- (b) Fences containing barbs may be erected to enclose areas used to contain domestic livestock or to secure industrial properties by securing a permit from the Municipal Administrator or designee. The Municipal Administrator or designee shall grant a permit for barbed wire fence only after determining that, considering the nature and location of the proposed fence, the safety of persons within the Municipality will not be endangered.
- (c) When barbed wire fences enclose and secure industrial areas, the entire barbed section shall be at least seven (7) feet above the surface of the ground.

1174.04 ELECTRICALLY CHARGED FENCES

- (a) No person shall erect, construct, maintain or use any fence charged with electrical current within the Municipality except as provided in **subsection (b) and (c)** hereof.
- (b) Fences charged with electricity may be erected to contain domestic livestock by securing a permit from the Municipal Administrator or designee. The Municipal Administrator or designee shall grant a permit for an electrically charged fence only after determining that, considering the nature and location of the proposed fence, the safety of persons within the Municipality will not be endangered.
- (c) Fences charged with electricity shall be allowed in commercial and industrial zoned districts subject to approval in accordance with **Chapter 1134** (Conditional Use Review).

CHAPTER 1175 HOME OCCUPATION

1175.01 PURPOSE

The purpose of the home occupation provisions is to allow limited, nonresidential activities in residential structures that are compatible with the neighborhoods in which they are located. The standards in this section are intended to insure compatibility of home occupations with other permitted uses and with the residential character of the neighborhood.

1175.02 HOME OCCUPATION

A home occupation shall be permitted within a dwelling unit provided it does not occupy more than twenty (20) percent of the gross floor area of the dwelling unit up to two hundred (200) square feet.

1175.03 HOME OCCUPATION REQUIREMENTS

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

- (a) The appearance of the structure shall not be altered or the occupation within the residence shall not be conducted in a manner which would cause the premises to differ from its residential character by the use of colors, materials, construction, lighting, or unauthorized signs. A home occupation shall be clearly incidental and secondary to the use of the unit for dwelling purposes.
- (b) There is not more than one (1) nonresident employee.
- (c) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside of the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receives off the premises, or causes fluctuations in line voltage off the premises.
- (d) There shall be no outside storage of any kind related to a home occupation.
- (e) There shall be no on-site sales and services or similar activities of the home occupation that invites the public into the dwelling.

Specialized instruction or tutoring shall be limited to one (1) individual at a time.

CHAPTER 1176 LANDSCAPING REGULATIONS

1176.01 INTENT AND PURPOSE

The intent of these regulations is to promote and protect the public health, safety and welfare through the preservation, protection and enhancement of the environment, by recognizing the vital importance of tree growth in the ecological system and by fully utilizing the benefits of landscaping in development. It is further the purpose of this chapter to:

- (a) Promote the preservation, replacement, and augmentation of major trees removed in the course of land development to mitigate the impact of development.
- (b) Promote the proper utilization of landscaping as a buffer between certain land uses and to minimize the possibility of nuisances including potential noise, glare, litter, and visual clutter of parking and service areas.
- (c) To protect, preserve and promote the aesthetic appeal, character, and value of the surrounding neighborhoods.
- (d) To offer a minimum standard for the consistent appearance of plant material in the community landscape.
- (e) Soften the appearance of building masses and paved areas and reduce generation of heat and storm water run-off.
- (f) Contribute to the process of air purification, oxygen regeneration, ground water recharge and storm water run-off retardation.

1176.02 EXEMPTIONS

Individual single-family uses shall be exempt from the requirements of this chapter, but developments of two (2) or more single-family structures shall be covered by this chapter.

1176.03 PRESERVATION OF TREES AND WOODED AREAS

- (a) **Preservation of Wooded Areas:** When preparing and reviewing subdivision plans and landscaping plans, good faith effort shall be made to preserve natural vegetation areas. Streets, lots, structures, and parking areas shall be laid out to avoid the unnecessary destruction of heavily wooded areas or outstanding tree specimens. Developers of land are encouraged to designate heavily wooded areas as park reserves.
- (b) **Preservation of Major Trees:** All major trees shall be preserved; however, the Municipal Administrator or designee may approve a mitigation plan for the cutting down, removal or destruction of a major tree when the tree interferes with the proper development of a lot, provided that the lot is the subject of application for approval of a zoning certificate, a site plan, a development plan, and one of the following applies:
 - (1.) The tree will be located within a public right-of-way or easement;
 - (2.) The tree is located within the areas to be covered by proposed structures or within twelve feet from the perimeter of structures, and the proposed structures cannot be located in a manner to avoid removal of the tree at the same time permitting desirable and logical development of the lot;

- (3.) The tree will be located within a proposed drive-way designed to service a single-family home;
- (4.) The tree is damaged, diseased or a safety hazard;
- (5.) The tree is an undesirable species in its present location.

1176.04 TREE REPLACEMENT MITIGATION PLAN

- (a) During the course of development of a single lot or a subdivision the developer or owner shall be required to replace major trees removed pursuant to Section 1176.03 (Preservation of Trees and Wooded Areas) on a one-for-one basis with trees having a trunk diameter of at least two and one-half (2-1/2) inches measured twenty-four (24) inches above the ground level. When it is impractical or not feasible to replace all of the trees on the affected lot or within the affected subdivision, staff may approve one, or any combination of the following alternatives as a means of meeting the tree replacement requirements.
 - (1.) Replace as many trees as the Municipality deems is practical on the affected lot;
 - (2.) Replace as many trees as the Municipality deems is practical within this affected subdivision phase;
 - (3.) Replace as many trees as the Municipality deems is practical within the affected subdivision;
 - (4.) When the Municipality determines that trees cannot be replaced through steps one through three above, the developer/owner shall be required to replace the trees elsewhere in the Municipality; or
 - (5.) Pay a \$400.00 fee per tree to support the Municipality's effort to replace the trees.
- (b) Failure to replace a major tree as required by subsection (a) hereof within one (1) year of the approval of the application referred to in Section 1176.03 (Preservation of Trees and Wooded Areas) is a violation of the Zoning Ordinance, subject to Chapter 1133 (Enforcement Measures; Penalties).
- (c) Trees shall meet the minimum tree standard immediately after planting with a minimum planting area of sixty-four (64) square feet around the trunk of the tree maintained in either vegetative landscape material or previous surface cover.
- (d) Species prohibited by Section 911.08 of Part Nine: Streets, Utilities, and Public Services Code may not be used as replacement trees.

1176.05 LANDSCAPING AND SCREENING STANDARDS

Consistent with the objectives established in the Intent and Purpose section of this chapter, landscaping shall be provided in the following areas:

- At the perimeter of sites to buffer, separate, and/or screen adjacent land uses;
- At the perimeter of parking lots to shade, separate and/or screen the view of parked cars from adjacent streets and adjacent land uses;
- In the interior of parking lots to shade and beautify the paved surface;
- Around the perimeter of buildings to soften, shade and enhance the appearance of structures.

Screening is required to block the view of trash receptacle areas, loading areas, service courts and storage areas. Screening is also required between residential and nonresidential land uses. Parking lots shall be screened to minimize the view of cars from adjacent streets and adjacent residential uses. It is not necessary to screen, but only to separate adjacent nonresidential parking areas.

- (a) **Buffer Yards:** The buffer yard is a designated unit of yard or open area together with any plant materials, barriers, or fences required thereon. Both the amount of land and the type and amount of landscaping specified are designated to lessen impacts between adjoining land uses. By using both distance and landscaping, the impact of such items as noise, glare, activity, dirt, and unsightly parking areas will be minimized. It is a further intent of the following provisions to provide flexibility to the property owner through the manipulation of four basic elements - distance, plant material type, plant material density, and structural or land forms.
- (1.) **Location of Perimeter Buffer Yards:** Buffer yards shall be located on the side and rear lot lines of a parcel extending to the lot or parcel boundary line except where a planned district buffer yard is required (see the approved development plan for those specific buffers.)
- (2.) **Determination of Buffer Yard Requirements:** To determine the type of buffer yard required between two adjacent parcels, the following procedure shall be followed;
- A. Identify the land use class of the proposed and each adjoining use by referring to the following table;
- B. Requirement conflicts whenever a parcel or activity falls under two or more of the categories, only the category with the most stringent requirements shall be enforced;
- C. Determine the buffer yard requirements for those side and rear lot lines or portion thereof on the subject parcel by referring to the following tables.

LAND USE CLASSIFICATION	
Class I:	<ul style="list-style-type: none">• Agriculture• Single-Family Detached Residences• Two-Family Dwellings
Class II:	<ul style="list-style-type: none">• Office Institutional• Administrative and Business Offices• Professional Offices• Institutions, Religious, Social, Cultural, Educational, Health and Public• Multi-Family Dwellings
Class III:	<ul style="list-style-type: none">• Commercial• General retail, Entertainment, Restaurants, Specialty retail and Business services
Class IV:	<ul style="list-style-type: none">• Light Industrial• Light manufacturing, Wholesaling, Research and Development

.BUFFER YARD REQUIREMENTS				
	<u>Adjacent Existing</u>			
<u>Land Use Class</u>	I	II	III	IV
I	*	E	E	E
II	E	A	C	D
III	E	C	A	B
IV	E	D	B	A
* No Buffer Yard Required				

- (1.) Should a developed use increase in intensity from a given land use class to a higher one (e.g. Class III to Class IV), the Planning and Zoning Commission shall, during the site plan or development plan review, process, determine if additional buffer yard is needed and, if so, to what extent and type;
- (2.) Buffer yard requirements are stated in terms of the width of the buffer yard and the number of plant units required per one hundred (100) linear feet of buffer yard. The requirements may be satisfied by any of the options indicated in the following table and illustrated in Exhibit I.

QUANTITY OF PLANT MATERIAL						
Buffer Yard	Width	Deciduous Trees *	Deciduous Shrubs *	Evergreens *	Berm **	Fence
A	15'	2	--	2		
	10'	2	2	2		
B	20'	2	--	2		
	15'	2	2	2		
	10'	3	4	4		
C	25'	2	2	2		
	20'	2	4	2		
	15'	3	4	4		
D	30'	2	2	2		
	25'	2	2	4		
	20'	3	4	4	X	
	10'	3	4	4		X
E	30'	2	2	2		
	25'	3	4	4		
	20'	3	4	4	X	
	15'	3	4	4		X
* Required minimum plant units per 100' ** Entire length of buffer yard, 3'-4' berm or 4'-6' opaque fence						

- (3.) Existing plant material or fences may be counted as contribution to the total buffer yard requirement.
- A. The buffer yards specified are to be provided on each lot or parcel independent of adjoining uses or adjoining buffer yards.

EXHIBIT 1

Required Plants Per 100'



Deciduous Shrub



Evergreen



Deciduous Tree

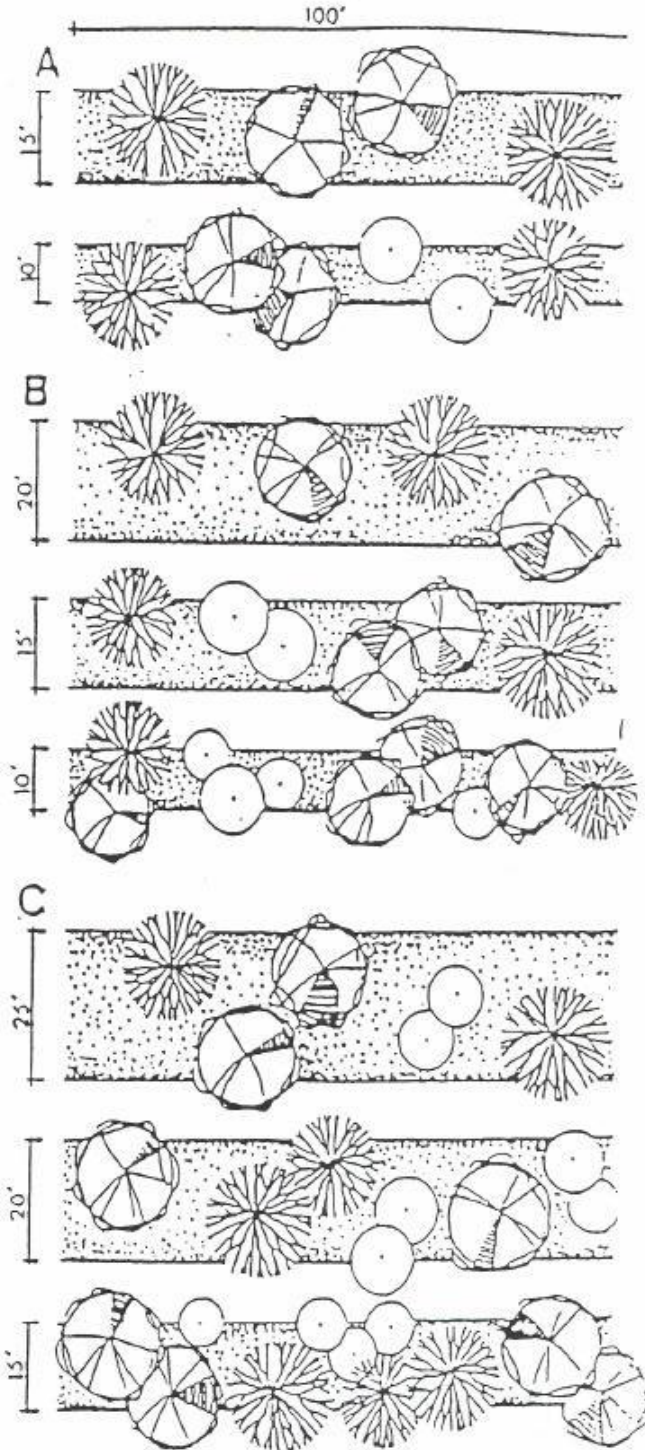
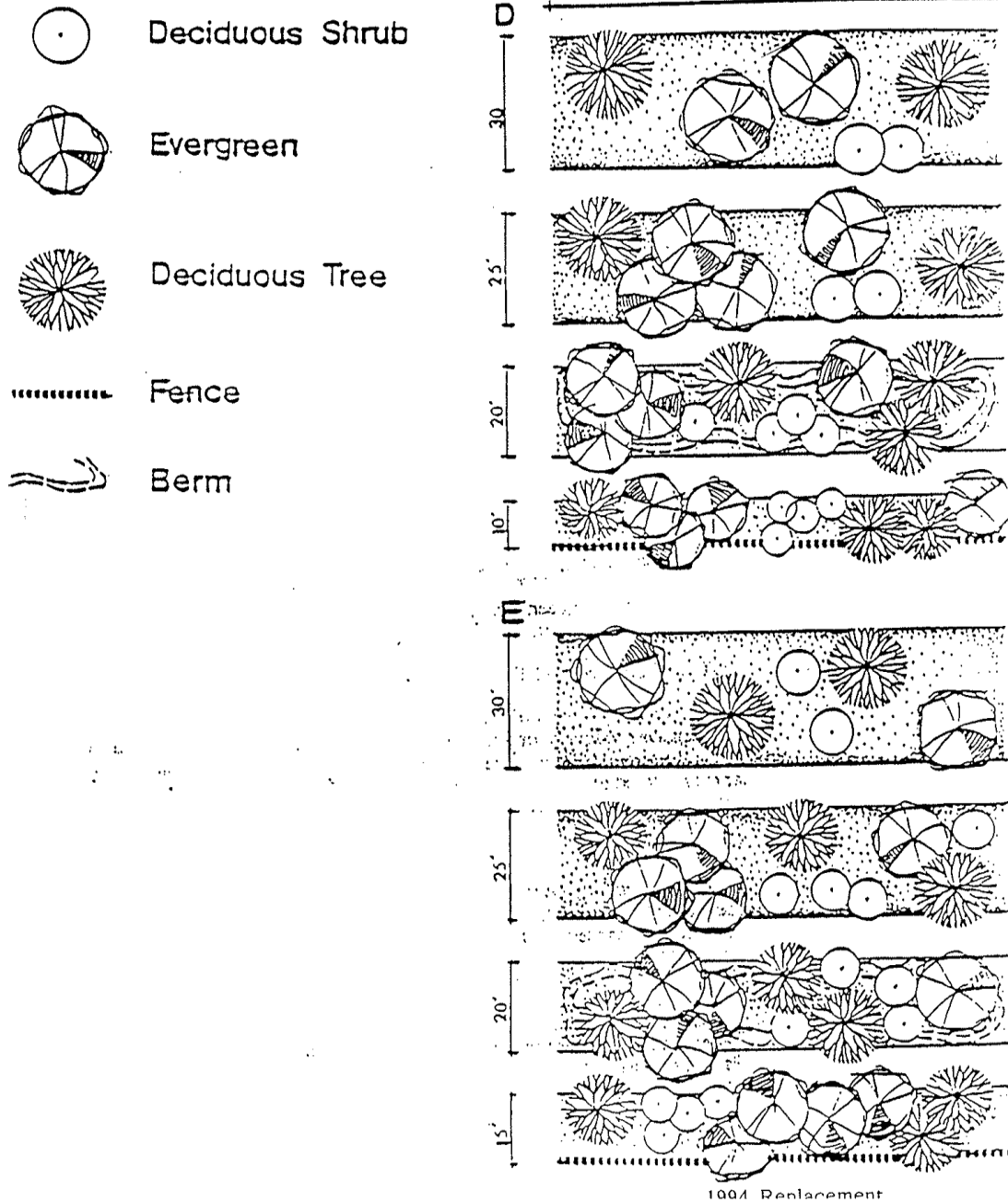


EXHIBIT 1

Required Plants Per 100'



- (3.) Buffer Yard Requirements for Nonconforming Structures or Sites: If a nonconforming site is unable to comply with the minimum buffer yard requirements of this chapter, the applicant shall not be entitled to the permit for which application has been made unless a variance is granted. Existing paved areas beyond the minimum code requirements for number of spaces maneuvering/access aisles or loading areas shall be removed if necessary to provide the required buffer.

(b) **Screening of Service Courts, Storage Areas and Loading Dock Areas:**

- (1.) For commercial, industrial, office-institutional and community service uses, all areas used for service, loading and unloading activities shall be screened. Screening shall enclose any service area on three (3) sides. Whenever service areas are screened by plant material, such material may count towards the fulfillment of required interior or perimeter landscaping. No interior landscaping shall be required within an area screened for service structures;
- (2.) Screening shall consist of walls, fences, natural vegetation, or an acceptable combination of these elements, provided that screening must be at least seven (7) feet, and walls and fencing no more than twelve (12) feet in height. Natural vegetation shall be a variety which will attain seven (7) feet in height within three (3) years of planting;
- (3.) Natural vegetation screening shall have a minimum opaqueness of seventy-five (75) percent at all times. The use of evergreen vegetation, such as pines or evergreen is encouraged. Vegetation shall be planted no closer than three (3) feet to any property line.

(c) **Screening of Trash Container Receptacles:**

- (1.) For commercial, community service, industrial, office-institutional and multiple family uses, all trash containers or receptacles shall be screened or enclosed on all sides. Trash containers designed to service more than one residential unit or to service a nonresidential structure shall be screened on all sides by walls, fences, or natural vegetation or an acceptable combination of these elements. Trash containers shall be located to the side or rear of buildings and shall otherwise conform to the side and rear yard pavement setbacks of the applicable zoning district;
- (2.) The height of such screening shall be at least six (6) feet. The maximum height of walls and fences shall not exceed ten (10) feet. Natural vegetation shall have a minimum opaqueness of seventy-five (75) percent at all times. The use of year-round vegetation, such as pines or evergreens is encouraged. Natural vegetation shall be a variety which will attain six (6) feet in height within five (5) years of planting.

