

# **JERSEY TOWNSHIP**

LICKING COUNTY, OHIO

# **ZONING RESOLUTION**

Zoning Established and Original Zoning Resolution was Adopted in 1965

Most Recent Amendment Adopted: September 28, 2015

Most Recent Amendment Effective: October 28, 2015



## TABLE OF AMENDMENTS

The table of amendments on the next page is a listing of amendments made to the Jersey Township, Licking County, Ohio Zoning Resolution. This listing is not all inclusive prior to May 29, 2013, when this table was established. Amendments after May 29, 2013 should be a complete listing and should be updated with each subsequent amendment. The resolution number in the table below is the resolution passed by the Board of Trustees, Jersey Township, Licking County, Ohio. Failure to list an amendment in this table does not invalidate the amendment. This table is provided for informational purposes only.

**Instructions:** Please complete the table on the next page by filling in the information identified in the heading. Additionally, following each Article (if entire article is amended) insert the following text and fill in the information as prompted:

*(INSERT ARTICLE #): (INSERT ARTICLE TITLE); Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # (INSERT); Effective (INSERT DATE).*

If only a Section or Subsection of an Article is amended, insert the following text and fill in the information as prompted:

*(INSERT SECTION #): (INSERT SECTION TITLE); Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # (INSERT); Effective (INSERT DATE).*

This will note in the text when the Article or Section was amended.

If an Article, Section or Subsection is amended multiple times, do not delete the existing amendment information. Insert another line of text amendment information following the original amendment information. Thus providing a timeline of when the text was amended. For example:

*Section 000.01: Example; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # January 1, 197, Effective February 1, 1971.*

*Section 000.01: Example; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # June 20, 1980, Effective July 20, 1980.*

<b>Article/Section</b>	<b>Page</b>	<b>Adopted Date</b>	<b>Resolution #</b>	<b>Effective Date</b>
Zoning Resolution Established		1965		1965
Zoning Resolution Amended		October 7, 1971		November 7, 1971
Article 20: Signs				
Preamble to Article 7 and Article 11	1 to 58 and 81 to 93	April 29, 2013		May 29, 2013
Article 12, 15, 16, 19, 20, 24, 25 and Appendix E.		November 24, 2014	November 24, 2014	December 24, 2014
Article 9, Section 14.02, Section 16.31.F, and Section 16.31.G and Appendix A.		September 28, 2015	September 28, 2015	October 28, 2015

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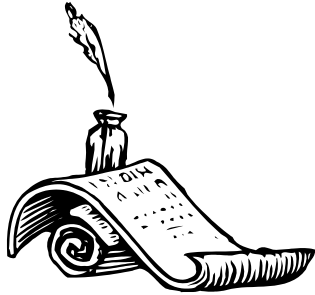
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## PREAMBLE



This resolution is enacted for the purpose of promoting public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of land, and to facilitate adequate and economical provisions for public improvements, all in accordance with a comprehensive plan for the desirable future development of Jersey Township; and to provide a method of administration and to prescribe penalties for violation of provisions hereafter described as authorized by the Ohio Revised Code.

*Preamble; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013.*



# **ARTICLE 1 ~ PURPOSE AND SCOPE**



## **Section 1.00 Title**

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

## **Section 1.01 Provisions Declared Minimum Requirements**

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

## **Section 1.02 Separability Clause**

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

## **Section 1.03 Repeal of Conflicting Resolution, Effective Date**

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

*Article 1: Purpose and Scope; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*