(d) **Parking Lot Screening and Landscaping:**

- (1.) *Perimeter Screening:* Effectively concealing vehicles within a parking area from the adjacent roadway or adjoining property requires the selective use of plant, mounding or fence material for visual separation. Located adjacent to the parking lot edge, the perimeter screening is designed to supplement required buffer yard material. The perimeter of parking areas, except those for single-family and two-family residential uses, shall be screened as follows:
 - (A) Parking areas adjacent to a public street or private roadway shall be developed with plant, mounding, or fence/wall material which conceals the view of parked cars from the street. The height of wall/fences in this location shall be a maximum height of four (4) feet and plant material should be used to soften and add visual interest to a wall/fence. A plant material screen shall have a minimum opaqueness of seventy-five (75) percent at all times. The use of evergreen vegetation, such as pines or evergreens is encouraged;

- (B) Parking areas for nonresidential uses and for residential uses such as churches, schools, parks and public facilities adjacent to residentially zoned or used land shall be developed with plant mounding or fence/wall material which conceals the view of parked cars from the residential property. The height of wall/fences located in front of the building line should be a maximum height of four (4) feet. Plant material should be used to soften and add visual interest to a wall/fence. Plant material screen shall have a minimum opaqueness of seventy-five (75) percent at all times. The use of evergreen vegetation, such as pines or evergreens is encouraged;
 - (C) The separation and landscaping of the required buffer yard will provide adequate screening for all other parking lot perimeters.
- (2.) Interior Parking Area Landscaping: Landscaping within parking areas, whether ground cover or the upright plant material, is necessary not only to reduce the generation of heat and runoff, but also to break up visually the expanse of paved areas. The use of parking islands or peninsulas strategically placed throughout the parking lot is one of the most effective ways to landscape parking lot interiors. The use of shade trees in these landscaped areas is required. Any open parking area (including loading areas) containing more than 6,000 square feet of area or fifteen (15) or more parking spaces shall provide the following interior landscaping in addition to the required perimeter screening;
- (A) An area equal to five (5) percent of the total size in square feet of parking areas smaller than 15,000 square feet shall be landscaped and permeable. For lots between 15,000 and 29,999 square feet, the landscaped area shall equal seven and one-half (7.5) percent. For lots larger than 30,000 square feet, the landscaped area shall be ten (10) percent;
 - (B) Large parking areas of 30,000 square feet or larger shall be designed to break up their visual expanse and create the appearance of smaller parking lots. This distinction or separation can be achieved by interspersing yard space and buildings in strategic areas and by taking advantage of natural features such as slope, existing woodland or vegetation, drainage courses and retention areas;
 - (C) Landscaping in parking areas shall be dispersed throughout in peninsulas or islands. Minimum island or peninsula size shall be two hundred (200) square feet, with a two and one-half (2.5) foot minimum distance between all trees or shrubs and the edge of pavement where vehicles overhang and a minimum width of ten (10) feet;
 - (D) The Planning Commission, as part of the site plan review process, may vary the requirements for minimum and maximum size of parking islands and peninsulas if situations including, but not limited to, the following exist: the need to concentrate landscape areas for the purpose of storm water detention; the need to relocate required landscaping on the perimeter of a parking area in the case of a small or unusually shaped lot or where additional screening is desired.
- (3.) Required Plant Materials for the Interior of Parking Areas:
- (A) One deciduous tree shall be required for every 3,000 square feet of parking area or for every ten (10) parking spaces;

- (B) Where site distances or maneuvering conflicts exist, trees shall have a clear trunk of at least five (5) feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two (2) feet in height.
- (e) **General Landscaping for Lots and Building Foundations:** To visually soften the building mass or help define exterior spaces the following landscaping shall be required for all lots in addition to the landscaping for buffer yards and parking areas. All required planting shall be located in areas which do not include any buffer yard or right-of-way. If the lot consists primarily of impervious surface, such trees may be placed close to the building or may be used to add to required parking area landscaping. Existing plant materials which meet the requirements of this ordinance may be counted as contributing to the landscaping required of this section.
 - (1.) **Lot Interior Landscaping:** Two deciduous trees shall be required for each one hundred (100) linear feet of building perimeter of nonresidential uses or each multi-family unit. A minimum of one (1) tree per building shall be required;
 - (2.) **Building Foundation Planting Requirements:**
 - (A) Foundation plantings are intended to soften building edges and screen foundations, and shall be placed within five (5) feet of the building perimeter if feasible. If the Municipal Administrator or designee determines that because of site design considerations such as the location of sidewalks, plazas or service areas, this is not feasible, such plant materials may be located in planter boxes or in other areas of the site in a manner that enhances the overall landscape plan for the development;
 - (B) Five (5) shrubs shall be required per every fifty (50) linear feet of building perimeter of multi-family dwellings;
 - (C) Foundation shrubbery for nonresidential uses shall be used to enhance and highlight building architecture. The use of foundation plantings is particularly important on blank walls (i.e. to window or door openings);
 - (D) Ten (10) shrubs shall be required for every one hundred (100) linear feet of building perimeter for nonresidential uses.
- (f) **Landscaping at Driveway and Street Intersections:** To ensure that landscape materials do not constitute a driving hazard, a sight distance triangle shall be observed at all street intersections or intersections of driveways with streets. Within this sight distance triangle, no landscape material or parked vehicles, except for required grass or ground cover, shall be permitted. Within the sight distance triangle, trees shall be permitted as long as, except during early growth stages, only the tree trunk is visible between the ground and eight (8) feet above the ground, or otherwise does not present a traffic visibility hazard.
 - (1.) **Driveway Intersection Sight Distance Triangle:** At intersections of driveways with streets, the sight distance triangle shall be established by locating the intersection of the street curb 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;
 - (2.) **Street Intersection Sight Distance Triangle:** At street intersections, the sight distance triangle shall be formed by measuring at least thirty-five feet along curb lines and connecting these points. (See also Section 1154.03 (F) (Sight Triangle

Visibility to be Maintained) of the Zoning Code and Section 1196.01(e) (5) (Intersection Sight Distance Triangle) of the Subdivision Regulations.)

1176.06 PLANT MATERIAL SPECIFICATIONS FOR BUFFER YARDS, LANDSCAPING AND SCREENING

The following sections include specifications for plant materials. Alternatives to these materials which can be demonstrated to meet both the intent and requirements of this ordinance may be approved as a part of a Landscape Plan.

- (a) **Deciduous Trees:** Size at planting: a minimum caliper of at least two and one-half inches measured twenty-four (24) inches above ground level.
- (b) **Evergreen Trees:** Size at planting: a minimum of five (5) feet high and a minimum spread of three (3) feet.
- (c) **Shrubs:** Shrubs shall be at least twenty-four (24) inches average height and spread at the time of planting and, where required for screening, shall form a continuous, year round solid visual screen within five (5) years after planting.
- (d) **Ground Cover and Grass:**
 - (1.) **Ground Cover:** Ground cover shall be planted in such a manner to present a finished appearance and seventy-five (75) percent coverage after one (1) complete growing season. If approved as part of a Landscape Plan, ground cover may also consist of rocks, pebbles, sand, wood chips, and other materials;
 - (2.) **Grass:** Grass shall be planted in species normally grown as permanent lawns in Franklin County and may be sodded or seeded, except in swales or other areas subject to erosion, where solid sod, erosion-reducing net or suitable mulch shall be used. Grass sown shall be free and clean of weeds and noxious pests or disease;
 - (3.) **Erosion Prone Areas:** In the case of erosion prone areas, refer to U.S. Department of Agriculture Soil Conservation Service publication "Water Management and Sedimentation Control for Urban Areas."

1176.07 MAINTENANCE AND REPLACEMENT REQUIREMENTS

The owner shall be responsible for the maintenance of all landscaping in healthy and growing condition to present a healthy, neat, and orderly appearance. This should be accomplished by the following standards:

- (a) All plant growth in landscaped areas shall be controlled by pruning, trimming or other suitable methods so that plant materials do not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.
- (b) All planted areas shall be maintained in a relatively weed-free condition, clear of undergrowth and free from refuse and debris.
- (c) All trees, shrubs, ground covers, and other plant materials must be replaced within two (2) years of installation if they die or become unhealthy because of accidents, drainage problems, disease, or other causes. Dead or unhealthy plants shall be replaced within the next planting season. Replacement plants shall conform to the standards that govern original installation.

- (d) Vehicles may overhang a landscaped area not more than two and one-half (2.5) feet when parked head-in to a landscaped area in a marked parking space. All required buffer yards shall be protected from vehicular encroachment by the use of wheel stops, curbing and other suitable methods.
- (e) The use of growth inhibitor is not permitted on any plant materials used to fulfill code requirements or conditions of approval.

1176.08 PROCEDURE

- (a) Any person seeking a zoning map amendment, certificate of zoning compliance, a subdivision plat approval, development plan approval or site plan approval, shall file with his application a landscaping plan drawn to scale and prepared in a professional manner which, by plot plan and description shall include:
 - (1.) The present location and size of all major trees, with designation of major trees sought to be removed;
 - (2.) The location, size and description of landscaping material proposed to be placed on the lot in order to comply with this chapter;
 - (3.) The location and size of any structures presently on lot, and those proposed to be placed on the lot;
 - (4.) The proposed location and description of screening and buffer yards proposed to be placed on the lot in order to comply with this chapter.
- (b) The Planning commission shall consider a landscape plan as part of its review of any subdivision plat, development plan or site plan application.
- (c) The Zoning Officer shall either approve or disapprove all landscaping plans submitted as part of a Zoning Certificate application and receiving suggestions or recommendations from the Zoning Officer, the applicant may agree to modify his application including the plans and specifications submitted. The Zoning Certificate will not be issued until plans reflecting the agreed upon changes are submitted to the Zoning Officer. An applicant may appeal a decision of the Zoning Officer disapproving his landscaping plan to the Board of Zoning Appeals. Notice of appeal must be filed with the Zoning Officer within twenty days after the decision of the Zoning Office is mailed to the applicant at the address listed on his application.
- (d) No variance, zoning certificate, development plan approval, or conditional use permit shall be granted or issued until final approval of the landscaping plan. (Ord. 67-93. Passed 12-13-93)

1176.09 PENALTY

Any person, firm or corporation violating any provision or any article of this ordinance shall be deemed guilty of a misdemeanor and shall be fined not more than one hundred dollars (\$100.00). Each day that the violation shall continue shall be deemed to be a separate offense. (Ord. 67-93. Passed 12-13-93.)

CHAPTER 1177 OFF-STREET PARKING AND LOADING

1177.01 OFF-STREET PARKING SPACE REQUIRED

- (a) Off-street parking facilities shall be provided for the use of occupants, employees, and patrons of all uses, and off-street loading and vehicle storage space shall be provided for the handling of materials and products of commercial and industrial uses.
- (b) Such required facilities, additional space provided, and access drives/driveways thereto, including required curb cuts, shall be sloped and constructed to provide adequate drainage of the area, and unless otherwise noted in this code shall be surfaced with a sealed surface pavement and maintained in such a manner that no dust will be produced by continuous use. The design and construction of all facilities provided shall be subject to approval by the Municipal Engineer.

1177.02 PARKING SPACE SIZE

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

1177.03 LOCATION OF SPACE

- (a) Required off-street parking facilities shall be located on the same lot as the structure or use serviced, except that a parking facility providing the sum of parking space required of several uses may be provided contiguous and in common to the several structures and uses served.
- (b) Churches may establish with public or commercial establishments joint parking facilities for fifty (50%) percent or less of their required spaces provided that a written agreement thereto is obtained and that all parking areas so designated lie within one thousand (1,000) feet of the church.
- (c) No parking within sight distance triangle as per Section 1154.03(f)(3).

1177.04 MINIMUM NUMBER REQUIRED; SCHEDULE OF PARKING SPACES

- (a) **Minimum Number of Parking Spaces Required:** A minimum number of off-street parking spaces shall be provided in accordance with the following schedule.
- (b) **Schedule of Parking Spaces:** The parking space requirements for a use not specifically named herein shall be the same as required for a listed use similar in nature.

<u>USE</u>		<u>SPACES REQUIRED</u>
1.)	<u>Residence</u>	
	Fraternal or Group Housing	One (1) space per two (2) occupants.
	Institutional Housing	One (1) space per ten (10) occupants plus one (1) space per each two (2) employees and staff on the combined work shifts.
	Residential	Two (2) spaces per dwelling unit.
2.)	<u>Commerce</u>	
	Commercial Lodging	One (1) space per sleeping room.
	Barber Shop, Beauty Shop or similar Personal Service	Two (2) spaces per barber or beautician.
	Restaurant, Bar or Similar Place of the Sale and Consumption of Food and/or Drink on the Premises	One (1) space per one hundred (100) square feet of gross floor area.
	All Outdoor Display and Sales	One (1) space per five hundred (500) square feet of display area.
	Indoor Sales Exclusively Motor Vehicles, Aircraft, Water Craft, Lumber, Plants and Furniture	One (1) space per five hundred (500) square feet of sales area.
	Retail Sales or Service Establishment not elsewhere specified	Three (3) parking spaces for the first one thousand (1,000) square feet of gross floor area per structure plus one (1) space per additional two hundred and fifty (250) square feet of gross floor area.
	Funeral Parlors, Mortuaries	One (1) parking space per one hundred and fifty (150) square feet of gross floor area on the first floor of the structure devoted to this use.
	Administrative or Business Office	One (1) space per two hundred (200) square feet of gross floor area.
3.)	<u>Medical and Health</u>	
	Medical/Dental Office/Clinic	One (1) parking space per one hundred (100) square feet of gross floor area.
	Convalescent and Nursing	One (1) parking space per each two (2) beds.
	Hospital or Similar Use	Two (2) spaces per bed.
4.)	<u>Education</u>	
	Day Care Centers	Two (2) parking spaces for each classroom but not less than six (6) per school or institution.
	Elementary Schools	One (1) space per teacher and staff members, plus one (1) parking space per student, up to five percent (5%) of the student body.
	High Schools	One (1) parking space per four (4) students.
	Business, Technical and Trade Schools	One (1) parking space per two (2) students.
	Colleges and Universities	One (1) parking space per two (2) students.
	Libraries, Museums, Art Galleries and Similar Uses	One (1) parking space per four hundred (400) square feet of gross floor area.

<u>USE</u>		<u>SPACES REQUIRED</u>
5.)	<u>Recreation and Religion</u>	
	Auditorium, Church, Stadium or Similar Place with Fixed Seating for Assembly	One (1) space per three (3) seats.
	Assembly Hall, Club Room, Place with Fixed Seating for Assembly	One (1) space per one hundred (100) square feet of area devoted to assembly.
	Tennis Court, Bowling Alley or Similar Place with Fixed Seating for Assembly	Four (4) parking spaces per lane, court or similar activity area, plus additional parking spaces as required for supplementary uses, such as restaurant, etc.
	Golf Course	Seven (7) spaces per hole plus one (1) space per two (2) employees on the combined work shifts.
	Indoor Public Swimming Pool or Natatorium of a Public or Semi-Public Type	One (1) space per five (5) persons capacity computed on the basis of one (1) person per thousand (1,000) gallons of pool capacity, plus one (1) for each 4 seats or thirty (30) square feet of gross floor area used for seating purposes, whichever is greater.
	Outdoor Swimming Pool of a Public or Semi-Public Type	One (1) space per five (5) persons capacity computed on the basis of one (1) person per five hundred (500) gallons of pool capacity, plus additional spaces as required for any supplementary uses such as restaurant, etc.
	All Other Recreational Facilities	One (1) space per each three (3) patrons the establishment is designed to serve.
6.)	<u>Industry</u>	
	Manufacturing, Warehousing, Wholesaling, or Similar Establishments	One (1) space per three thousand (3,000) square feet of gross building area.

1177.05 COMPUTING NUMBER OF SPACES

- (a) Where two (2) or more uses are provided on the same lot, the total number of spaces required shall equal or exceed the sum of their individual requirements.
- (b) The parking spaces required shall be rounded up to the next highest whole number where a fractional space results in computation.

1177.06 LOADING SPACES

- (a) **Minimum Number of Loading Spaces Required:** A loading space shall consist of a rectangular area of one of the following classes:
 - (1.) **Class A:** An area at least fourteen feet by fifty-five feet (14' x 55') having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.
 - (2.) **Class B:** An area at least twelve feet by thirty feet (12' x 30') having a vertical clearance of fifteen (15) feet or more, plus adequate area for ingress and egress.

- (b) **Schedule of Loading Spaces:** Loading space shall be provided for retailing, wholesaling, warehousing, processing, and similar activities or uses in accordance with the following schedule:

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

1177.07 ACCESS DRIVES/DRIVEWAYS

Access drives/driveways leading to and from a street or alley shall be developed as follows:

- (a) **Width of Residential Drive:** A residential access drive/driveway shall be a minimum of ten (10) feet and shall not exceed twenty-five (25) feet in width, except at curb returns.
- (b) **Location of Drive:** An access drive/driveway, exclusive of curb returns, shall be ten (10) feet or more from the side lot line and twenty (20) feet or more from another access drive, except that an access drive for residential use may be within three (3) feet of a side lot line or adjacent to the side lot line if a common drive is provided for two (2) adjoining lots.
- (c) **Turnarounds:** An access drive/driveway opening onto any road shown as an arterial (either major or minor) on the Groveport Thoroughfare Plan must have provisions for a turnaround so cars need not back onto the road.
- (d) **Access drive/Driveway Slope:** The slope of the access drives/driveways serving the single family residences shall maintain a slope of not less than three (3) percent and no greater than ten (10) percent. All access drives/driveways shall slope towards the right-of-

way. Special cases where the appropriate slope must be altered should be directed to the Municipal Administrator or designee.

- (e) **Condition of drive:** All access drives/driveways shall be paved and maintained in a dust-free condition: however, a residential access drive greater than one hundred (100) feet in length and accessing a residential lot greater than one (1) acre may be a gravel drive.

1177.08 LIMITATION OF PARKING IN RESIDENTIAL ZONING DISTRICTS

The provision of parking space, either open or enclosed for the parking or storage of vehicles in a Residential Zoning District or Planned Residential Zoning District shall be subject to the following:

(a) **Commercial Vehicles:**

- (1.) Not more than one truck limited to being a two-axle, four-tired pickup, panel or light truck, used strictly for commercial purposes, and which has operating characteristics similar to those of a passenger car shall be allowed per one (1) dwelling unit;
- (2.) Trucks having dual tires on one (1) or more axles, or having more than two (2) axles, designed for the transportation of cargo, for commercial purposes and including, but not limited to tractor-trucks, trailers and semi-trailers shall not be allowed except in association with a home occupation, subject to approval in accordance with Section 351.17 of the Codified Ordinances and Section 1197.05 (Procedure for Authorizing a Conditional Use).

(b) **Trailers, Recreational, and Similar Equipment:**

- (1.) The parking of (Class A, Class B, Class C) motor homes and similar vehicles shall not be permitted in any front yard of a dwelling unit, except on the dwelling unit's driveway or on a gravel or paved surface on the side or rear yard.
- (2.) In addition, non-motorized equipment including but not limited to travel trailers, folding tent trailers, boats or boat trailers and other similar equipment shall be permitted in side or rear yard without restriction.

(c) **Temporary Portable Storage Units:**

- (1.) Must be located on the lot it is servicing and placed on a permanent surface such as a driveway or parking lot.
- (2.) One temporary unit may be placed on a lot for up to thirty (30) days straight without a zoning certificate.
- (3.) Units servicing a construction project can be placed on a lot with an active building permit until the permit expires or the project is completed. The storage unit must be removed upon the completion of the project.

CHAPTER 1178 SIGN REGULATIONS

1178.01 PURPOSE

- (a) The purpose of these sign regulations is to establish reasonable, consistent, content-neutral, and non-discriminatory requirements and standards which encourage creativity and flexibility in the design, erection and effective use of signs, symbols, markings and/or advertising devices as a means of communication within the Municipality. These standards are designed to protect and promote the public health, safety, and welfare of the persons within the community by:
- 1) Creating a visually attractive economic and business climate by permitting signs which are compatible with their surroundings, orientation and physical appearance of the community;
 - 2) Encouraging signs that are readable;
 - 3) Protecting the small town, historic character and dignity of the community;
 - 4) Reducing clutter by controlling the number, size and locations of signs;
 - 5) Reducing hazards to the public that may be caused by signs that intrude upon the public rights-of-way;
 - 6) Improving traffic safety by regulating signs so that they do not obstruct vision or interfere with the functions performed by drivers; and
 - 7) Protecting and enhancing the value of real estate and the tax base of the Municipality.

1178.02 GENERAL REQUIREMENTS

The following general requirements shall apply to signs in all zoning districts, except as otherwise specifically permitted, approved or exempted in this chapter.

(a) **Prohibited Signs:**

- 1) Signs in the Right of Way and/or Sight Triangle.
Exceptions: A-Frame signs installed in the Historic District.
Signs otherwise approved by the Municipal Administrator or designee.
- 2) Pennants, streamers, or balloons/inflatables displayed for commercial purposes.
Exceptions: Signs permitted and approved by the Municipal Administrator or designee.
- 3) Animated signs.
- 4) Feather signs.
- 5) Billboards and off-Premise/site signs.
Exceptions: Signs installed on municipality owned property and/or approved by the Municipal Administrator or designee.
Civic, religious or educational signs installed with the permission of the property owner and approved by the Municipal Administrator or designee.
- 6) Portable and/or wheeled signs that are free standing and not permanently anchored, affixed or secured to either a building or to the ground.
- 7) Obstructing signs which due to size, location, coloring, or manner of illumination, obstruct or detract from the visibility or effectiveness of any traffic sign or control device on a public street: signs that obstruct sidewalks or the free ingress or egress from a fire escape, door, window, or other entrance or exit way.
- 8) Signs imitating traffic control devices that imitate, interferes with, obstructs the view of, or can be confused with any authorized traffic control sign, signal, or other device.
- 9) Signs on natural objects that are painted, attached to, or supported by a tree, stone, cliff, or other natural object or living vegetation.

- 10) Bench signs.
 - 11) Roof signs.
 - 12) Trailer signs.
 - 13) Signs on parked vehicles (other than advertising decals or murals) that are placed or affixed to vehicles or trailers that are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby premises.
- (b) **Building Frontage**: Wall sign area calculations corresponding to building frontage, shall be measured along the building face nearest parallel to the street line. In the case of a corner lot, either building frontage may be used, but the primary sign shall be erected on the face of the building used in computing the business frontage.
- (c) **Illumination**: No illuminated sign or lighting device used in conjunction with a sign, shall be placed or directed so as to permit the illumination there from to be directly beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause a direct glare or reflection that may constitute a hazard to public safety or create a nuisance. No sign illuminated directly or indirectly shall be maintained within fifty (50) feet of, or facing property in a residential district. Lighting used to illuminate the sign shall be shielded and/or arranged to reflect light away from adjoining properties or public streets.
- (d) **Placement on Buildings**: Signs shall be erected, constructed or maintained so as not to obstruct any window, door or other opening used as a means of normal ingress and egress for legally required light or air ventilation or any fire escapes and other openings for emergency purposes or so as to prevent free passage.
- (e) **Clearance**: Signs shall be erected, constructed or maintained with a minimum eight (8) foot clearance over/above any sidewalk, walkway, aisle or other area used or intended for pedestrian or vehicular traffic.
- (f) **Construction of Signs**: Where applicable, all wiring, fittings, and materials used in the construction, connection and operations of electrically illuminated signs shall be in accordance with the provisions of the State of Ohio Building Code. All electrical feeds to freestanding signs must be underground.
- (g) **Maintenance and Enforcement**: All signs shall be maintained in a safe/secure, clean, attractive and structurally sound condition in accordance with the following provisions;
- 1) Should any sign be or become unsafe, or be in danger of falling, the owner thereof or the person maintaining the same, shall proceed immediately to put such a sign in a safe and secure condition or remove the sign.
 - 2) If the Municipal Administrator or designee finds that any sign is unsafe or hazardous, or has been constructed or is being maintained in violation of the provisions of this chapter, he/she shall give immediate written notice to the person for whom or by whom the sign is erected, or to the owner of the property on which the sign is located. If the person fails to remove, repair or alter the sign so as to comply with the provisions of this chapter within ten (10) working days after such notice, such sign may be removed, repaired or altered by the Municipality at the expense of that person.

- 3) The Municipal Administrator or designee may cause any sign which is of immediate peril to persons or property, or erected, or placed in violation with the provisions of this chapter to be summarily removed without notice.
 - 4) All signs shall be maintained in a clean, safe, attractive, and structurally sound condition at all times and must be free from peeling or missing paint, burned out light bulbs, holes, or broken, cracked, bent, warped, rotted, discolored, sagging, worn, torn, rusted, defective, or missing material parts. If the face of the sign is removed, a blank opaque panel must be installed until such time that new graphics are approved and installed.
- (h) **Abandonment:** If any business or firm discontinues operations for a period of six (6) months or more, such discontinuance shall be considered conclusive evidence of intent to abandon the business or operation. All signs erected in conjunction with the business or operation that has become abandoned are declared to be unnecessary and a nuisance and shall be removed. Whenever any business or firm has been abandoned within the meaning of this section, notice shall be given in the same manner as service of summons on civil cases; or by certified mail addressed to the owner of record of the premises at the last known address; or to the address to which tax bills are sent; or by any combination of the above methods, to remove all signs and other media from the premises within thirty (30) days after receipt of such notice. If the business or firm fails to remove such signs, so as to comply with the provisions of this chapter, the Municipality may remove them at the owner's expense.
- (i) **Public Safety:** No sign shall obstruct pedestrian or vehicle visibility or otherwise interfere with the safe operation of vehicles or the safety of pedestrians.
- (j) **Interstate Highway Advertising:** When conflict arises between the requirements of this chapter and those of the State of Ohio (Ohio Revised Code Chapter 5516) regarding the placement of signs adjacent to the State highways, the more restrictive regulation shall govern.

1178.03 SIGNS IN ALL DISTRICTS- NO PERMIT REQUIRED

The following types of signs shall be allowed in all zoning districts in the Municipality without requiring a permit and shall meet the standards as specified below:

- (a) Traffic control, directional and other similar regulatory notices; emergency notices, warnings or other such public notices requested/required and/or maintained by a Regulatory Agency or Public Utility or those approved by the Municipal Administrator or designee
- (b) Seals, flags, banners, or pennants of the United States, the State of Ohio or other political unit.
- (c) A-Frame signs installed in accordance with associated standards and per Zoning District Chart specifications.
- (d) Temporary signs installed in Residential Zoning Districts on properties designated as Residential 1, 2, or 3 Family Dwellings. Signs shall meet all other Zoning District Chart specifications.
- (e) Incidental signs.
- (f) Window signs. Signs shall meet all other Zoning District Chart specifications.

1178.04 SIGNS IN ALL DISTRICTS- PERMIT REQUIRED

Permanent and temporary signs shall be allowed in all zoning districts in the Municipality with a required permit and shall meet the criteria described in the corresponding Zoning District Charts in Sections 1178.05, 1178.06, 1178.07, 1178.08, and 1178.09.

1178.05 TEMPORARY SIGNS

Permits are required for all temporary signage, unless otherwise specified; and signs will be limited in quantity, type, size, duration, frequency and setback as specified in the corresponding Zoning District Charts.

A maximum of two (2) different types of temporary signs per tenant, per building frontage (maximum of two (2) frontages) may be approved and installed on a property/parcel at any one time.

Exceptions:

In the Limited Industrial/PIP zoning district only; a maximum of four (4) different types of temporary signs per tenant, per frontage (maximum of two (2) frontages) may be approved and installed on a property/parcel during the once a year, 5-month extended duration period, as specified in the corresponding Zoning District Charts.

1178.05 (a) Temporary Signs – Historic District Chart.

District Type	Historic						
Sign Type	Permit Required	* Maximum Quantity	Maximum Size (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Time Duration	Frequency
Freestanding	Yes	1	32	14	5	2 weeks	8 times a year
Yard	Yes	1	6	3	5	2 weeks	8 times a year
Wall	Yes	1	32	N/A	N/A	2 weeks	8 times a year
Banner	Yes	1	32	14	5	2 weeks	8 times a year
Real Estate	Yes	1	32	14	5	*Until sold/leased	N/A
Window	No	N/A	50% of window	N/A	N/A	N/A	N/A
A-Frame	No	1	6	3	N/A	During hours of operation	N/A

* Maximum Quantity is per tenant, per frontage (maximum of two (2) frontages).

* Maximum Height is measured from grade.

* Real Estate sign may remain onsite until property/space for which it is intended is sold/leased.

1178.05 (b) Temporary Signs – Office/Commercial District Chart.

District Type	Office/Commercial						
Sign Type	Permit Required	* Maximum Quantity	Maximum Size (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Time Duration	Frequency
Freestanding	Yes	1	64	14	10	2 weeks	8 times a year
Yard	Yes	1	6	3	10	2 weeks	8 times a year
Wall	Yes	1	64	N/A	N/A	2 weeks	8 times a year
Banner	Yes	1	100	14	10	2 weeks	8 times a year
Real Estate	Yes	1	64	14	10	*Until sold/leased	N/A
Window	No	N/A	50% of window	N/A	N/A	N/A	N/A
A-Frame	No	1	6	3	5	During hours of operation	N/A

* Maximum Quantity is per tenant, per frontage (maximum of two (2) frontages).

* Maximum Height is measured from grade.

* Real Estate sign may remain onsite until property/space for which it is intended is sold/leased.

1178.05 (c) Temporary Signs – Limited Industrial / Planned Industrial Park District Chart.

District Type	Limited Industrial / Planned Industrial Park						
*Sign Type	Permit Required	* Maximum Quantity	Maximum Size (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	* Time Duration	Frequency
Freestanding	Yes	1	64	14	10	2 weeks	4 times a year
		1	64	14	10	*5 months	1 time in a 12 month period
Wall	Yes	2	150	N/A	N/A	2 weeks	4 times a year
		2	150	N/A	N/A	*5 months	1 time in a 12 month period
Banner	Yes	1	150	14	10	2 weeks	4 times a year
		1	150	14	10	*5 months	1 time in a 12 month period
Fence	Yes	2	64	N/A	N/A	2 weeks	4 times a year
		2	64	N/A	N/A	*5 months	1 time in a 12 month period
Yard	Yes	4	6	3	10	2 weeks	4 times a year
		4	6	3	10	*5 months	1 time in a 12 month period
Real Estate	Yes	1	64	14	10	*Until sold/leased	N/A
Window	No	N/A	50% of window	N/A	N/A	N/A	N/A
A-Frame	No	1	6	3	5	During hours of operation	N/A

* Maximum Quantity is per tenant, per frontage (maximum of two (2) frontages).

* Maximum Height is measured from grade.

* A maximum of four (4) different types of temporary signs per tenant, per frontage (maximum of two (2) frontages) may be approved and installed on a property/parcel during the once a year, 5-month extended duration period.

* Real Estate sign may remain onsite until property/space for which it is intended is sold/leased.

1178.05 (d) Temporary Signs – All Other Areas District Chart.

District Type	All Other Areas						
Sign Type	* Permit Required	* Maximum Quantity	Maximum Size (sq. ft.)	*Maximum Height (ft.)	Minimum Setbacks (ft.)	Time Duration	Frequency
Freestanding	Yes	1	32	14	5	2 weeks	8 times a year
Yard	Yes	1	6	3	5	2 weeks	8 times a year
Wall	Yes	1	32	N/A	N/A	2 weeks	8 times a year
Banner	Yes	1	50	10	5	2 weeks	8 times a year
Real Estate	Yes	1	32	14	5	*Until sold/leased	N/A
Window	No	N/A	50% of window	N/A	N/A	N/A	N/A
A-Frame	No	1	6	3	5	During hours of operation	N/A

* Maximum Quantity is per tenant, per frontage (maximum of two (2) frontages).

* Maximum Height is measured from grade.

* Permits are not required for temporary signs installed on Residentially zoned properties/parcels designated as Residential 1, 2 or 3 Family Dwellings, but signage shall meet the other criteria described above.

* Real Estate sign may remain onsite until property/space for which it is intended is sold/leased.

1178.06 HISTORIC DISTRICT

(a) The Historic District includes any home, office, or business fronting on Main Street or located within one alley to the north or south of Main Street, between Center Street and Hanstein Ditch.

(b) The Historic District is the central part of the community and the focus of community life. It is the intent of these regulations to promote pleasant visual communications and, toward this end, signs erected in this area shall be harmonious with the general architectural character of the district and be compatible in design with the building for which the sign is installed.

(c) The following restrictions apply to permanent signs in the Historic District:

(d) Permanent Signs - Historic District Chart.

District Type		Historic					
Sign Type		Permit Required	Maximum Quantity	Maximum Area (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Other Requirements
Freestanding		Yes	1 per parcel	20	10	5	May be permitted in the Municipality R-O-W when specifically permitted by Council or its designated representative.
	Business Park Directory	Yes	1 additional sign	20	10	5	
Directional		Yes	--	30	10	5	Maximum size per sign is 6 sq. ft. 30 sq. ft. in total signage per tenant.
Bulletin Board		Yes	1 per parcel	15	--	5	
Building Mounted		Yes	1 per tenant	--	--	--	A 2 nd sign is permitted where a business has frontage on more than one (1) street or where a rear entrance is commonly used by the public. The total sign area may not exceed the maximum sign area allowed for a single sign.
	Wall	Yes	--	Equal to 67% (1-story) or 100% (multi-story) of linear feet of building frontage	--	--	1 wall sign shall be permitted on the front of the business establishment which it represents.
	Window	No	--	50% of window	--	--	
	Projecting	Yes	--	12 sq. ft. plus 2 sq. ft. for each full foot beyond the minimum 8 ft. clearance, to a maximum of 16 sq. ft.	May not extend above the building wall or fascia to which it is attached.	--	Maximum horizontal projection - 4-½ ft.

District Type		Historic - Continued					
Sign Type		Permit Required	Maximum Quantity	Maximum Area (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Other Requirements
	Nameplate	Yes	1 additional sign per tenant	4	1	--	Suspended from below the centerline of an awning or canopy, perpendicular to the storefront.
	Awning and Canopy	Yes	--	45% of the total vertical area of the awning surface up to a maximum of 12 sq. ft.	--	--	The advertising message shall not exceed 1 ft. in height. Light fixtures may be allowed within or under an awning.
	Directory	Yes	1 additional sign per building	1 ½ sq. ft. per building occupant	--	--	Directory signs shall be mounted flat against the face of the building like a wall sign.
Marker or Plaque		Yes	1 per building	6	--	5	May be illuminated by indirect lighting or spotlight

* Maximum Height is measured from grade.

1178.07 OFFICE AND COMERCIAL DISTRICT

(a) For commercial and office uses located in the Suburban Office (SO), Community Commercial (CC) and Community Service (CS) Zoning Districts or within the following Planned Development Zoning Districts; Select Commercial Planned District (SCPD), Planned Shopping Center (PSC), and Planned Highway Service (PHS); such signs shall conform.

(b) The following restrictions apply to permanent signs in the Office and Commercial District:

(c) Permanent Signs – Office and Commercial District Chart.

District Type		Office and Commercial					
Sign Type		Permit Required	Maximum Quantity	Maximum Area (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Other Requirements
Freestanding		Yes	1 per parcel	60	14	10	No sign, sign foundation, or any other solid portion of a sign structure exceeding 2 ft. in height shall be permitted within the sight distance triangle required in Section 1154.03(f).
	Business Park Directory	Yes	1 additional sign	60	5	10	
Directional		Yes	--	30	--	10	Maximum size per sign is 6 sq. ft. 30 sq. ft. in total signage per tenant.
Bulletin Board		Yes	1 per parcel	15	--	5	
Building Mounted		Yes	1 per tenant	--	--	--	A 2 nd sign is permitted where a business has frontage on more than one (1) street or where a rear entrance is commonly used by the public. The total sign area may not exceed the maximum sign area allowed for a single sign.
	Wall	Yes	--	75	--	--	1 wall sign shall be permitted on the front of the business establishment which it represents.
	Window	No	--	50% of window	--	--	

District Type		Office and Commercial - Continued					
Sign Type		Permit Required	Maximum Quantity	Maximum Area (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Other Requirements
	Awning and Canopy	Yes	--	45% of the total vertical area of the awning surface	--	--	Over 1 st floor windows and doors. The advertising message shall not exceed 1 ft. in height. Light fixtures may be allowed within or under an awning.
	Projecting	Yes	--	Equal to the building frontage (in linear feet), plus 2 sq. ft. for each additional foot of setback over 50 feet to a maximum of 150% of the building frontage.	May not extend above the building wall or fascia to which it is attached.	--	Maximum horizontal projection - 4-½ ft.
	Nameplate	Yes	1 additional sign per tenant	4	1	--	Suspended from below the centerline of an awning or canopy, perpendicular to the storefront.
	Directory	Yes	1 additional sign	2 ½ sq. ft. for each building occupant	--	--	Directory signs shall be mounted flat against the face of the building like a wall sign.
Marker or Plaque		Yes	1 per building	6	--	5	May be illuminated by indirect lighting or spotlight

* Maximum Height is measured from grade.

1178.08 INDUSTRIAL DISTRICT

(a) For industrial uses located in the Limited Industrial (LI) and Planned Industrial Park (PIP) Zoning Districts; such signs shall conform.

(b) The following restrictions apply to permanent signs in the Industrial District:

(c) Permanent Signs - Industrial District Chart.