## **ARTICLE 2 ~ ENFORCEMENT**



<b><u>Section 2.00</u></b>	<b>Zoning Permits Required</b>
<b><u>Section 2.01</u></b>	<b>Contents of Application for Zoning Permit</b>
<b><u>Section 2.02</u></b>	<b>Approval of Zoning Permit</b>
<b><u>Section 2.03</u></b>	<b>Submission to Director of Transportation</b>
<b><u>Section 2.04</u></b>	<b>Building Permits Required</b>
<b><u>Section 2.05</u></b>	<b>Expiration of Zoning Permit</b>
<b><u>Section 2.06</u></b>	<b>Records of Zoning Permits</b>
<b><u>Section 2.07</u></b>	<b>Failure to Obtain a Zoning Permit</b>
<b><u>Section 2.08</u></b>	<b>Construction and Use to Be as Provided in Applications, Plans, and Permits</b>
<b><u>Section 2.09</u></b>	<b>Complaints Regarding Violations</b>
<b><u>Section 2.10</u></b>	<b>Penalties for Violation</b>
<b><u>Section 2.11</u></b>	<b>Schedule of Fees, Charges, and Expenses</b>

## **Section 2.00 Zoning Permits Required**

No building or other structure shall be erected, moved, added to, structurally altered, nor shall any building, structure, or land be established or changed in use without a permit therefore, issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this resolution, unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal, conditional use or variance, or from Board of Township Trustees approving a Planned Unit Development District, as provided by this resolution.

**Agricultural Exemptions:** Sections 519.01, 519.02 and 519.21, inclusive, of the Ohio Revised Code (ORC) confer no power on any board or township trustees or zoning appeals to prohibit the use of land for agricultural purposes or the construction or use of buildings or structures incident to the use of agricultural purposes of the land on which such buildings or structures are located, and no zoning certificates, unless authorized by Section 519.01, 519.02 and 519.21 of the ORC shall be required for any such building or structure.

## **Section 2.01 Contents of Application for Zoning Permit**

The application for zoning permit shall be signed by the owner or applicant (subject to compliance with Section 2.01.O: Owners Consent) attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and shall be revoked if work has not begun within one year or completed within two and one half (2 1/2) years. At a minimum, the application shall contain the following information:

**Section 2.01.A** Name, address, and phone number of applicant.

**Section 2.01.B** Legal description of property/address of project.

**Section 2.01.C** Existing use.

**Section 2.01.D** Proposed use.

**Section 2.01.E** Zoning district.

**Section 2.01.F** Site plans in duplicate drawn to scale, showing the following:

**Section 2.01.F.1** Actual dimensions and the shape of the lot to be built upon;

**Section 2.01.F.2** Exact size and location of existing structure(s) on the lot, if any;

**Section 2.01.F.3** Location and dimensions of the proposed structure(s) or alteration to structure.

**Section 2.01.G** Floor plans in duplicate drawn to scale of the proposed structures.

**Section 2.01.H** Current Tax Map of entire parcel and surrounding parcels from the Licking County Engineer's Office.

**Section 2.01.I** Building height.

**Section 2.01.J** Number of off street parking spaces and loading berths.

**Section 2.01.K** Number of dwelling units.

**Section 2.01.L** Water and sewer approval from the appropriate authority.

**Section 2.01.M** Such other matters as may be necessary to determine conformance with and provide for the enforcement of this resolution.

**Section 2.01.N** Structures in the General Business and Manufacturing must submit landscaping plans, according to Article 12.

**Section 2.01.O** Owner's consent, or owner's consent through power of attorney to application or satisfactory showing of applicant's legal or equitable interest in said property. Copy of deed showing applicant's legal ownership of said property.

**Section 2.01.P** Owner's signature on the application.

**Section 2.01.Q** All applicable fees.

## **Section 2.02 Approval of Zoning Permit**

Within 30 days after the receipt of an application, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this resolution. All zoning permits shall be conditional upon the commencement of work within one year. The Zoning Inspector shall retain one copy of the plans. The Zoning Inspector shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of the resolution.

## **Section 2.03 Submission to Ohio Director of Transportation**

Before any zoning permit is issued affecting any land within 300 feet of the centerline of a proposed new state highway, or a state highway for which changes are proposed as described in the certification to local officials by the Ohio Director of Transportation or any land within a radius of 500 feet from the point of intersection of said centerline with any



state highway, the Zoning Inspector shall give notice by registered mail to the Ohio Director of Transportation that he shall not issue a zoning permit for 120 days from the date the notice is received by the Ohio Director of Transportation. If the Ohio Director of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the zoning permit. If the Ohio Director of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the 120 day period of any extension thereof agreed upon by the Ohio Director of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this resolution, issue the zoning permit.