District Type		Industrial					
Sign Type		Permit Required	Maximum Quantity	Maximum Area (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Other Requirements
Freestanding		Yes	1 per parcel	60	14	10	No sign, sign foundation, or any other solid portion of a sign structure exceeding 2 ft. in height shall be permitted within the sight distance triangle required in Section 1154.03(f).
	Business Park Directory	Yes	1 additional sign	60	14	10	
Directional		Yes	--	30	--	10	Maximum size per sign is 6 sq. ft. 30 sq. ft. in total signage per tenant.
Bulletin Board		Yes	1 per parcel	15	--	5	
Building Mounted		Yes	1 per tenant	--	--	--	A 2 nd sign is permitted where a business has frontage on more than one (1) street or where a rear entrance is commonly used by the public. The total sign area may not exceed the maximum sign area allowed for a single sign.
	Wall	Yes	--	Equal to 150% of the building frontage (in linear feet)	-	--	1 wall sign shall be permitted on the front of the business establishment which it represents
	Window	No	--	50% of window	--	--	
	Awning and Canopy	Yes	--	45% of the total vertical area of the awning surface	--	--	The advertising message shall not exceed 1 ft. in height. Light fixtures may be allowed within or under an awning.

District Type		Industrial - Continued					
Sign Type		Permit Required	Maximum Quantity	Maximum Area (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Other Requirements
	Projecting	Yes	--	Equal to the building frontage (in linear feet), plus 2 sq. ft. for each additional foot of setback over 50 feet to a maximum of 150% of the building frontage.	May not extend above the building wall or fascia to which it is attached.	--	Maximum horizontal projection - 4-½ ft.
	Nameplate	Yes	1 additional sign per tenant	4	1	--	Suspended from below the centerline of an awning or canopy, perpendicular to the storefront.
	Directory	Yes	1 additional sign	2 ½ sq. ft. for each building occupant	--	--	Directory signs shall be mounted flat against the face of the building like a wall sign.
Marker or Plaque		Yes	1 per building	6	--	5	May be illuminated by indirect lighting or spotlight

* Maximum Height is measured from grade.

1178.09 ALL OTHER AREAS DISTRICT

(a) For uses located in the All Other Areas Zoning District; such signs shall conform.

(b) The following restrictions apply to permanent signs in All Other Areas District:

(c) Permanent Signs – All Other Areas District Chart.

District Type		All Other Areas					
Sign Type		Permit Required	Maximum Quantity	Maximum Area (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Other Requirements
Freestanding		Yes	1 per parcel	The lesser of 2/3 of the total building frontage (in linear feet) – OR- 40 sq. ft.	14	10	No sign, sign foundation, or any other solid portion of a sign structure exceeding 2 ft. in height shall be permitted within the sight distance triangle required in Section 1154.03(f).
	Business Park Directory	Yes	1 additional sign	60	14	10	
Directional		Yes	--	30	--	10	Maximum size per sign is 6 sq. ft. 30 sq. ft. in total signage per tenant.
Subdivision		Yes	1 per subdivision	30	6	5	
Bulletin Board		Yes	1 per parcel	15	--	5	
Building Mounted		Yes	1 per tenant	--	--	--	A 2 nd sign is permitted where a business has frontage on more than one (1) street or where a rear entrance is commonly used by the public. The total sign area may not exceed the maximum sign area allowed for a single sign.
	Wall	Yes	--	Equal to 150% of the building frontage (in linear feet)	-	--	1 wall sign shall be permitted on the front of the business establishment which it represents
	Window	No	--	50% of window	--	--	

District Type		All Other Areas - Continued					
Sign Type		Permit Required	Maximum Quantity	Maximum Area (sq. ft.)	* Maximum Height (ft.)	Minimum Setbacks (ft.)	Other Requirements
	Awning and Canopy	Yes	--	45% of the total vertical area of the awning surface	--	--	The advertising message shall not exceed 1 ft. in height. Light fixtures may be allowed within or under an awning.
	Projecting	Yes	--	Equal to the building frontage (in linear feet), plus 2 sq. ft. for each additional foot of setback over 50 feet to a maximum of 150% of the building frontage.	May not extend above the building wall or fascia to which it is attached.	--	Maximum horizontal projection - 4-½ ft.
	Nameplate	Yes	1 additional sign per tenant	4	1	--	Suspended from below the centerline of an awning or canopy, perpendicular to the storefront.
	Directory	Yes	1 additional sign	2 ½ sq. ft. for each building occupant	--	--	Directory signs shall be mounted flat against the face of the building like a wall sign.
Marker or Plaque		Yes	1 per building	6	--	5	May be illuminated by indirect lighting or spotlight

* Maximum Height is measured from grade.

1178.10 ADMINISTRATION AND ENFORCEMENT

The provisions of this chapter shall be administered as follows:

- (a) The Municipal Administrator or designee shall grant sign permits and inspect premises or buildings necessary in carrying out the duties in compliance with the provisions of this chapter. It shall be unlawful for the Municipal Administrator or designee to issue any permits or approve any plans until the plans have been inspected in detail and have met the requirements of this chapter.
- (b) Before erecting, converting, enlarging, reconstructing, structurally altering, or rearranging any sign, an approved sign permit shall be obtained. Application shall be made in writing on a form furnished by the Building and Zoning Department. The application shall include the following information:

- (1.) Name and address of the property owner;
 - (2.) A plot plan showing the location of all signs on the property, location of all proposed signs by street number, and setbacks from property lines;
 - (3.) Plans showing the specific dimension, installation, and support and method of illumination. Elevation plan showing the location of signs on the property or building. Any other pertinent data as may be required by the Municipal Administrator or designee to provide for the enforcement of this chapter.
- (c) The Municipal Administrator or designee shall collect application fees for a sign permit with the application and all funds shall be deposited in a fund established by the Finance Director.
- (d) **Appeal:** Appeal process outlined in Chapter 1137.

CHAPTER 1179 SWIMMING POOLS

1179.01 LOCATION, AREA AND HEIGHT

- (a) No swimming pool, or part thereof, shall be located closer than ten (10) feet to the side or rear line of the lot or parcel upon which it is situated, or closer to any street on which such lot or parcel abuts than a distance of ten (10) feet greater than the building setback line as fixed by the Zoning Code. The area of the pool proper, exclusive of decks, walks and other appurtenances shall not exceed ten percent (10%) of the area of the lot or parcel on which it is situated.
- (b) The top of the walls, decks or walks of any swimming pool shall not extend more than twenty (20) feet beyond the pool proper in each direction, except that where any side of the pool is less than twenty (20) feet from any lot line, the difference between such distance and twenty (20) feet shall be added to the required distance of the portion beyond the opposite side of the pool.
 - (1.) In the event that, because of the unusual shape or grade of the lot, or the location or shape of the pool, the foregoing formula cannot be applied with reasonable results, the Municipal Administrator or designee shall be empowered to fix the location of the pool site to be used in determining the maximum grade of the pool, in keeping with the results sought to be achieved by the formula;
 - (2.) In the event of dissatisfaction by any interested party with the determination of the Municipal Administrator or designee, an appeal may be taken to the Board of Zoning Appeals.
- (c) No lights, diving boards or other accessories shall project more than ten (10) feet above the average grade of the pool site as determined under the provisions of this section.

1179.02 FENCES

- (a) Every swimming pool shall be completely enclosed by a fence or barrier of sturdy construction not less than forty-eight (48) inches in height, measured from the level of the ground where located, which shall be of such design and construction as to effectively prevent a child from crawling or otherwise passing through or under the fence or barrier. Each gate or door in the fence or barrier shall be self-closing and self-latching. Where the self-latching device is less than fifty-four (54) inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Each gate or barrier shall be provided with a secure lock and shall be kept locked at all times when the depth of the water in the pool exceeds eighteen (18) inches, unless the pool is in use or is under the immediate supervision of a responsible person. No part of any fence shall be located between the building setback line fixed by the Zoning Code and the street on which the lot or parcel abuts.
- (b) The Administrator or Designee shall have the power to make exceptions to and modification of the above requirement for existing pool fences, in cases in which, in the Administrator/Designee's opinion such requirements are not essential to safety and the enforcement thereof would work hardship on the owners.

1179.03 LIGHTS

All lights used for illuminating a swimming pool or the surrounding areas shall be so designed, located and installed as to confine the direct beams thereof to the lot or parcel on which the pool is located, and so as not to constitute a nuisance or undue annoyance to occupants of abutting property.

1179.04 DRAINAGE

Provisions shall be made for drainage of a swimming pool into a public storm sewer where possible, or a sanitary sewer, unless there is a ditch or natural watercourse of sufficient size and gradient adjacent to the pool location to carry off the water satisfactorily, in which case drainage may be made into such ditch or watercourse. Permission must be obtained from the Municipal Administrator or designee before the pool is drained in whole or in any substantial amount in order to prevent overloading the sewer or ditch in times of heavy rain. In no case shall the pool be drained, directly or indirectly, into any street.

1179.05 PERMITS

- (a) No person shall locate, construct or install any swimming pool or make any changes therein or in the appurtenances thereof without having first submitted an application and plans therefore to, and having obtained a permit from, the Municipal Administrator or designee. The fee for such permit which shall be collected by the Municipal Administrator or designee pursuant to Section 1132.02(a) (Application Fees).
- (b) No person shall use, operate, repair or maintain any swimming pool in violation of any of the provisions of this chapter or any lawful order of the Municipal Administrator or designee.

CHAPTER 1180 TOWERS, ANTENNAE, WIND TURBINES, AND SIMILAR STRUCTURES

1180.01 GENERAL REGULATIONS

Radio and television towers, antennae, satellite earth stations (dish antennae), solar collectors, and similar structures shall be permitted in association with a principal use or structure provided that the following standards are met:

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

1180.02 Wireless Telecommunications Facilities:

- (a) With the exception of necessary electric and telephone service and connection lines, no part of any Wireless Facility tower or antenna, nor any lines, cable, equipment, wires or braces connecting to a tower or antenna, shall at any time extend across or over any part of the right-of-way.
- (b) Construction of or a change to a main or accessory structure on a Wireless Facility site when not involving a change to an existing approved wireless facility need not be reviewed as a conditional use but shall comply with all applicable zoning district standards.
- (c) Wireless Facilities shall be designed to reasonably blend into the surrounding environment through the use of neutral colors (such as gray), screening, landscaping and architecture, unless the Federal Aviation Administration, or other Federal or State authorities, require otherwise. Any Wireless Facility sited on the ground, as opposed to being attached to a structure, shall.

- (1.) Be subject to setback requirement, have an eight (8) foot high privacy fence or wall, as measured from the finished grade of the site, constructed around the perimeter of the Wireless Facility; and
 - (2.) Be landscaped in accordance with the screening requirements of Section 1176.
- (d) No commercial advertising shall be allowed on a tower or antenna, except for antennas attached to an existing and approved sign. Towers may have safety or warning signs in appropriate places.
- (e) No signals, lights or other illumination shall be permitted, unless required by FAA regulations, other Federal or State law, or otherwise authorized below;
 - (1.) Light fixtures may be attached to a tower or antenna if it is part of the design incorporated into the structure to be used for the illumination of parks, athletic fields, parking lots, streets, or other similar areas;
 - (2.) Lighting of accessory structures for security purposes is permissible but shall be so arranged so as to direct and reflect light away from any adjacent residential property or public way;
 - (3.) When lighting of a tower is required, it shall be placed on the tower and designed in such a way as to minimize glare on adjacent residential properties.
- (f) Mobile or immobile equipment not used in direct support of a Wireless Facility shall not be stored or parked on the site, unless repairs to the facility are being made.
- (g) **Co Location on Existing Wireless Facility:**
Installation of an antenna on any existing Wireless Facility is a permitted use.
- (h) **Co-Location by Attachment to Existing Structure:**
 - (1.) This section addresses the installation of a tower or antenna on an existing structure, other than a Wireless Facility Tower, including but not limited to buildings, light poles, water towers, commercial signs, church steeples, and any other freestanding structures;
 - (2.) Such Wireless Facilities, including associated equipment and accessory structures, shall submit a plot plan to the zoning inspector (be subject to the Minor Site Plan Review procedures) and have the following minimum standards;
 - (A) The site plan/area map included in the application shall contain a drawing and a description of the proposed facility including, but not limited to, colors and screening methods;
 - (B) The addition of a Wireless Facility to an existing structure shall not cause the height of said structure to increase by more than twenty percent (20%);
 - (C) Wireless facilities erected upon, or attached to, existing structures shall not be subject to standard setback requirements.
- (i) **Freestanding Wireless Facilities:**
 - (1.) Freestanding wireless facilities shall obtain a certificate of zoning compliance as specified in Section 1132.01.

(2.) An affidavit of intent committing the site owner, his successors and assigns and the operator and his successors and assigns to allow the shared use of the tower and to offer a potential additional user reasonable terms and conditions for collocation. Failure to follow through with this commitment constitutes a violation of this Zoning Code and may result in revocation of the permit associated with the site.

(3.) Freestanding wireless facilities are subject to the following standards.

- a) The Wireless Facility shall be set back from the property line in all directions a distance at least equal to the height of the tower or 100 feet, whichever is greater, if the site is in or abuts a Residential district or household living or group living uses.
- b) A Freestanding Wireless Facility may not be located in a designated historic district unless approved by the Planning Commission.
- c) The Tower shall be designed, and shall have the capacity in all respects, to accommodate both the applicant's antenna and at least two comparable antennas if the tower is over 120 feet in height or at least one comparable antenna if the tower is over 70 feet in height but less than 120 feet in height. Towers shall be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.
- d) Towers shall be of a monopole design, and guyed or lattice towers are prohibited.
- e) Towers shall be constructed of galvanized metal or other approved material.
- f) Towers shall be constructed so that if a failure does occur, the tower will collapse into itself and will not fall onto structures near the site.
- g) No tower shall have a platform, catwalk, crow's nest or like structure around it, or attached to it, except while under construction or repair.

(j) **Radio/TV Wireless Facilities:**

Radio/TV Wireless Facilities are subject to the following standards

- (1.) A Radio/TV Wireless Facility may not be located in a designated historic district unless approved by the Planning Commission;
- (2.) The facility shall be setback from the property line in all directions a distance equal to the height of the tower or antenna or one-hundred (100) feet, whichever is greater, if the facility abuts a residential district or household living or group living uses;
- (3.) The tower or antenna shall be constructed so that if failure does occur, it will collapse into itself and will not fall onto structures near the site.

(k) **Inspections:**

All Wireless Facilities may be inspected at any time by the Municipality in order to determine compliance with original construction standards. Deviation from the original construction for which a permit is obtained constitutes a violation of this Zoning Code.

(1.) **Abandoned or Unused Facilities**

All abandoned or unused Wireless Facilities shall be removed by the operator within 6 months of the cessation of the use unless ownership and use thereof has been

transferred to another person. A Wireless Facility shall be considered abandoned if use has been discontinued for 180 consecutive days. The Zoning Inspector may extend this time period or waive this requirement if it is shown by the operator that the Wireless Facility has not been abandoned;

(2.) Transfer of Use

Approved Wireless Facilities may be transferred to successors and assigns of the approved party, subject to all of the conditions that apply to initial approval.

1180.03 Wind Turbines

The purpose of these regulations is to establish general guidelines for the location of wind turbine generators (sometimes referred to herein as "WTG") and anemometer towers. The importance of clean, sustainable, and renewable energy sources is recognized, and as such, under carefully controlled circumstances, the placement of wind turbine generators may be in the interest of specific residents and/or the general public. However, it is also recognized that there is a need and responsibility to ensure the safety and well-being of residents, and to protect the scenic beauty of the Municipality from unnecessary and unreasonable visual interference, noise radiation, and that wind turbine generators may have negative health, safety, welfare, and aesthetic impacts upon adjoining and neighboring uses. As such, this amendment seeks to:

- (a) Protect residential, rural and commercial areas from the potential adverse impact of wind turbine generators.
- (b) Permit wind turbine generators in selected areas by on-site rural, residential, commercial, or industrial users; subject to the terms, conditions, and provisions hereof.
- (c) Ensure the public health, safety, and welfare of the Municipality's residents in connection with wind turbine generators.
- (d) Avoid potential damage to real and personal property from the wind turbine generators or anemometer towers or the failure of such structures and related operations.

Procedure:

Any proposed construction, erection, or siting of a wind turbine generator or anemometer shall be permitted only by issuance of a Conditional Use Permit in accordance with Section 1134 (Conditional Uses).

Wind Turbines:

- (d) Wind turbines of 120' or less shall be a *conditionally permitted use* in all rural, residential, limited industrial, planned industrial and select commercial planned districts under the following conditions:
- (e) The maximum height of any turbine shall be 120 feet.¹

(f) **Setbacks:**

Any turbine erected on a parcel of land shall establish a "clear fall zone" of 1.25 times the maximum height of the turbine from all neighboring property lines and

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For purposes of this particular zoning item, maximum height shall be considered the total height of the turbine system including the tower, and the maximum vertical height of the turbines blades. Maximum height therefore shall be calculated measuring the length of a prop at maximum vertical rotation to the base of the tower.

structures, as well as any structures on the parcel intended for the turbine.

- (1.) The clear fall zone shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located;
- (2.) A turbine shall be placed in such a manner that if it were to fall, whatever direction the fall occurs would be contained solely on the property where the turbine is located, and would not strike any structures including the primary dwelling, and/or any accessory buildings or uses.

(h) **Aesthetics:**

The turbine, including the prop blades, turbine, cowling, and tower shall be painted or coated white, gray, or sky blue. Logos or other identifications markers other than those of the manufacturer and model type shall not be permitted anywhere on the turbine.

(i) **Safety:**

- (1.) Fencing: If climbing access to the turbine is less than 12 feet from the ground, then fencing shall be required around the base of the turbine;
- (2.) Signage: a "Danger High Voltage" sign shall be placed on either the turbine or surrounding fencing.

(j) **Noise:**

Maximum noise levels shall not exceed 65 db above the ambient noise level.

(k) **Maintenance:**

Wind turbines shall be maintained in good working order. Turbines that become inoperable for more than 6 months shall be removed by the owner within thirty (30) days of issuance of zoning violation. Removal includes all apparatuses, supports, and or other hardware associated with the existing turbine.

(l) **Permits:**

- (1.) A zoning certificate shall be required before construction can commence on an individual wind turbine system,
- (2.) As part of the application process, the applicant shall inquire with the Municipality of Groveport as to whether or not additional height restrictions are applicable due to the units' locations in relation to any airport or air field. Applicant shall then provide the Zoning Inspector with the following items and/or information when applying for a permit:
 - A. Location of all public and private airports in relation to the location of the turbine, as well as any applicable FAA restrictions that may be applicable to the turbine.
 - B. An engineering report that shows:
 - C. The total size and height of the unit.
 - D. An average decibel rating for the particular model.
 - E. A list and/or depiction of all safety measures that will be on the unit including anti-climb devices, and lightning protection.
 - F. Data specifying the kilowatt size and generating power of the particular unit.
 - G. Evidence of "clear fall zone" with manufacturer's recommendation. If the manufacturer's recommended clear fall zone is greater than that which is required herein, then the greater of the two shall apply.

- (3.) A site drawing showing the location of the unit in relation to existing structures on the property, roads, and other public right-of-ways, and neighboring properties;
- (4.) Color of the unit as well as the location and size of the manufacturer's identifying logos shall be included in the plan;
- (5.) A maintenance schedule as well as a dismantling plan that outlines how the unit will be dismantled shall be required as part of the application process.