### **Section 2.04 Building Permits Required**

A building permit is required from the Building Code Department of Licking County before construction can begin on any commercial, industrial, institutional, multi-family, single-family structure or any room addition as permitted by this resolution. Building permits shall be issued in conformance with the Building Code of Licking County, Ohio.

To apply for a building permit, the applicant shall first apply for and obtain an approved zoning permit, and then submit appropriate materials and fees, as specified by the Building Code Department of Licking County, Ohio. Building permits will be granted in accordance with the applicable building code. Upon submittal of application and any other necessary information, the applicant will be notified of the status of his or her application in accordance with the applicable building code.

### **Section 2.05 Expiration of Zoning Permit**

If the work described in any zoning permit has not begun within one year from the date of issuance thereof, said permit shall expire, it shall be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected. If the work described in any zoning permit has not been completed within two and one half (2 1/2) years of the date of issuance thereof, said permit shall expire and shall be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new zoning permit has been obtained or extension granted. Construction shall be considered complete upon being issued an occupancy permit by the Licking County Building Code Department.

### **Section 2.06 Records of Zoning Permits**

The Zoning Inspector shall maintain a record of all zoning permits and copies shall be furnished upon request to any person. The Township shall maintain a record of all zoning permits which shall become part of the Jersey Township Record.

### **Section 2.07 Failure to Obtain a Zoning Permit**

Failure to obtain a zoning permit shall be a violation of this resolution and punishable under Section 2.10 - Penalties for Violation of this resolution.

## **Section 2.08 Construction and Use to Be as Provided in Applications, Plans, Permits, and Certificates**

Zoning permits issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use and arrangement, set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of this resolution, and punishable as provided in Section 2.10: Penalties for Violation of this resolution.

## **Section 2.09 Complaints Regarding Violations**

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

## **Section 2.10 Penalties for Violation**

Violation of the provisions of this resolution or failure to comply with any of its requirements, including violation of conditions and safeguards established in various sections of this resolution or failure to comply with any of its requirements shall upon conviction thereof be fined not more than \$100 or imprisonment for not more than 30 days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues after receipt of a violation notice shall be considered a separate offense. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense, and suffer the penalties herein provided. Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation.

## **Section 2.11 Schedule of Fees, Charges, and Expenses**

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

*Article 2: Enforcement; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013.*



## **ARTICLE 3 ~ NON-CONFORMITIES**



<b><u>Section 3.00</u></b>	<b>Intent</b>
<b><u>Section 3.01</u></b>	<b>Incompatibility of Non-conformities</b>
<b><u>Section 3.02</u></b>	<b>Existing Non-conforming uses – Continuation</b>
<b><u>Section 3.03</u></b>	<b>Avoidance of Undue Hardship</b>
<b><u>Section 3.04</u></b>	<b>Single Non-conforming Lots of Record</b>
<b><u>Section 3.05</u></b>	<b>Non-conforming Lots of Record in Combination</b>
<b><u>Section 3.06</u></b>	<b>Non-conforming Use of Land</b>
<b><u>Section 3.07</u></b>	<b>Non-conforming Structures</b>
<b><u>Section 3.08</u></b>	<b>Non-conforming Uses of Structures or of Structures of Land in Combination</b>
<b><u>Section 3.09</u></b>	<b>Repairs and Maintenance</b>
<b><u>Section 3.10</u></b>	<b>Uses Under Conditional Use Provisions Not Non-conforming Uses</b>
<b><u>Section 3.11</u></b>	<b>Non-conforming Lot of Record Yard Requirements</b>
<b><u>Section 3.12</u></b>	<b>Non-conforming Certificate</b>

### **Section 3.00 Intent**

Within the districts established by this resolution or amendments that may later be adopted there exists lots, uses of land, structures, and uses of structures and land in combination which were lawful before this resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this resolution or future amendments. It is the intent of this resolution that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

### **Section 3.01 Incompatibility of Non-conformities**

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

### **Section 3.02 Existing Non-conforming uses – Continuation**

Except as hereinafter specified, the lawful use of a building or premises existing at the time the adoption or amendment of this resolution may be continued, although such use, building, or structure does not conform with the provisions of this resolution for the district in which it is located, so long as it meets the requirements of Sections 3.06 – Non-conforming Use of Land through 3.13 Exceptions and Modifications herein.

### **Section 3.03 Avoidance of Undue Hardship**

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

### **Section 3.04 Single Non-conforming Lots of Record**

In any district in which a structure/use is permitted, a structure and customary accessory building may be erected or permitted on any single non-conforming lot of record at the effective date of adoption or amendment of this resolution, notwithstanding limitations imposed by other square footage requirements. This provision shall apply even though such lot(s) fails to meet the requirements for area or width, or both for the district in which such lot(s) are located. Variances of requirements listed in Articles 7 – Establishment and

Purpose of the Official Schedule of District Regulations through Article 25 – Swimming Pools of this resolution other than lot area or lot width and yard requirement, (see Section 3.11 – Non-conforming Lot of Record Yard Requirements) shall be obtained only through action of the Board of Zoning Appeals as provided in Sections 4.08 – Procedures and Requirements for Appeals and Variances through 4.17 Action by Board of Zoning Appeals.

### **Section 3.05 Non-conforming Lots of Record in Combination**

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

### **Section 3.06 Non-conforming Use of Land**

Where, at the time of adoption of this resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this resolution, the uses may be continued so long as they remain otherwise lawful, provided:

#### **Section 3.06.A**

No such non-conforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied by such uses at the effective date of adoption or amendment of this resolution;

#### **Section 3.06.B**

No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this resolution;

#### **Section 3.06.C**

If any such non-conforming uses of land are discontinued or abandoned for two years or more (except when government action impedes access to the premises), any subsequent use of land shall conform to the regulations specified by this resolution for the district in which such land is located;

#### **Section 3.06.D**

No additional structure not conforming to the requirements of this resolution shall be erected in connection with such non-conforming use of land;

### **Section 3.07 Non-conforming Structures**

Where a lawful structure exists at the effective date of adoption or amendment of this resolution that could not be built under the terms of this resolution by reason of restriction

on area, lot coverage, height, yards, its location on the lot, bulk (square footage), or other requirements concerning the structure, such structure may be continued so long as it remains otherwise unlawful, subject to the following provisions:

**Section 3.07.A**

No such non-conforming structure may be enlarged or altered in a way that increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.

**Section 3.07.B**

Should such non-conforming structure or non-conforming portion of a structure be destroyed by an act of god (tornado, high wind, flood, fire or earthquake, etc.), said structure may be reconstructed upon the original footprint to its previous square footage and height unless the lot is of such width, depth and area that it is physically possible and feasible to comply with the current regulations. In these instances where it is possible to comply with the regulations, the structure shall be reconstructed to comply with the current regulation. Where such structure is destroyed or demolished by an act of the lot owner, the owner's heir assigns or lessee, then any new or replacement structure shall comply with the current regulations.

**Section 3.07.C**

Should such structure be moved by any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

**Section 3.08 Non-conforming Uses of Structures or of Structures of Land in Combination**

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

**Section 3.08.A** No existing structure devoted to a use not permitted by this resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

**Section 3.08.B** If no structural alterations are made, any nonconforming use of a structure or structures may, upon approval by the Board of Zoning Appeals, be changed to a more restrictive non-conforming use provided that the Board of Zoning Appeals shall find that the proposed use is more appropriate to the district than the existing nonconforming use, that the proposed use will not have a greater adverse impact on the neighborhood, and that it will not prolong the natural life of the

nonconformity (i.e., costly improvements are indicators that the natural life use will be extended). In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accordance with other provisions of this resolution and any or all of the following:

**Section 3.08.B.01** The non-conforming structure or use shall not be detrimental to the public welfare or seriously affect or be injurious to other property or improvements in the neighborhood in which the property is located;