1180.04 Solar Panels:

The Standards of this section apply to all solar panel energy conversion systems that are accessory to a principal structure.

(a) **Location without conditional use:**

Panels must be attached to a building. Panels must be installed parallel to the roof slope and project no more than 12 inches from the roof surface.

(b) **Location with Conditional Use:**

Conditional use approval is required in accordance with Section 1134 when the solar panel energy conversion system is a stand-alone facility or cannot meet the standards of 1180.04 (a).

1180.05 Plot Plan for Towers, Antennae, Wind Turbines, and Similar Structures:

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

- (a) Proposed location and height of proposed structure, support systems, and distances to the nearest phone, electric lines and property lines.
- (b) Type of structure and construction materials, and, if requested by the Municipal Administrator or designee, a structural engineering analysis.
- (c) Documentation of any maintenance program which may be necessary.
- (d) Proof that a building permit can be obtained or is not necessary for the proposed structure.
- (e) Proof that any license which may be required has been or will be obtained.
- (f) All fencing, landscaping, or other treatment which may be required.
- (g) Proof of liability insurance covering any damages which may be caused by failure related to accessory structure.
- (h) Other information as may be requested by the Municipal Administrator or designee.

CHAPTER 1181 NONCONFORMING SITUATIONS

1181.01 INTENT

Existing lots, structures and accessory development or the use of lots and/or structures which would be prohibited under the regulations for the Zoning District in which they are located shall be considered as nonconforming. It is the intent of this Zoning Ordinance to permit these nonconforming situations to continue until they are removed, but not to encourage their continued use or expansion, except as follows:

1181.02 NONCONFORMING LOTS

The construction of a conforming structure and/or the conduct of a permitted use shall be allowed on any lot of record which has an area and/or lot width less than that required for such structure or permitted use in the Zoning District in which the lot is located. Variance of any development standard other than minimum lot area and/or minimum lot width shall be obtained by council or through action of the Board of Zoning Appeals in accordance with the provisions of Chapter 1137 (Appeal and Variance Administration Review).

1181.03 NONCONFORMING STRUCTURES AND DEVELOPMENT

Structures and/or accessory development, which by reason of size, type, location on the lot, or otherwise in conflict with the regulations of the Zoning District in which they are located may be altered, reconstructed or extended only in such manner that the alteration, reconstruction or extension will comply with the development standards of the Zoning District in which the structure and/or accessory development is located. Such alteration, reconstruction, or extension shall include such additional development and compliance with the development standards of the Zoning District as would be required of a new structure and/or accessory development to the extent practicable and so that the spirit and intent of the development standards are accomplished.

For existing non-conforming fences, see section 1174.02(h).

1181.04 NONCONFORMING USES

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

- (a) Change of a nonconforming use shall be allowed to a permitted use of the Zoning District in which the nonconforming use is located.
- (b) On approval of an appeal to the Board of Zoning Appeals, a nonconforming use may be:
 - (1.) Changed to a use found to be more nearly in character with the Zoning District in which the nonconforming use is located;
 - (2.) Expanded within an existing structure arranged or developed for such purpose; or
 - (3.) Expanded to occupy one (1) or more new or existing structures to be erected or modified for the purpose of accommodating the extension of such nonconforming use, where such structures to be erected or modified are in accordance with the

development standards (other than as such standards relate to use) of the Zoning District in which such use is located.

- (c) No nonconforming use may be reestablished where such nonconforming use has been discontinued for a period of at least two (2) years. The nonconforming use of any structure damaged by fire, explosion, flood, riot, or act of God may be continued and used as before any such calamity, provided the building or structure has not been destroyed to an extent of more than one-half ($1/2$) of its fair value, and provided such reconstruction is started within twelve (12) months of such calamity and is continued in a reasonable manner until completed. Notwithstanding the foregoing, existing non-conforming residential uses located in a non-residential district damaged by fire, explosion, flood, riot, or act of God may be continued and used as before any such calamity regardless of the extent of damage, provided such reconstruction is started within twelve (12) months of such calamity and is continued in a reasonable manner until completed.

TITLE NINE - SUBDIVISION REGULATIONS

CHAPTER 1191 PROCEDURES AND REQUIREMENTS FOR SUBDIVISION APPROVAL

1191.01 PURPOSE AND SCOPE

- (a) These Regulations are adopted to: provide for the proper arrangement of streets, lots and reserves within each project and in relation to existing or planned projects, streets, highways, land use and other public requirements and facilities.
- (b) These Regulations apply to the subdivision of land, which is now or may become under the jurisdiction of Groveport and may apply to other development activities. Subdivisions by land contract, court partition, divorce decree, will, annexation, or other means are not exempt from these Regulations.

1191.02 COORDINATION AND COMPATIBILITY

The subdivider is responsible to ensure proposals comply with any applicable federal, state, county, and district regulations involving subdivisions, health, environment, floodplain, storm water, wetland, erosion and sedimentation control, access management or other issues.

1191.03 COMBINED SUBDIVISION APPLICATION PROCEDURE

The applicant may file a combined subdivision procedure for action by the Planning and Zoning Commission and Council for the preliminary plat and the Final Plat. All required submission requirements and fees for the preliminary plat and Final Plat shall be met.

1191.04 APPLICATION FEES

Within five (5) working days of receipt, the application for Preliminary Plat or Final Plat, if complete, shall be scheduled on the agenda for the next appropriate meeting. Once the application is placed on the agenda, the fees shall be non-refundable. Additional fees will be charged for a tabled application.

1191.05 DELAY OF ACTION (TABLING)

The applicant prior to a Commission or Council motion must initiate a delay of action (table) request. Each delay of action shall not exceed three (3) months. A request shall be tabled not more than twice, for a total of not more than six (6) months. The applicant shall provide revised or supplemental information and materials for review, and request a tabled application be placed on the agenda of the Commission or Council.

1191.06 EXPIRATION OR EXTENSION

Failure to comply with stated time periods of these Regulations shall result in the expiration of the application. Before expiration, the applicant may submit a written request for an extension with the proper extension fee, indicating the status of the project, stating why the time period cannot be met, and specifying the length of time being requested, up to a maximum of six (6) months. The applicant may withdraw an application at any time prior to final Council action.

1191.07 DISAPPROVED OR WITHDRAWN APPLICATION

If an application is disapproved, the Commission shall state the reasons for the disapproval to the applicant. The application shall become void upon disapproval by the Commission or Council or by the withdrawal of the applicant. Further consideration of a voided or withdrawn application may be requested by the submission of a new complete application and fee.

1191.08 PRELIMINARY PLAT

The preliminary plat shall comply with these Regulations and adequately address issues raised at the sketch plan review.

- (a) The Preliminary plat shall be submitted to the Municipal Administrator or designee in order to be placed on the agenda of the Planning and Zoning Commission for a public hearing.
- (b) The Planning and Zoning Commission shall approve, approve with conditions, or disapprove.
 - (1.) If the preliminary plat is approved with conditions the applicant shall submit a revised preliminary plat to the Municipal Administrator or designee incorporating the conditions of approval prior to submitting a Final Plat.
 - (2.) The preliminary plat shall be approved for a period of twelve (12) months. At any such time within the twelve (12) months a Final Plat of any portion of the preliminary plat is approved by the City Council, the preliminary plat shall not expire.
- (c) **The Preliminary Plat shall include:**
 - (1.) Completed and signed application form and fee;
 - (2.) Preliminary Plat on a 24"x 36" Mylar at a scale of 1"=100' which includes:
 - A. Proposed Features:
 - (1.) Name of the subdivision and the situate;

- (2.) Name and address of the owner(s), developer(s), surveyor and/or engineer who prepared the plat and the date;
- (3.) North point, scale written and graphic, legend and vicinity map;
- (4.) Boundary and the acreage;
- (5.) Legend with the total acreage, number of lots and/or units, gross density and the current zoning;
- (6.) Lots and reserves dimensioned, numbered, lettered with acreages (Reserves shall state the purpose, ownership and maintenance);
- (7.) Street name, location and right-of-way width (Street names shall not be duplicated in Franklin County);
- (8.) Building setback lines from the right-of-way shown graphically with dimensions as required by the appropriate zoning;
- (9.) Proposed phasing of the development;
- (10.) Commitments made during the zoning process in text and or plan form.

B. Existing Features:

- (1.) Adjacent owners and/or subdivisions with the appropriate recording information;
- (2.) Location, widths and names of all existing or prior platted streets, proposed streets from adjacent developments to the extent known, utility and railroad right-of-ways, parks, public open space and municipal corporation lines within or adjacent to the site
- (3.) Existing two-foot topographic contour interval map;
- (4.) Existing features such as: woods, wetlands, watercourses and flood plains, natural features, easements and buildings;
- (5.) F.E.M.A. flood plain depicting the Floodway Boundary and the 100 Year Flood Boundary.

C. Additional Requirements: The Municipal Administrator or designee and/or Planning Zoning Commission reserve the right to request any or all of the following additional information if deemed necessary to supplement the submission of the preliminary plat.

- (1.) Screening and buffering plan;
- (2.) Soil borings and or test pits;
- (3.) Deed restrictions or private covenants;
- (4.) Access management measures.

- (3.) Preliminary engineering on a 24"x 36" Mylar at a scale of 1"=100' which may or may not be on the same drawing as the preliminary plat shall include:
- A. All information as required by the preliminary plat;
 - B. Street pavement widths and centerline radius measurements;
 - C. Sanitary sewer alignments and invert elevation where it connects to the central sewer system;
 - D. Water line alignments;
 - E. Storm sewer alignments and major flood routing paths;
 - F. Storm water detention location(s) and preliminary capacity requirements [NOTE: If the development is within the Airport Hazard Overlay District, detention or retention ponds shall be designed pursuant to Section 1164.01(b)(5) (Detention or Retention Ponds);
 - G. Soils information from the Franklin County Soils Survey if central sewer is not utilized;
 - H. Building, well, and sewage system location if central sewer is not utilized

1191.09 FINAL PLAT

- (a) Prior to submitting an application for Final Plat approval, the applicant/owner shall submit to the Municipal Administrator or designee two complete sets of construction plans and grading plans along with an itemized estimated cost of constructing the required improvements. Items that are included are those items outlined and described in **Chapter 1195** (Required Improvements).
- (b) The Final Plat shall comply with these Regulations, zoning commitments, the preliminary plat and any other issues raised during the approval of the preliminary plat. The Final Plat shall be submitted to the Zoning Officer in order to be placed on the agenda for the first reading of the City Council. The City Council will send the Final Plat to the Planning and Zoning Commission for review. The Planning and Zoning Commission shall: recommend the application to the City Council, recommend the application with conditions to the City Council, or disapprove the application. If the application is approved or approved with conditions the application shall be placed on the next available agenda for the City Council. The Final Plat will have two (2) readings of council at such time the third council meeting will be a public hearing. The City Council shall either approve or disapprove the application. The Final Plat shall be approved for a period of six (6) months and must be recorded with the Franklin County Recorder's Office within six (6) months from the date of the approval or the Final Plat shall expire. The Final Plat is a boundary survey and shall comply with all, monumentation, measurement specifications and all other surveying practices shall conform to the Minimum Standards for Boundary Survey in the State of Ohio Administrative Code, Section 4733-37 and the "Standards Governing Conveyances of Real Property in Franklin County, Ohio".
- (c) **The Final Plat application shall include:**
 - (1.) A completed signed application form and fee.

- (2.) A plat drawn in black ink on 24x36 inch matte mylar material, drawn at a scale sufficient to demonstrate the information to be conveyed on the plat and of not less than 100 feet to the inch. The plat shall meet the microfilming standards of the Franklin County Recorder's Office. The Planning and Zoning Commission may recommend variations in the plat size or scale for subdivision boundaries of unusual size or configuration, with city council approval. The plat will include:
- A. Name of the subdivision and the situate;
 - B. North Arrow, written and graphic scale, legend and vicinity map.
 - C. Boundary of the plat based on an accurate traverse with angular and lineal dimensions;
 - D. Lots and Reserves dimensioned by bearings and distances, radii, internal (delta) angles, arc angles, chord bearings and distances, sufficient to resolve the boundary. (Reserves shall state their acreage to the thousandths place, purpose, ownership and maintenance);
 - E. Lots are to be identified with consecutive numbering; reserves are to be identified with consecutive lettering (Roman Numerals, Greek letters, etc.). Subsequent phases may continue the number and letter sequencing.
 - F. Street names and right-of -way widths with the centerline alignment information; bearing and distance, radii, internal (delta) angles, arc lengths, chord bearings and distances, sufficient to resolve the alignment;
 - G. Building lines shown graphically with dimensions as required by the appropriate zoning;
 - H. Adjacent ownership and/or subdivisions with the appropriate recording information;
 - I. Floodplain FIRM community and panel number, suffix letter, map date and zone designation;
 - J. Easements accurately located and dimensioned. Specialized Easements shall be independently identifiable;
 - K. Accurate outlines and delineation of all drainage easements, flood hazard areas and other water courses contained within or adjacent to the plat boundaries;
 - L. Municipal corporation, Township, County or Section lines within or adjacent to the site;
 - M. A citation of the pertinent documents and source of data used as a basis for carrying out the work;
 - N. The basis of bearings;
 - O. All other requirements of the Ohio Revised Code Chapter 711 as they may be amended from time to time.

(3.) **Monuments:**

- A. All surveying and monument activities shall be performed by or under the direct supervision of a professional surveyor and meet "Minimum Standards for Boundary Surveys in the State of Ohio" Section 4733-37(Adm. Code). Elevations shall be referenced to the National Vertical Datum;
- B. A minimum of four (4) permanent markers shall be placed and set in a subdivision of ten (10) lots or less. A subdivision of more than ten (10) lots shall have permanent markers placed sufficiently to control the subdivisions. Permanent markers shall be placed at the intersection of each centerline of right-of-way;
- C. Permanent markers shall be solid iron pins one (1) inch in diameter and thirty (30) inches long or equivalent as approved by the Planning and Zoning Commission;
- D. All necessary ties to the Franklin County Monuments as stated in Section 11 (F) "Adoption of Standards Governing Conveyances of Real Property in Franklin County, Ohio".

(4.) **Dedication and Signature:**

- A. Notarized certification by the owner(s) of the adoption of the plat and the dedication by them to public use of the right-of-way shown on the plat. The signature(s) of the owner(s) are required prior to obtaining the Municipality Official's signatures on the plat;
- B. Approval date and signature by the Chairman of the Planning Commission, Municipal Administrator and Municipality Engineer or their designee(s);
- C. Approval and acceptance by Council showing the ordinance number and provisions for signature by the Clerk of Council. A statement as to the expiration date of the municipal approval shall be placed just ahead of the space provided for the County Auditor's signature;
- D. Space for transfer by the County Auditor and recording by the County Recorder.

(5.) **Certifications:**

- A. Surveyor shall certify the plat: We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof;
- B. Surveyor shall sign, date and seal the plat with their Ohio Registration Number in such a form that it can be reproduced on any copies from the original drawing.

- (6.) **Wetlands and Waters of the United States:** The developer and/or owner shall submit along with the Final Plat application evidence that all necessary permits have been applied for from the Army Corps of Engineers and if required from the

Ohio Environmental Protection Agency for development in regards to wetlands and Waters of the United States.

1191.10 COPIES TO BE FILED

Two (2) copies, one (1) of which shall be a reproducible Mylar showing all approvals and the date and place of recording shall be supplied by the applicant to the Clerk as local public records. Upon approval of the Final Plat the subdivider shall provide four (4) sets of signed and approved construction and grading plans and one (1) set of Mylar to the City Engineer.

1191.11 TRANSFER OF LOTS

The subdivider shall not transfer any lot, parcel, or tract there from, nor proceed with any construction work on the proposed subdivision, excluding grading, until approval is received of the Final Plat and provided compliance is made with the provisions of these Regulations.

1191.12 TRANSFER OF LOT CONTRARY TO PLAT PROHIBITED

The subdivider shall make no conveyance of any lot smaller in width or area than indicated on the plat, except for the purpose of increasing the area of another lot without approval of the Planning and Zoning Commission. Provided however, that this section shall not be construed as permitting any buildings or structures to be placed on any lot or remainder of any lot that does not comply with these Regulations and the Zoning Ordinance.

1191.13 COMBINING ENTIRE EXISTING TAX PARCELS, RE-PLATS, SUBDIVISIONS, VACATIONS, PLATS OF STREETS, COMMON OPEN SPACES

- (1) If an applicant(s) wishes to re-plat (i.e. make alterations to existing lot lines or other conditions) all or part of an existing platted subdivision, the applicant must pay fee and submit a completed application consisting of the following:
 - (a) A completed application form provided by the Municipality of Groveport setting forth the details of the proposed re-plat.
 - (b) A final plat (re-plat) submitted on an eighteen (18) inch by twenty-four (24) inch sheet of paper on Mylar with:
 - (1.) The surveyor's name and signature.
 - (2.) The property owner's notarized signature.
 - (3.) The notary public's signature and stamp.
 - (c) A final plat, complete with all information required in Section 1191.10 of these Regulations.
 - (d) Applicants seeking the re-plat of lots with existing structures located on them shall submit a dimensionally accurate sketch drawing prepared by a registered surveyor illustrating the revised lot lines, together with the outlines of such structures. This shall include the access point location of the driveway(s) to the public roadway.
 - (e) The re-plat shall assign a new lot number(s) to all new or modified lots.
 - (f) Re-plats must illustrate and/or describe all easements on the original plat. Where utility easements do not exist, a ten (10) foot utility easement shall be established along all lot lines, except those with public road frontage.

- (g) Any re-plat proposing to "vacate" street right of way within a platted subdivision must vacate such right of way with a re-plat. The applicant shall provide the names and addresses (no banks or other institutional names) of all adjoining property owners.
- (h) The applicant shall comply with all other applicable subdivision regulations.
- (2) Combining entire existing tax parcels may be accomplished through the Franklin County Auditor's Office, without the approval of a plat through the Planning and Zoning Commission if the existing parcels have the same deed reference, are adjacent to each other, are not separated by a public roadway, and the acreage of all parcels is combined into a single tax parcel by filling out an "Application for Combination" at the Auditor's Office listing the tax parcel numbers to be combined. Lot combinations cannot create a non-conforming situation as per Section 1191.12.
- (3) An applicant proposing the re-subdivision of a plat previously recorded by the County Recorder shall follow the same procedures required for a subdivision. Other proposals for the alteration of a plat or the vacating of a plat shall comply with Sections 711.17-711.20 of the Ohio Revised Code.
- (4) Proposals for the platting of street openings, widenings, and extensions; platting of open spaces for common use by owners, occupants, or leaseholders; and easements for the extension and maintenance of public sewer, storm drainage, or other public utilities shall follow the same procedures required for a subdivision.

1191.14 PROVISIONS AND GUARANTEE REQUIRED BY SUBDIVIDER

- (a) Before the approval of the Final Plat the subdivider or developer shall agree in writing that prior to initiating the construction of any street or site improvements they shall provide a bond, certified check or irrevocable letter of credit acceptable to the Municipal Administrator and Solicitor, guaranteeing the completion of the improvements, or private roadway within one year from the date of the start of construction. The performance bond, certified check or irrevocable letter of credit shall be in an amount equal to the estimated cost of construction based on the prevailing public improvement construction rate and as approved by the Municipality Engineer. A certified irrevocable letter of credit by the institution, person, or corporation financing the construction of the public improvements shall stipulate that the funds in the amount of the estimated construction cost are available and set aside from all other funds in the name of the Municipality. The letter shall guarantee the completion of the street and site improvements within one year from the date of the agreement or such time as may be agreed to by Council. The letter shall certify that these funds will not be released to the subdivider, developer or their agent, unless a release is signed by the Municipal Administrator.
- (b) Council may reduce the amount of the guarantee specified herein when any portion of the improvements, which was required by these Regulations, has been completed to the satisfaction of the Municipal Administrator. The Municipality Engineer shall state by a written report to Council that said portion of the improvements have been completed and in reasonable close conformity to the approved plans and specifications for the subdivision. The Municipality Engineer's report shall be accompanied by a reduced Financial Guarantee equal to the estimate provided by the subdivider and approved by the Municipal Administrator. The estimate is based on the cost of the remaining portion of work for the improvements at the prevailing public improvement construction rate.
- (c) A maintenance bond in the amount of ten (10) percent of the final construction cost shall be provided for a maintenance period of one-year beginning with the date of acceptance

of the improvements by Council. The Municipality Engineer shall conduct a one-year maintenance inspection and prepare for the Administrator a written report documenting the conditions of the improvements on or about the one-year anniversary date of the acceptance of the improvements by Council. With this report, any deficiencies detected will be identified to the subdivider or developer for their attention and remedial action. The Municipality Finance Director will not release the maintenance bond until deficiencies are corrected to the satisfaction of the Municipal Administrator.

1191.15 DELETED

1191.16 INSPECTION AND ENGINEERING FEES

The subdivider or developer, prior to construction, shall deposit with the Finance Director a sum of money as prescribed by the Municipal Administrator pursuant to Section 1132.02(b) (Application Fees). This deposit will be used to defray the cost of fees for inspection and the engineering services incurred by the Municipality due to the installation of site and/or public improvements and review of the plat and plans. Should the amount of such deposit be insufficient to pay the cost thereof, the subdivider shall immediately by request deposit such additional sums as are estimated by the Municipality Engineer to be necessary. Upon completion and acceptance of the improvements, any unexpended balance remaining from such deposit shall be refunded.

1191.17 TREE FUND FEES

- (a) Upon approval of the final plat, or any new street developed in a subdivision by a private developer and dedicated to the City, the owner/developer shall pay the sum of four dollars (\$4.00) per linear foot of street frontage and linear footage around all islands to the City. This sum shall be deposited into the "Tree Fund."
- (b) This Tree Fund shall be used for the purpose of planting approved trees in tree lawns and for accessory materials to be utilized in the planting of such trees. Interest earned on the investment of said funds shall be deposited in the Tree Fund. Said interest and all surplus funds from planting shall be used for the maintenance, removal and protection of trees planted from Tree Fund monies.
- (c) Said Tree Fund shall be established as a special revenue fund and shall be maintained in accordance with regulations of the Auditor of State and will be administered solely by the City Finance Director.
- (d) Approved trees shall be those trees authorized by the City Trees and Decorations Committee.

CHAPTER 1192 SUBDIVISION WITHOUT PLAT

1192.01 APPLICATION

The application and required fees shall be submitted to the Municipal Administrator or designee for administrative approval. Fees shall be non-refundable.

1192.02 SURVEY

A boundary survey prepared by a registered surveyor shall be submitted with each application for subdivision without plat. Such survey shall include:

- (a) Boundary of the proposed subdivision with angular and lineal dimensions.
- (b) Size of all lots within the proposed subdivision with accurate dimensions and bearings.
- (c) Exact location, width, and name of all streets or other public ways contiguous to the proposed subdivision.
- (d) Names of adjacent subdivisions and owners of adjoining parcels with boundary lines of the adjacent tracts of acreage parcels and subdivided lands.

1192.03 APPROVAL

Before the application shall be acted on, the Municipal Administrator or designee will check the submission for completeness and that it meets the following conditions:

- (a) All lots of the resulting subdivision are contiguous to a dedicated public street right-of-way for such a distance as is required by the applicable zoning category.
- (b) No opening, widening, or extension of any street or other public way is involved.
- (c) No more than five (5) lots are subdivided, inclusive of the remaining lot.
- (d) The request for "Subdivision without Plat" is not contrary to these Regulations and any other platting or zoning regulations in the Municipality.

CHAPTER 1193 STORM WATER MANAGEMENT REGULATION

1193.01 GENERAL

Notwithstanding any other provision of the Municipality of Groveport Code, the City Council may promulgate regulations governing the quality of storm water discharges from the premises within the Municipality of Groveport, and where applicable, from premises outside of the Municipality of Groveport that are tributary to the Municipality storm sewer system. The Council shall provide public notice of the intent to adopt storm water regulations pursuant to requirements of the Municipality Charter.

1193.02 REQUIREMENTS

The Planning Commission shall not recommend for approval any subdivision, development or redevelopment having inadequate storm drainage or other physical erosion or flooding impairment as determined by the Municipality Engineer. Furthermore, any landowner and/or developer who propose to develop or re-develop their land shall provide for management of storm water through and from their property(s).

1193.03 DESIGN STANDARDS

Design standards for management of storm water and storm water systems determined by the Municipality Engineer, as defined in the latest edition of the Municipality of Groveport Storm Water Management Policy, shall be adopted by the City Council. This document (**Chapter 935**) can be acquired from the Municipal Administrator or designee.

CHAPTER 1194 EROSION AND SEDIMENT POLLUTION CONTROL REGULATION

1194.01 GENERAL

No land owner or developer shall cause or otherwise allow earth and/or land disturbing activities on a development area except in compliance with the standards set out in the Municipality of Groveport's Erosion and Sediment Pollution Control Regulation.

1194.02 REQUIREMENTS

- (a) The Planning Commission shall not recommend for approval any subdivision that lacks specifications for the control of erosion and sedimentation. A land owner/developer who proposes to develop or re-develop their land shall provide for control of erosion and sedimentation pursuant to the requirements of the latest edition of the Municipality of Groveport's Erosion and Sediment Pollution Control Regulation. This document (**Chapter 1399**) can be acquired from the Municipal Administrator or designee.
- (b) All Erosion and Sedimentation Control Plans shall be required pursuant to requirements of the Municipality's Erosion and Sedimentation Pollution Control Regulation. This plan may be included as a component of the street and/or site drainage improvement plans or may be developed as a separate plan.

CHAPTER 1195 REQUIRED IMPROVEMENTS

1195.01 REQUIRED IMPROVEMENTS

A land owner/developer who subdivides their land shall provide and pay the entire cost of improvements as follows:

- (a) Streets and parking areas that are graded and paved including drainage structures, bridges, sidewalks, curbing and other improvements as stated in these Regulations.
- (b) Sanitary sewers including manholes, services and all appurtenances.
- (c) Water distribution system including mains, services, valves, fire hydrants and all appurtenances.
- (d) Storm sewers including manholes, inlets, appurtenances and/or storm water facilities.
- (e) Monuments.
- (f) Street signs designating the name of each street at each street intersection within the development. Street signs shall conform to the standards established by the Street Commissioner or the City Council.
- (g) Street lighting including poles, underground conduits, and appurtenances.
- (h) Paved driveways, concrete or asphalt as required by **Chapter 1331** (Driveways and Curb Cuts).
- (i) At least one drain opening shall be provided in the curb for each lot.
- (j) All other improvements shown on the plans as approved by the Municipality.
- (k) No above ground utilities shall be permitted unless otherwise approved by the Municipality Engineer. All service, utility, and fire hydrants shall be approved by the Municipality Engineer and Fire Officials and shall comply with any other municipality review and approval.
- (l) Each lot in the subdivision shall be given a street number in accordance with the official Municipality House Numbering Map.
- (m) All street improvements shall be subject to street trees as established by Section 911.09 Tree Fund.
- (n) Street and traffic control signs shall be shown on the street plans or as a separate plan.

1195.02 IMPROVEMENT PLANS

The developer shall submit four (4) copies of the Sanitary Plan, Street Plan, Grading Plan and Erosion and Sedimentation Plan along with an itemized cost estimate of construction for the improvements to the Municipal Administrator or designee. Requirements are as follows:

(a) **Sanitary and Street Plans:**

- (1.) The proposed work shall be shown in plan and profile with sufficient detail to clearly show all works to be performed.
- (2.) In general, the scale shall be one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) or ten (10) feet vertical except when it is necessary to show details or special work.
- (3.) All plans shall be made on tracings twenty-two (22) inches by thirty-six (36) inches with a one (1) inch border on the left and a one-half (1/2) inch border around the balance of the sheet. All drawings shall be made in ink and a title block shall be included in the lower right hand corner of each sheet except on the title sheet. North arrow shall be included on plan sheets where appropriate.
- (4.) The title sheet (first sheet) for all plans shall include a location map, development title, required signatures pursuant to Section 1111.02(a)(1) (Improvement Plans), standard drawing lists, and an index when required.
- (5.) Spaces shall be provided on the title sheet (first sheet) for the approval signatures of the Municipality Engineer, Municipal Administrator, and the Madison Township Fire Chief. If required by the Sewer and/or Water Service Agreement with the City of Columbus, spaces for approval signatures shall appear for the officials from the City of Columbus Director of Public Utilities and the City of Columbus Division of Water. On drawings for water lines, an additional space shall be provided for the signature of the City of Columbus Director of Public Services. The registered engineer in the State of Ohio who prepared the plans shall seal and sign the title sheet.
- (6.) Plans shall contain general notes and a summary of estimated quantities. The general notes shall include a reference to the specifications required in **Chapter 1112** (Design Standards).
- (7.) Supplemental specifications may be submitted as separate documents on eight and one-half (8-1/2) by eleven (11) inch type-written paper or may be added onto the tracing.
- (8.) Sight triangles for all street intersections as specified within the Subdivision Regulations shall be shown on the street plans.

(b) **Grading Plan:**

- (1.) A grading plan shall be prepared for all developments covered under these Regulations. The grading plan may be combined with other plans if such a combination is neat and the information is easily readable;
- (2.) The plan shall be on a Mylar twenty-two (22) inches by thirty-six (36) inches with a one (1) inch border on the left and a one-half (1/2) inch border around the balance of the sheet. The scale shall be one inch equals fifty (1'=50') feet or larger with a north arrow;

- (3.) The title sheet (first sheet) shall include the development title; sheet scale and location map unless it is made a part of the Improvement Plans;
- (4.) The grading plan shall include existing and proposed topographic features:
 - A. Proposed features to be illustrated on the grading plan shall include proposed street grades and proposed storm sewers with pipe sizes and grades.
 - B. The grading plan shall also show the proposed elevation at each lot corner, the proposed finish grades at the house and house pad, and shall delineate the method of rear yard drainage by showing proposed grades, slopes, and direction of surface slope by arrows.
 - C. The grading plan shall delineate proposed contours and slopes of storm water management facilities and all major flood routing paths.
 - D. The grading plan shall follow the standards as established for such grading by the Federal Housing Administration.
- (5.) The slope of the access drives/driveways serving the single family residences shall maintain a slope of not less than three (3) percent and no greater than ten (10) percent. All access drives/driveways shall slope towards the right-of-way. Special cases where the appropriate slope must be altered should be directed to the Municipal Administrator or designee.
- (6.) Sight triangles for all street intersections as specified within the Subdivision Regulations shall be shown.
- (c) **Erosion and Sedimentation Control Plan:** See the Erosion and Sediment Pollution Control Regulation Chapter 1399, for requirements and specifications.
- (d) **Street and Traffic Control Sign Plan:** The Municipality Engineer shall approve a Street and Traffic Control Plan for all public and private streets, parking lots and/or anywhere else the Municipality Engineer deems necessary. The Street and Traffic Control Plan shall be a component of the street plans.
- (e) **Itemized Cost Estimate for Construction** (based on prevailing wage) for:
 - (1.) Street and parking area improvements including, curb, pavement, sidewalks, signage, storm drainage and grading associated with street construction;
 - (2.) Water mains including; lines, valves, hydrants and related appurtenances;
 - (3.) Sanitary sewers including; manholes, wyes, tee's, cleanout and related appurtenances;
 - (4.) Site improvements including seeding and sodding;
 - (5.) Street lights including poles, luminaries, foundations, conduit wiring, pull boxes and electrical control sites;
 - (6.) Erosion and Sedimentation Control Plan.

- (f) The Municipality Engineer shall review the plans and subject to his satisfaction they shall be approved or returned with comments. The developer shall pay for the cost of the review from the moneys deposited as required in Section 1107.14.
- (g) Upon approval of the improvement plans; four sets of the sanitary and street plans and two copies of the grading plan and erosion and sedimentation control plan, a developer's agreement, signed with all the appropriate fees, and a bond and deposits shall be executed and deposited with the Municipal Administrator.
- (h) Construction shall not begin on the development until forty-eight (48) hours after completion of all requirements listed in subsections (a) to (g) hereof and shall be performed and completed in accordance with the provisions of **Chapter 1195** (Required Improvements).
- (i) When the proper Municipality officials have affixed their signature to a set of tracings, such tracings become the property of and will remain in the custody of the Municipality. The tracings shall be released to the developer in order to add the "as built" conditions on the record plans. The Municipality will not accept the public improvements until the record plan tracings are delivered to the Municipality Engineer together with electronic raster images and two prints thereof. Requirements and procedures for the preparation of the record plans are available from the Municipal Administrator or designee.
- (j) No lot, parcel or tract shall be transferred from the proposed development nor shall any construction work on such development, including grading, be started that may affect the arrangement of public streets or other public improvements until the subdivider has obtained the necessary approvals of the improvement plans.
- (k) No conveyance shall be made of any lot or parcel smaller in frontage or area than indicated on the plat except for the purpose of increasing the area of another lot.
- (l) All construction work and materials used in connection with the improvement plans shall conform to the requirements of the Municipality and be installed under the Municipality Engineer's general supervision at no expense to the Municipality.
- (m) The Municipality Engineer shall be notified in writing three (3) days before any construction is to begin.
- (n) All improvements and utilities will be satisfactory installed within one year from the date of the approval of Improvement Plans or within such time as agreed and approved by the City Council.
- (o) All permits and approvals shall be obtained and all fees and deposits paid prior to beginning construction of any improvements.
- (p) During the construction and prior to acceptance of any public improvements, the subdivider shall remove such dirt and debris and foreign matter from all public right-of-ways, improvements, and/or easements that were deposited, left or resulted from the construction of improvements of any nature within the development. Such removal shall be done to the satisfaction of the Municipal Administrator or designee.
- (q) The Development Agreement with the Municipality shall be executed in a format that is acceptable to the Municipal Administrator or designee and Solicitor.
- (r) The subdivider shall hold the Municipality free and harmless from any and all claims for damages of every nature arising or growing out of the construction of such improvements

and shall defend at their own expense and cost each and every suit or action brought against the Municipality by reason thereof, until the improvements has been accepted by the City Council and the developer notified in writing within thirty (30) days. The subdivider shall furnish proof to the Municipal Administrator at the time of commencing construction of possession of liability insurance of not less than one-hundred thousand dollars / two-hundred thousand dollars (\$100,000.00 / \$200,000.00) and property damage insurance of not less than fifty thousand dollars (\$50,000.00).

- (s) If any violation of, or noncompliance with, any of the provisions and stipulations of the Subdivision Regulations occurs, the City Council shall have the right to stop the work forthwith and hold the bonding company responsible for the completion of the improvements or use the certified check, or proceeds thereof, for such purpose.

1195.03 SURFACE COVERAGE

All surface areas not covered by a hard surface improvement shall be seeded or sodded and sloped to drain. Grass areas next to buildings shall slope at five (5) percent away from the building for a minimum of ten (10) feet unless otherwise regulated by **Chapter 1193** (Storm Water Management Policy), ditches in grassed areas with a bottom slope or grade between two (2) and seven (7) percent shall be sodded. Ditches with a bottom slope or grade greater than seven (7) percent shall have a paved or stone gutter as required by the Municipality Engineer.

1195.04 TREE PRESERVATION AND REPLACEMENT

See **Chapter 1176** (Landscape Regulations) for the preservation of trees and wooded areas as well as the Tree Replacement Policy.

1195.05 STREET TREES

Street trees shall be installed as required by Section 911.09 (Tree Fund).

1195.06 EASEMENTS

All public utility improvements outside of the right-of-way shall have easements reserved to the Municipality for maintenance, access, and replacement. Dimensions for all water and sanitary sewer easements shall be in conformance with the latest City of Columbus requirements. In no instance shall easements for sanitary sewers be less than fifteen (15) feet in width. In no instance shall easements for water lines be less than ten (10) feet in width. For all public utilities, a minimum of seven and a half (7 ½) feet of clearance-width shall be provided between the centerline of the utility main and one limit of the easement boundary. Refer to Section 1196.12 (Drainage) for requirements and provisions for drainage easements. All other easements shall be a minimum of ten (10) feet in width or as otherwise stipulated by the Municipality Engineer. Electric, gas, cable television, and telephone easements may be less than ten (10) feet in width as required and agreed upon by the developer and the provider. The Municipality Engineer may require additional easement width where appropriate, based on proposed usage.

1195.07 AIRPORT NOISE ZONES

A subdivision located within the identified airport noise zones as outlined in the Comprehensive Plan and the Zoning Regulations may require an avigation easement by the applicable airport authority. A notation on the preliminary and Final Plat shall be required notifying the potential purchasers of those lots that such an easement has been granted to the airport authority.

1195.08 OPEN SPACE

Open space and or parkland as required by the Zoning Regulations shall be delineated on the preliminary and Final Plat as reserves stating their ownership, maintenance, and purpose. The ownership and maintenance of the reserves shall be by the Municipality of Groveport or the subdivision's homeowners association.

1195.09 ACCESS BY PUBLIC STREETS

No subdivision plat shall be approved unless it shall provide for direct access to the platted area by a public street or right-of-way dedicated to public use.

1195.10 INSPECTION AND RECORDING SITE IMPROVEMENTS

All site improvements including; streets, sidewalks, sanitary sewers, storm drains, street lights and water mains will be inspected and entered into the Municipality records by the Municipality Engineer. The cost of inspection and recording of the site improvements shall be paid by the developer pursuant to Section 1191.16 (Inspection and Engineering Fees).

1195.11 CONSTRUCTION LAYOUT

A licensed engineer or surveyor at no cost to the Municipality shall perform all construction layouts. Cut sheets shall be prepared for all sewers and waterlines. At least two (2) copies of all cut sheets shall be delivered to the Municipal Administrator or designee and one (1) copy to the Municipality Engineer prior to beginning any work.

CHAPTER 1196 DESIGN STANDARDS

1196.01 STREETS

- (a) Street classifications are designated on the Municipality of Groveport Thoroughfare Plan as adopted by the Municipality of Groveport and should be followed as a guideline in the development of ground within and/or around the Municipality of Groveport. Streets are classified into five (5) basic categories: Freeway, Principal Arterial, Minor Arterial, Collector and Local as defined in **Chapter 1102** (Definitions).
- (1.) The design and alignment of proposed streets shall consider the existing and proposed conditions such as but not limited to topography, floodplains, and land use of the area. Existing streets abutting a development may require additional right-of-way as outlined by the Thoroughfare Plan and these Regulations and/or required by the Municipality Engineer.
- (2.) The owner and/or developer shall dedicate all streets to public use.
- (3.) These requirements under Section 1196.01 (Streets) may be modified at the discretion of the Planning and Zoning Commission and the City Council within the Historical District of the Zoning Regulations.