**Section 3.08.B.02** The non-conforming structure or use shall not contribute substantially to increasing congestion of streets or create a traffic hazard;

**Section 3.08.B.03** The proper number of parking and loading spaces shall be required to the maximum extent possible;

**Section 3.08.B.04** The existing drainage, sewage, and street systems are not overburdened and the necessary improvements are provided to accommodate the use or structure;

**Section 3.08.B.05** Sufficient buffers to protect conforming uses are provided in accordance with the following requirements and subject to existing yard limitations:

**Section 3.08.B.06.a Perimeter of a Lot Abutting Residential Property**

**Section 3.08.B.06.a.1** On the perimeter of a lot abutting residential land use, a continuous barrier is required for the purpose of buffering loading, unloading, and other service areas, garbage and trash receptacles, and off-street parking or other vehicular use areas exposed to abutting property.

**Section 3.08.B.06.a.2** The barrier shall be a minimum of six (6) feet in height consisting of opaque material such as a wood fence, an earth beam, an opaque hedge, or any combination thereof. If the barrier consists totally or in part of plant materials, such materials shall be planted in a strip of evergreen shrubs not less than ten (10) feet in width and four (4) feet in height.

**Section 3.08.B.06.b Parking**

**Section 3.08.B.06.b.1** All vehicular use areas, including parking lots, shall be buffered from view of public rights-of-way by a barrier, consisting of an earth beam, hedge, wall, or any combination thereof, consisting of a minimum of thirty (30) inches in height.



**Section 3.08.B.06.b.2** All vehicular use areas, including parking spaces, drives and service drives will be constructed in accordance with ODOT'S Construction and Materials Specifications Handbook.

**Section 3.08.B.06.b.3** The buffer standards contained within this subsection shall not apply to non-conforming single family and two family dwellings.

**Section 3.08.B.06.b.4** All applicable County, State, and Federal codes shall be met.

**Section 3.08.C** The applicant shall have one (1) year to obtain a building permit and zoning permit to restore the structure, building or use from the effective date of the resolution approved by the Board of Zoning Appeals.

**Section 3.08.D** Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed.

**Section 3.08.E** When a non-conforming use of a structure or structure and land in combination is discontinued or abandoned for two years or more for any reason, the structure or structure and land in combination shall not thereafter be used except in conformity with regulations of the district in which it is located.

**Section 3.08.F** Reasonable expansion of a non-conforming use shall be reviewed by the Board of Zoning Appeals (BZA) in accordance with these standards established in Sections 4.20- General Standards Applicable to all Conditional Uses and 4.21 – Specific Criteria for Conditional Uses.

## **Section 3.09 Repairs and Maintenance**

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

## **Section 3.10 Uses Under Conditional Use Provisions Not Non-conforming Uses**

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

### **Section 3.11 Non-conforming Lot of Record Yard Requirements**

Lots of record shall meet the required yard(s) as called for in the zoning district in which the existing lot of record is located, when possible. When it is not possible to meet the existing yard requirements, and when the lot of record is located in an area where lots are developed or improved having yards with a variation of not more than ten (10) feet in depth, the average of such developed/improved yards shall establish the yard requirements for the lot of record, except as provided elsewhere in these regulations.

### **Section 3.12 Non-conforming Certificate**

The Zoning Inspector may upon his/her own initiative, or may upon the request of any property owner, issue a certificate for any lot, structure, use of land, use of structure, or use of land and structure in combination that certifies that the lot, structure, or use is non-conforming.

The certificate shall specify the reason for the non-conformity, including a description as to the extent and kind of non-conformity of the property in question, the extent that dimensional requirements are non-conforming, and the portion of the lot and/or structure used for the non-conforming use.

The purpose of this section is to protect the owners of land or structures that are to become non-conforming by certifying that their property and/or use is, in fact, non-conforming. Once certified, the owner is entitled to all rights and regulations as defined in Section 519.19 of the Ohio Revised Code and Article 3 – Non-conformities of the Jersey Township Zoning Resolution. There may be properties and/or uses that are non-conforming whose owners do not have certificates. A fee may be charged for a certificate as determined by the Township Trustees (see Appendix C “Fee Schedule”).