(b) **Right-of Way and Pavement Widths:**

Street Type or Location (typical # of lanes)	Minimum ROW Requirement	Minimum Pavement Requirement between face of curbs
Principal Arterial (5 to 7 lanes):	120 – 160 feet	72 – 92 feet
Minor Arterial (3 to 5 lanes):	80 – 100 feet	36 – 64 feet
Collector (2 to 5 lanes):	60 – 100 feet	32 - 64 feet
Local (2 lanes):	50 - 60 feet	26 - 32 feet *
Alley: **	20 feet	18 feet
Cul-de-sac:	100 feet (50-foot radius)	38-foot radius
Commercial and industrial developments (2 to 3 lanes):	60 feet ***	36 feet ***
* Local streets designed with a pavement of 26 feet between face of curb will require no parking on the same side of the street with fire hydrants or unless otherwise approved by the Planning and Zoning Commission. Street signs shall be posted NO PARKING.		
** Alleys will not be approved in residential districts unless approved by the Planning and Zoning Commission.		
*** Unless otherwise specified by the Municipality Engineer.		


(c) **Horizontal Alignment:**

Street Type	Minimum Centerline Radius	Minimum Tangent between Reverse Curves
Principal Arterial:	*	*
Minor Arterial:	1000 feet	200 feet
Collector:	300 feet	50 feet
Local:	125 feet	No Minimum
Alley:	**	**
Cul-de-sac:	Maximum length: 600 feet or as otherwise approved by the Planning and Zoning Commission.	
* Use standard guidelines as set forth by the Ohio Department of Transportation Location and Design Manual and as approved by the Municipality Engineer.		
** Minimum requirements as specified by the Planning and Zoning Commission.		

- (d) **Vertical Alignment:** The minimum grade for any street shall be one-half (1/2) percent at the gutter, unless otherwise approved by the Municipality Engineer. Vertical curves shall be required at changes in street grades equal to or greater than two (2) percent.

Street Classification	Maximum Grade
Principal Arterial:	Standard guidelines as set forth by the Ohio Department of Transportation Location and Design Manual and as approved by the Municipality Engineer.
Minor Arterial:	Four (4) percent
Collector:	Six (6) percent
Local:	Seven (7) percent unless otherwise approved in writing by the Municipality Engineer.

(e) **Intersection Design:**

	Principal Arterial:	Minor Arterial:	Collector:	Local:
1.) Intersection Angle:	Standard guidelines as set forth by the Ohio Department of Transportation Location and Design Manual and as approved by the Municipality Engineer	90 degrees	75 degrees, 90 degrees preferred	
2.) Minimum Curb Radius:		40 feet	30 feet	20 feet
3.) Minimum Centerline Offset of Street Intersections:		As approved by the Municipality Engineer.	300 feet	125 feet
4.) Pavement Composition:	As specified by the Municipality Engineer			

5.) Intersection Sight Distance Triangle	Sight distance triangles for all street intersections shall be shown on the street and grading plan.
<p>(A) Intersection sight distance triangle shall Intersection sight distance triangle shall be in accordance with the Ohio Department of Transportation Location and Design Manual, Sections 201.2 and 201.3;</p> <p>(B) At the intersection of all streets, a thirty-five (35) foot clear sight distance triangle shall be maintained as specified under Section 1395.06(f)(2) (Landscaping and Screening Standards);</p> <p>(C) In order to maintain the required “clear” sight distance triangle free of obstacles, the Municipality Engineer may restrict the height of embankments, locations of buildings, signs, landscaping, and screen fencing in this area;</p> <p>(D) No landscaping or feature greater than thirty (30) inches in height shall be permitted within the triangle.</p>	

- (f) **Pavement Composition:** As specified by the Municipality Engineer.

1196.02 PRIVATE ROADWAY

Private roadway means any passageway designed for the use by motor powered vehicles upon property owned by one or more persons, firms, or corporations. The maintenance and ownership is solely the responsibility of the said property owner(s).

- (a) All private roads shall be designed horizontally, vertically and in pavement composition in order that emergency vehicles can access any associated uses in connection with said roadway.
- (b) All private roadways shall be improved with a hard surface of concrete, asphalt or similar product or combination of products with a maximum grade of seven (7%) percent and a minimum grade of one-half (0.5%) percent at the gutter.
- (c) Every private roadway ending in a dead-end shall provide ample area to allow for maneuverability of emergency vehicles as approved by the Madison Township Fire Department.
- (d) Private roads that are anticipated to be owned and/or maintained by the Municipality of Groveport shall be designed, constructed, and inspected to the standards of public streets set forth by the Subdivision Regulations.

1196.03 ACCESS MANAGEMENT

Where deemed necessary by the Planning and Zoning Commission and/or the Municipality Engineer, vehicular access points along Principal Arterial and Minor Arterial facilities as identified by the Municipality of Groveport Thoroughfare Plan may be limited in order to not impede the flow of traffic. Access Management Practices such as, but not limited to, frontage roads, service roads, reverse frontage lots with internalized access, restriction on the number and location of drives and shared access points shall be implemented. Vehicular access to residential lots along arterial streets shall be prohibited.

Access Management Standards: The following discussion outlines standards for planning purposes. The Municipality Engineer will evaluate site development proposals and relevant aspects of site access against these standards and provide a recommendation to the Municipal

Administrator regarding traffic engineering decisions related to proposed access changes. The Municipal Administrator will approve or deny proposed site access configurations based on these standards, the Municipality Engineer's recommendation, and other engineering evaluations, as appropriate:

- (a) **Signalized intersections:** Traffic signals placed along arterial routes and collector routes should be spaced one thousand two-hundred fifty (1250) feet apart measured center to center of intersections, unless a traffic engineering study demonstrates that different signal spacing will enhance coordination and improvement to the overall operation of the corridor.
- (b) **Arterial facilities:** Non-residential, unsignalized curb cuts should be located at least 500 feet from unsignalized intersections and at least seven-hundred and fifty (750) feet from signalized intersections. Future curb cuts should align with existing or planned curb cuts on the opposite side of the street to the extent possible. If unsignalized curb cuts are to be offset from curb cuts on the opposite side of the arterial, the offset should be at least two-hundred (200) feet if offset to the left and 400 feet if offset to the right. Right turn in/right turn out curb cuts should be located at least three-hundred (300) feet from adjacent intersections.
- (c) **Collector facilities:** Non-residential, unsignalized curb cuts should be located at least five-hundred (500) feet from unsignalized and signalized intersections. Future curb cuts should align with existing or planned curb cuts on the opposite side of the street to the extent possible. If unsignalized curb cuts are to be offset from curb cuts on the opposite side of the collector, the offset should be at least one-hundred fifty (150) feet if offset to the left and three-hundred (300) feet if offset to the right. Right turn in/right turn out curb cuts should be located at least two-hundred (200) feet from adjacent intersections.

Adjacent curb cuts should be considered unsignalized intersections for the purpose of the above criteria. All distances given above should be measured center to center of driveways and intersections. The standards are appropriate for a 45-mph design speed on Arterials and a 35- mph speed on Collectors. Actual field conditions may warrant other standards as determined by the Municipality Engineer.

See the Municipality of Groveport Thoroughfare Plan for further discussion regarding access standards.

1196.04 STREET LIGHTS

A street lighting plan shall be prepared in accordance with the following specification and standards.

- (a) The design and layout for the street lighting, the underground wiring, and other pertinent equipment shall be designed by a registered electrical engineer. All electrical engineering drawings, whether or not such drawings are included in a comprehensive set of street improvement plans, shall be signed and sealed by a registered professional electrical engineer, and approved by the Municipality Engineer.
 - (1.) All energy lines leading to the light standard shall be underground in new developing subdivisions.
 - (2.) All streets lighting designs shall be coordinated with the supplier of electrical energy. Two (2) drawings for each street lighting layout shall be submitted to the supplier of electric energy for their records. All street lighting plans shall specify shop-drawing submittals.

- (3.) Streetlights are to be designed and installed in accordance with the street lighting specifications of the Municipality, three (3) copies of which will be kept on file in the office of the Zoning Officer.
- (4.) The drawings and specification sheets for the street light standards, luminaries, and mercury vapor lamps and pedestal termination points are available from the Municipality Engineer.
- (5.) All connections to the supplier of electric energy secondary service locations shall be made by the supplier.
- (b) The owner or developer desiring the final acceptance of a street(s), unless council otherwise approves an exception, shall have the streetlights installed and ready for use prior to its acceptance.
- (c) It shall be the responsibility of the Municipality, for street lighting systems that are to be publically owned, to secure and pay the cost of energy for lighting and assume the maintenance cost of the installation following the expiration of the developer's one-year maintenance bond.
- (d) Any contractor or agent for the developer, while in the process of installing street lights, who damages the distribution system of electric energy supplier shall be liable for such damages and for any other cost as a result of such damages, and may charge and receive payment for such damages from the party responsible.
- (e) If conditions are such that the street lights cannot be installed prior to the acceptance of the street(s), as required in subsection (b) above, the owner or developer-requesting acceptance of such street(s) shall deposit with the Municipal Administrator a performance bond.
 - (1.) The performance bond shall be in the amount equal to one and one-half (1 ½) times the estimated cost of the installation of these lights. The owner or developer shall have a period of six (6) months from the time the bond is in place to install the lights.
 - (2.) Failure of the owner or developer to complete the installation within six (6) months shall be cause for the Municipal Administrator to complete the installation by a separate contractor, which will be paid by the funds of the performance bond.
 - (3.) The Municipality shall return the portion of the bond that is not used by the installation of the lights to the depositor at the completion and acceptance of the street(s).
- (f) The location and or spacing of the streetlights shall be coordinated with the Municipality Engineer and shown on the plan view of the street, storm and water plan. The developer shall provide easements for the streetlights and related components if located outside of the right-of-way.

1196.05 STREET SIGNS

The developer shall be responsible for the cost and installation of all street and traffic control signs as shown and approved on the Street and Traffic Control Plan.

1196.06 LOTS AND BLOCKS

- (a) Every lot shall abut on a dedicated street as specified by the Municipality of Groveport Zoning Ordinance.
 - (1.) When sanitary sewer service is not available, lots shall have a minimum frontage of one hundred (100) feet and a minimum lot area of two (2) acres (87,120 square feet), subject to: soils, subsurface conditions, and topography conducive to the function of an onsite treatment facility. The County Board of Health and or the Ohio Environmental Protection Agency shall approve said system;
 - (2.) When water service is not available, lots shall have a minimum lot frontage of one hundred (100) feet and a minimum area of twenty thousand (20,000) square feet (approximately ½ acre);
 - (3.) Double frontage lots shall be avoided except when said lots abut limited access streets such as but not limited to freeways and principal and minor arterials as specified Section 1112.03 (Access Management):
 - A. Lots abutting these streets will require a landscape buffer and mounding area a minimum of fifty (50) feet depth in addition to the typical lot depth for the required zoning.
 - B. The landscape buffer and mounding area will be shown on a landscaping plan that will be submitted to the Planning and Zoning Commission for their approval.
 - (4.) All lots shall meet the setback and/or yard requirements as required by the Municipality of Groveport Development Ordinance. The side property lines of the lot should be perpendicular or radial to the road right-of-way;
 - (5.) Lots should not exceed a lot depth of three and one-half (3-½) times the lot width;
 - (6.) Corner lots shall be a minimum of twenty (20) feet wider than the required width of the zoning.
- (b) The maximum length of blocks shall not exceed fifteen hundred (1,500) feet except where topographic conditions require longer blocks, nor shall they be less than four hundred (400) feet in length.
 - (1.) Wherever blocks are longer than nine hundred (900) feet in length, crosswalks or crosswalk easements not less than ten (10) feet in width may be required near the center of the block;
 - (2.) The width of a block shall normally be sufficient to allow two (2) tiers of lots of appropriate depth except where double or reverse frontage lots are allowed;
 - (3.) Where frontage on a Primary or Minor Arterial streets is involved, the long dimension of the block shall front thereon in order to minimize access intersections.

1196.07 SIDEWALKS

All subdivisions or sections thereof which have not received final approval by the City Council and in which the dedication for streets have not been accepted by City Council as of the effective date of

the ordinance codified in this chapter, shall have installed in them sidewalks to serve each lot or parcel therein. Such sidewalks shall be installed by the property owners abutting the street rights-of-way, except as provided for in subsections (c) and (d) below, and they shall be constructed in accordance with the following:

- (a) Sidewalks shall have a hard, improved surface constructed of materials and to standards established by the Municipality Engineer depending on type of street construction, anticipated permanence of sidewalk, and land uses being served. Such specifications shall be available from the Municipal Administrator or designee.
- (b) Sidewalks shall be located in the right-of-way of the street or as close to the right-of-way line as possible, and shall extend across the entire dimension of each lot or parcel side adjacent to a public street. All sidewalks required by this chapter shall be completed upon the occurrence of any one of the following conditions:
 - (1.) Upon final inspection by the Municipality Building Department of a structure or other improvement on the lot or parcel that the sidewalk services;
 - (2.) In the case of vacant lots or parcels, whenever seventy-five (75) percent of the lots or parcels located on given sides of a dedicated street between two (2) consecutive intersecting streets (a block) have been serviced with a final inspection by the Building Department or otherwise approved by city administrator
 - (3.) Not later than the fourth (4th) anniversary after the date of acceptance of the improved streets by the Municipality.
- (c) Notwithstanding the provisions stated earlier where a subdivision includes a dedicated street to provide access from an existing street to the subdivision, and such dedicated street bisects property and thereby creates parcels which are not a part of the subdivision but are adjacent to the dedicated street, then it shall be the responsibility of the developer or subdivider to install sidewalks within the dedicated street right-of-way whenever sidewalks are required in the subdivision itself. Such sidewalks shall be installed along each side of the dedicated street right-of-way from the existing street to the first lots or parcels in the subdivision, and shall be completed prior to acceptance of the improved street by the Municipality.
- (d) Notwithstanding the foregoing provisions of this section, where the Zoning Code permits placement of continuous sidewalks in common space rather than in the public right-of-way, then the placement provisions of the Zoning Code shall govern.
- (e) All sidewalks and curb ramps to be constructed shall be compliant with the guidelines of the Americans with Disabilities Act, and the Municipality of Groveport Sidewalk and Curb Ramp Standard (available from the Municipal Administrator or designee).
- (f) All curb ramps shall be constructed, inspected, and completed with the construction of street improvements, unless an exception is granted in advance, by the Municipal Administrator or designee.

1196.08 SANITARY SEWER

The following are the minimum standards set forth by the Subdivision Regulations for the construction and testing of sanitary sewers.

- (a) Plans for proposed sanitary sewer collection systems shall be submitted to the Municipality Engineer and to the City of Columbus for approval. All plans must show pipe

sizes, location of mains, manholes, wye connections, cleanouts, and other appurtenances. Such installation and materials shall be in conformity with the Municipality of Groveport and the City of Columbus standards. In addition, review and approval by the City of Columbus is required when said sanitary collection system is to be a part of the City of Columbus system.

- (b) Sanitary sewers shall be designed to maintain a minimum velocity of two (2) feet per second. The minimum pipe diameter shall be eight (8) inches. The sewer pipe shall be designed to carry peak flows resulting from average daily flows as indicated on the Ohio Environmental Protection Agency's "Sewage Flow Guides" for specific development improvements. The design for sewer conduit (pipe) shall conform to the requirements by the City of Columbus. A pipe shall be used which is strong enough, in conjunction with the specified bedding, to withstand the trench loading and line loading imposed now or in the known future.
- (c) Sanitary sewer Y-branches shall be installed during the construction of the collector sewers. If the sewer is located within the street right-of-way, service extensions shall be made within one (1) foot of the right-of-way. Where the sewer is more than twelve (12) feet deep, risers shall be included as part of the construction work. The risers shall be brought to a point not less than ten (10) feet below the ground. All risers shall be located and marked with "wye-poles" prior to the acceptance of the improvements.
- (d) Concrete encasements shall be used when sanitary sewers are required to withstand the trench loading, when hard shale or rock is encountered in the trench bottom or when the cover over the sewer is less than two and one-half (2-1/2) feet.
- (e) Leakage tests are required for all sanitary sewers except building sewers, or unless otherwise requested by the Sewer Inspector. A deflection test is required for all sewers using PVC pipe and non-rigid conduit pipe material.
 - (1.) The sewer shall be tested in sections, each section extending between two (2) consecutive manholes or from the end of the sewer to the nearest manhole. The contractor may elect to use either an infiltration or exfiltration test;
 - (2.) If the infiltration test is selected, each section of pipe shall be covered with no less than two feet of ground water above the top of the pipe at the highest point being tested. The infiltration will be measured by means of a V-notch weir located in the downstream manhole. All service connections and stubs shall be capped or plugged to prevent the entrance of ground water into the line at these connections;
 - (3.) If the exfiltration test is selected, the inlet end of the upstream and downstream manholes shall be closed with watertight bulkheads. The sewer and the upstream manhole shall be filled with water until the elevation of the water in the upstream manhole is two (2) feet higher than the top of the pipe in the line being tested or two feet above the existing ground water in the trench, whichever is the higher elevation. The exfiltration will be measured by determining the amount of water required to maintain the initial water elevation for one (1) hour from the start of the test;
 - (4.) The amount of infiltration or exfiltration as applicable shall not exceed a rate of one-hundred (100) gallons per inch of pipe diameter per twenty-four (24) hours per mile of sewer in each and every section tested in accordance with this subsection (e);

- (5.) All lines shall be measured for vertical ring deflection no sooner than thirty (30) days after the completion of back filling operations provided if, in the judgment of the Municipality Engineer, sufficient settlement has occurred. The deflection test shall be performed by pulling a rigid ball or mandrill, with a diameter equal to ninety-five (95) percent of the inside diameter of the pipe, through the sewer. The maximum limit of vertical deflection shall not exceed five (5) percent of the base inside diameter of the pipe as shown in Appendix XI (ASTM D-3034).
- (f) Building sewers shall be constructed at no expense to the Municipality.
 - (1.) Before any building sewer is constructed, a tap permit must be obtained from the Municipal Administrator or designee. The person applying for the permit shall identify the location of the tap. The person to whom a permit is issued shall cause the building sewer to be installed in accordance with the rules and regulations contained herein.
 - (2.) All construction or repair of building sewers shall be inspected and approved after the pipe has been laid and tap completed, but before covering with the backfill. The person to whom the permit has been issued shall call the Municipal Administrator or designee requesting the inspection at least one-half (1/2) day before the inspection is desired;
 - (3.) The building sewer shall be constructed of a size not less than six (6) inches internal diameter, laid with a minimum fall of one-fourth (1/4) inch per linear foot and shall be vitrified clay pipe, ABS composite, PVC or ductile iron pipe. All joints must be watertight and use proper curves for all changes in alignment or grade. Only adapters approved by the Municipality Engineer shall be used to change from one pipe material to another in any sewer line. The interior of each length of pipe shall be perfectly clean and free from offsets, fins, and projections before the next length of pipe is connected thereto:
 - A. The Municipal Administrator or designee may, by special permission in each case, authorize the building sewer to be constructed with a fall as little as one-eighth (1/8) inch per lineal foot if he determines such procedure to be desirable.
 - B. The Sewer inspector may require that the water tightness of the joints be demonstrated by the testing procedures established in subsection (e) hereof.
 - (4.) Old or existing building sewers may be used in connection with new buildings or alterations to existing buildings only when it can be demonstrated that such sewers conform in all respects to the requirements contained herein for new building sewers. The Municipal Administrator or designee may make an exception as to the size of old building sewers provided they are not less than four (4) inches in internal diameter and otherwise meet the requirements of this section;
 - (5.) Building sewers shall not be constructed closer than three (3) feet to any exterior wall, cellar, basement, or cistern nor shall they have less than two feet of earth or stone cover;
 - (6.) All excavation for building sewers shall be by open cut from the surface:
 - A. The sides of the trench shall be vertical, using such sheeting and bracing as may be necessary to accomplish this result. The bottom of

the excavation shall be shaped to fit the lower half of the sewer pipe so that the pipe will have a uniform bearing from end to end.

- B. In order to accomplish uniform bearing, adequate bell holes shall be excavated at each joint. In the event the trench is excavated below the required grade of the pipe, the excess space shall be filled with stone as specified by the Sewer Inspector.
 - C. The width of the trench at the top of the pipe shall not exceed two (2) feet plus the outside diameter of the pipe nor shall the width be less than one (1) foot plus the outside diameter of the pipe.
 - D. When unstable, soft or spongy conditions are encountered at the trench bottom; such materials shall be removed and replaced with clean, crushed stone sufficient to stabilize the trench bottom to support the pipe to a true line and grade. Such work shall be performed as directed by the Sewer Inspector.
 - E. Water and gas services shall not be laid in the same trench as the building sewer.
- (7.) No tap permit shall be issued for a building sewer when the construction will require the opening, cutting, barricading, or otherwise impeding the flow of traffic of any public street, road, or alley:
- A. If the flow of traffic is impeded, a written request to the Municipal Administrator shall be submitted and written authorization required stating that permission has been granted to the applicant from the governmental body having authority to grant said permission.
 - B. Any tap permit so issued shall be subject to any restrictions or conditions as required by the governmental body.
- (8.) Tampering in the finely graded soil or granular material in six (6) inch layers shall backfill the building sewer to an elevation at least twelve (12) inches over the top of the pipe. Soils containing stones larger than two (2) inches shall not be used for this portion of the back fill;
- (9.) Connections to existing Y-branches shall be made carefully to avoid damage to the bell of the branch or to the lateral sewer. Such damage as may occur shall be repaired as directed by the Sewer Inspector. Connections shall not be made to the public sewer at the manholes unless prior permission has is granted by the Municipal Administrator or designee. Connections to the lateral or public sewer at a point where no Y-branch has been provided shall be made by using a tapping saddle;
- (10.) The permit holder shall repair or restore any drains or service lines damaged or disturbed by them during the construction of the building sewer;
- (11.) No person, firm, or corporation shall discharge or permit the discharge of any deleterious wastes into the sewage system. Such wastes are defined as oils, acids, cyanides, poisons and any other substances, gas or liquid which may in any way damage or interfere the use or operation of the sanitary sewers or sewage treatment plant and may create a hazard to life or property;

- (12.) No downspouts, surface inlets, foundation drains, subsurface drains or any other source of ground or surface water shall be connected either directly or indirectly to discharge in to any part of the public or private sanitary sewer system. Said drains, inlets, and downspouts shall be constructed to drain or be pumped into the street, gutter, ditch or the storm sewer;
- (13.) Surface water that collects in the basement or foundation excavations shall not be discharged at any time into the building sewer. If the building sewer is completed before the plumbing is connected thereto, the building sewer shall be tightly closed at all times with a plumber's plug or other watertight plugs in order to prevent surface or ground water from entering the building sewer.
- (g) When sanitary sewer service is not available, any on-site treatment facility shall be approved by the County Board of Health and/or the Ohio Environmental Protection Agency.

1196.09 WATER DISTRIBUTION

- (a) Plans for proposed water distribution systems shall be submitted to the Municipality Engineer for approval. All plans must show pipe sizes, location of valves, fire hydrants and other appurtenances. Such installation and materials shall be in conformity with the Municipality of Groveport and the City of Columbus standards. In addition, review and approval by the City of Columbus is required when said water distribution is a part of the City of Columbus system.
 - (1.) The minimum size water line with fire hydrants shall be eight (8) inches in diameter. Fire hydrants shall be spaced so that any point of an inhabited building can be reached by less than three hundred (300) feet of fire hose from the first hydrant and five hundred (500) feet of hose from the second hydrant. All fire hydrants shall conform to the Municipality of Groveport Standard Drawing;
 - (2.) Waterlines shall be sized and designed and fire hydrants located so that fire flows can be obtained based on sufficient water and pressure being available for the development, as stated in the National Fire Protection Association Guidelines and, for those sites served by the City of Columbus Water System, pursuant to the requirements of the City of Columbus Division of Water;
 - (3.) When water service is not available, lots shall have a minimum lot frontage of one-hundred (100) feet and a minimum area of two-thousand (20,000) square feet.
- (b) The developer may make taps on the water main that has been constructed or is in the process of being constructed. If the developer does not elect to make their own taps, then arrangements with the City of Columbus must be made to do the work.
- (c) Curb boxes shall be located between the sidewalk and the curb or as near as practicable. All curb boxes shall be adjusted to the finished ground surface. They shall be of the Buffalo type. When the street is to be curbed, a "W" shall be stamped into the face of the curb opposite each curb box before the concrete has set.
- (d) All water services shall be constructed of materials required by the City of Columbus. No service line shall be less than three-fourth (3/4) inch internal diameter. If necessary to provide adequate supply and pressures, larger size lines may be required by the Municipal Administrator or designee.

- (e) All water line service lines shall be laid at least forty-eight (48) inches below the ground or pavement surface. No water service line shall be laid in the same trench with electrical, sewer or sewer service line. All water services to be constructed in or across paved streets shall be done by boring or jacking the line under the surface. The cutting of existing paved surfaces for this purpose will not be permitted except by special permission authorized by the Municipal Administrator.
- (f) Services shall be constructed after the street is rough graded and prior to installation of the proposed paved surfaces and curbs. They may be laid in an open trench provided that the trench is filled with granular back fill in the proposed paving areas or jacked under the ground surface from openings at the back of curb.

1196.10 STORM SEWERS AND STORMWATER MANAGEMENT FACILITIES

Proposed storm sewers, including grades, materials, pipe sizes, manholes, inlets and appurtenances, and stormwater management facilities, shall be shown on the street improvement plans. Plans shall be submitted to the Municipality Engineer for approval. Installation and materials shall be in conformity with the Municipality standards. See **Chapter 1193** (Storm Water Management Regulation) of these Regulations for the required design of the storm water systems and facilities and also **Chapter 935** (Stormwater Management Policy).

1196.11 ELECTRIC, TELEPHONE AND CABLE TELEVISION

The installation, construction and expansion of electric, telephone and cable television shall generally be placed underground subject to the following conditions and exceptions:

- (a) Transmission lines and transformers, pedestals, street light control boxes, switch boxes, etc. that is located on the ground in connection with the installation of the underground utilities shall be exempt from this section. Transmission lines are defined as those lines constructed between generating stations and substations.
- (b) Temporary overhead services of electric and telephone utilities may be allowed, provided that all permanent electric, telephone, and cable television services within and adjacent to new subdivisions, residential, commercial, and industrial uses shall be underground. Temporary overhead services are those services that are necessary for immediate public convenience and necessity that are constructed to serve only on an interim basis until such time as permanent underground services can be installed and/or services that are extended through undeveloped parcels that are not a part of the development in order to reach the subdivision
- (c) The owner or developer of subdivision shall provide easements for electric, telephone and cable television. These utilities will be installed in the same trench and easement whenever possible.

1196.12 DRAINAGE

- (a) The Planning Commission shall not approve any subdivision having inadequate storm drainage or other physical drainage or flooding impairment as determined by the Municipality Engineer. In areas known to be subject to periodic floods, such drainage improvements must be made to satisfy the aforementioned public officers in order that the health and welfare of the people will be protected.
- (b) No natural drainage course shall be altered; no fill, building or structure shall be placed in it unless provisions are made for the flow of water in a manner consistent with the

Municipality of Groveport Stormwater Management Policy, until requirements of the Municipality's Floodplain Management Regulation are met and as well as the Wetlands and Waters of the United States Federal and State Regulations.

- (c) A Master Drainage Plan for the total development area shall be prepared for all sites and shall be presented to the Municipality Engineer for review and preliminary drainage approval prior to initiating detailed engineering designs. The Master Drainage Plan does not constitute a detailed working design or plan from which storm sewer improvements can be constructed, nor is such detail necessary to meet the objectives of preliminary drainage review. The required content of the Master Drainage Plan is described in the Municipality of Groveport Storm Water Management Policy (**Chapter 935**), which is available from the Municipal Administrator or designee.
- (d) **Easements:** Drainage easements shall be provided on Final Plats or through separate instruments dedicating such easements to the Municipality. Dimensions of easements shall be as described below and shall be of adequate size to facilitate access and maintenance of said drainage improvements:
 - 1.) Storm Sewers and Culverts: A minimum ten (10) foot drainage easement will be required on all storm sewers and culverts, although the Municipality engineer may require larger easements as needed to ensure continued access for maintenance and operation of storm sewers and culverts. A minimum of seven and a half (7 ½) feet of clearance-width shall be provided between the centerline of the storm sewer or culvert and one limit of the easement boundary;
 - 2.) Major Storm Water Flood Routing Swales: Drainage easements shall be provided on major storm water flood routing swales across lots and/or blocks for the purpose of constructing, operating, and maintaining such swales for drainage purposes. Easement width shall be determined by the Municipality Engineer and shall be of appropriate dimension to assure adequate and continued conveyance of the major storm flood. In these areas, no placement of above grade structures, dams or other obstructions to flow are permitted without the approval of the Municipality of Groveport;
 - 3.) Existing or Man-made Surface Drainage Courses: Drainage easements shall be provided over and along any important existing or man-made surface drainage courses, adequate in dimension for the purpose of protecting, maintaining, widening, deepening, enclosing or otherwise improving such drainage courses for drainage purposes:
 - A. In these areas, no alteration of terrain or placement of above grade structures, dams or other obstructions to flow are permitted without the approval of the Municipality of Groveport.
 - B. Dimensions of easements shall be as approved by the Engineer, who may require the easement to include an area adjacent to the drainage course being a minimum of twenty (20) feet wide, measured horizontally from top-of-bank.
 - C. On large or lengthy drainage courses, a maintenance strip within the easement on both sides of the watercourse may be required by the Municipality Engineer. A fifteen (15) foot minimum access easement to these areas shall be dedicated to the Municipality to the nearest public right-of-way.
 - 4.) Special Flood Hazard Areas: Existing streams, ditches, creeks, and/or rivers with special flood hazard areas as designated by the Municipality or as depicted on the Federal Emergency Management Agency's (FEMA) most recent published Flood Insurance Rate Map for Groveport:

- A. A drainage easement shall be provided over, along and on both sides of all stream channels under this designation, to include the limits of the floodplain associated with the one-percent annual chance flood.
 - B. In lieu of an easement, a landowner may elect to place the one-percent annual chance floodplain limits within a dedicated reserve to be recorded with the Final Plat or by separate instrument. The stated purpose of the drainage easement and/or reserve shall be for preservation and maintenance of floodplain conveyance and storage.
 - C. Fill within limits of the floodplain associated with the one-percent annual chance flood: fill shall not diminish the volume of natural storage or conveyance capacity of the floodplain areas, without compliance with the Municipality's Flood Plain Regulation.
- 5.) Access and Maintenance of Stormwater Management Facilities: Unless otherwise approved by the Municipality Engineer, specific dedicated drainage easement rights shall be required in order to provide for necessary maintenance of all stormwater facilities:
- A. Generally, a drainage easement of twenty (20) feet minimum width, in addition to the size of the stormwater facility when flooded at capacity, is required. The twenty (20) foot minimum distance around the perimeter of the stormwater facility must be on a maximum slope of 10:1.
 - B. A twenty (20) foot minimum access easement shall also be required from the drainage easement to the nearest public right-of-way. The access easement must be graded in such a manner to allow the ingress and egress of maintenance vehicles.
 - C. The maintenance and responsibility of the stormwater management facility will be so stated in the easement and/or plat.
- (e) Certificate of Drainage: Certificate of Drainage compliance shall be submitted at time of final inspection.

APPENDIX A -OHIO REVISED CODE – ENABLING LEGISLATION FOR PLANNING COMMISSION

Section 713 PLANNING COMMISSIONS

713.01 Establishment of Planning Commissions. The legislative authority of each city having a board of park commissioners may establish a city planning commission of seven (7) members, consisting of the mayor, the director of public service, the president of board of park commissioners, and four citizens of the municipal corporation who shall serve without compensation and shall be appointed by the mayor for terms of six (6) years each, except that the term of two (2) of the members of the first commission shall be for three (3) years. The legislative authority may, by resolution, change the number of citizen members to an even number of members, not less than four (4) nor more than twelve (12). Whenever the size of a commission is expanded, the initial appointees to new positions shall be appointed to terms which permit half the citizen members to be reappointed each third year. No reduction in the size of a commission shall affect the term of any incumbent, and at least two (2) citizen members shall be appointed every third year.

The legislative authority of each city without a board of park commissioners may establish a commission of five (5) members, consisting of the mayor, the director of public service, and three (3) citizens of the municipal corporation who shall serve without compensation and shall be appointed by the mayor for a term of six (6) years, except that the term of one (1) of the members of the first commission shall be for four (4) years and one (1) for two (2) years.

The legislative authority of each city with a commission plan of government, adopted as provided in Ohio Revised Code 705.01 to 705.06, inclusive, may establish a city planning commission of five members, consisting of the chairman of the legislative authority and four citizens of the city to be appointed by the legislative authority for terms of six (6) years each, except that the term of two (2) of the members of the first planning commission shall be for four (4) years and two (2) for two (2) years. All members of the planning commission shall serve without compensation.

The legislative authority of each city with a city manager plan of government, adopted as provided in Ohio Revised Code 705.01 to 705.06, inclusive, and 705.51 to 705.60, inclusive, may establish a commission of five members, consisting of the chairman of the legislative authority, the city manager, and three (3) citizens of the city who shall serve without compensation and shall be appointed by the city manager for terms of six (6) years each, except that the term of one of the members of the first planning commission shall be for four (4) years and one (1) for two (2) years.

The legislative authority of each Municipality may establish a commission of five members, consisting of the mayor, one (1) member of the legislative authority to be elected thereby for remainder of his term as such member of the legislative authority, and three (3) citizens of the Municipality to be appointed by the mayor for terms of six (6) years each, except that the term of two (2) of the members of the first planning commission shall be for four (4) years and one (1) for two (2) years. All such members shall serve without compensation

Whenever such a commission is appointed, it shall have all the powers conferred in Ohio Revised Code 735.15.

Except as otherwise provided in its charter, the commission of a charter municipal corporation created in the manner and by virtue of authority granted by its charter, shall have the powers of and the plans made

by it shall have the effect of a planning commission or city plan created under Ohio Revised Code 713.01 to 713.15, inclusive.

Any member of a city or Municipality planning commission established under this section or by charter, except as otherwise provided in its charter, may hold any other public office and may serve as a member of a county, and a regional planning commission.

APPENDIX B - POWERS AND DUTIES OF CITY PLANNING COMMISSION

The planning commission established under Ohio Revised Code 713.01 shall make plans and maps of the whole or any portion of the municipal corporation, and of any land outside thereof, which, in the opinion of the commission, is related to the planning of the municipal corporation, and make changes in such plans or maps when it deems it advisable. Such maps or plans shall show the commission's recommendations for the general location, character, and extent of streets, alleys, ways, viaducts, bridges, waterways, waterfronts, subways boulevards, parkways, parks, playgrounds, aviation fields and other public property; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes, and the removal, relocation, widening, narrowing, vacating, abandonment, change of use of or extension of such public ways, grounds, open spaces, buildings, property, utilities, or terminals. With a view to the systematic planning of the municipal corporation, the commission may make recommendations to public officials concerning the general location, character, and extent of any such public ways, grounds, open spaces, buildings, property, utilities, or terminals. As the work of making the whole plan progresses, the commission may from time to time adopt and publish any part thereof, and such part shall cover one or more major sections or divisions of the municipal corporation or one or more of the functional matters to be included in the plan. The commission may from time to time amend, extend, or add to the plan. This section does not confer any powers on the commission with respect to the construction, maintenance, use, or enlargement of improvements by any public utility or railroad on its own property if such utility is owned or operated by an individual, partnership, association, or a corporation for profit.

The planning commission may accept, receive, and expend funds, grants, and services from the federal government or its agencies, from departments, agencies, and instrumentalities of this State or any adjoining state or from one or more counties of this state or any adjoining state or from any municipal corporation or political subdivision of this or any adjoining state, including county, regional, and municipal planning commissions of this or any adjoining state, or from civic sources, and contract with respect thereto, either separately or jointly or cooperatively, and provide such information and reports as may be necessary to secure such financial aid.

The commission may control, preserve, and care for historical landmarks, control, in the manner provided by ordinance, the design and location of statuary and other works of art, which are the property of the municipal corporation; control the removal, relocation, and alteration of any such works; and control the design of harbors, bridges, viaducts, street fixtures, and other public structures and appurtenances.

Whenever the commission makes a plan of the municipal corporation, or any portion thereof, no public building or structure, street boulevard, parkway, park, playground, public ground, canal, river front, harbor, dock, wharf, bridge, viaduct, tunnel, or other public way, ground works, or utility, whether publicly or privately owned, or a part thereof, shall be constructed or authorized to be constructed in the municipal corporation or planned portion thereof unless the location, character, and extent thereof is approved by the commission. In case of disapproval the commission shall communicate its reasons therefore to the legislative authority of the municipal corporation and to the head of the department which has control of the construction of the proposed improvement or utility. The legislative authority, by a vote of not less than two-thirds of its members and of such department head, together may overrule such disapproval. If such public way, ground, works, building structure or utility is one of the authorization of financing of which does not, under the law or charter provisions governing it, fall within the province of a municipal legislative authority or other municipal body or official, the submission to the commission shall be by the state, school, county, district, or township official, board, commission, or body having such jurisdiction, and the commission's disapproval may be overruled by such official, board, commission, or body by a vote of not less than two-thirds of its membership. The narrowing, ornamentation, vacation, or change in

Appendix B

the use of streets and other public ways, grounds, and places shall be subject to similar approval, and disapproval may be similarly overruled. The commission may make recommendations to any public authorities or to any corporations or individuals in such municipal corporation or the territory contiguous thereto, concerning the location of any buildings, structures, or works to be erected or constructed by them.