One copy of the certificate shall be returned to the owner and the Township Zoning Clerk, who shall maintain a file of all such certificates as public record, and shall retain one copy.

### **Section 3.13 Exceptions and Modifications**

#### **Section 3.13.A Lot of Record**

When a lot which is an official lot of record at the time of adoption of this resolution does not comply with the area, yard, or other requirements of this resolution, such lot may be used as a building site provided, however, that the yard and other requirements of the district are complied with as closely as possible.

#### **Section 3.13.B Exception to Yard Requirements**

##### **Section 3.13.B.1 Allowable Projections of Residential Structure Into Yards**

Any structure may project into the required front yard if existing structures on both adjacent lots in the same district have less than the required minimum front yard, provided however, that such projection shall extend no closer to the street than either of the adjacent structures. Architectural features of residential buildings such as window sills, cornices, roof overhangs, may project into the requirements provided such projection is not more than four feet and does not reach closer than four feet to any lot line.

**Section 3.13.B.2 Allowable Projections of Business Structures Over Sidewalk**

Signs, awning, canopies, marquees, are permitted to overhang the sidewalk in the business districts only, provided that the overhanging portion is a minimum of nine feet above the sidewalk at any point.

**Section 3.13.B.3 Allowable Projection of Accessory Building Into Rear Yard**

One-story accessory buildings may project into only rear yards abutting on an alley providing such projection extends not closer than five feet to the rear lot line.

**Section 3.13.C Exception to Height Limits**

The limitations of this resolution shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy; monuments, water towers, transmission towers, chimneys, smoke stacks, silos, derricks, conveyors, flagpoles, radio towers, masts, aerials, and other similar uses.

**Section 3.13.D Reduction in Area Requirements**

The lot area and frontage requirements for any residential lot served by a public water system or public sewage system may be reduced as hereinafter specified:

**Section 3.13.D.1 RR, R-1, R-2 Districts (One and Two-Family)**

**Section 3.13.D.1.a Sewage and Water Available**

Minimum Lot Area	12,000 square feet
Minimum Lot Width	90 feet

**Section 3.13.D.1.b Water Available**

Minimum Lot Area	15,000 square feet
Minimum Lot Width	100 feet

**Section 3.13.D.1.c Sewage Available**

Minimum Lot Area	15,000 square feet
Minimum Lot Frontage	100 feet

**Section 3.13.D.2 R-3 District (One, Two and Three Family Dwellings)**

**Section 3.13.D.2.a**

Same as in subparagraphs a, b, and c above in Section 3.13.D.1.

**Section 3.13.D.3 Multi-Family Dwellings**

**Section 3.13.D.3.a Sewage and Water Available**

Minimum Lot Area	3,500 square feet per unit
Minimum Lot Width	125 feet

**Section 3.13.D.3.b Water Available**

Minimum Lot Area	4,000 square feet per unit
Minimum Lot Width	100 feet

**Section 3.13.D.3.c Sewage Available**

Minimum Lot Area	4,000 square feet per unit
Minimum Lot Frontage	100 feet

*Article 3: Non-Conformities; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013.*



## **ARTICLE 4 ~ ADMINISTRATION**



<b><u>Section 4.00</u></b>	<b>Office of Zoning Inspector Created</b>
<b><u>Section 4.01</u></b>	<b>Duties of Zoning Inspector</b>
<b><u>Section 4.02</u></b>	<b>Boards of Zoning Appeals and Zoning Commission Created</b>
<b><u>Section 4.03</u></b>	<b>Duties of Zoning Commission</b>
<b><u>Section 4.04</u></b>	<b>Proceedings of the Board of Zoning Appeals</b>
<b><u>Section 4.05</u></b>	<b>Duties of the Board of Zoning Appeals</b>
<b><u>Section 4.06</u></b>	<b>Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters or Appeal</b>
<b><u>Section 4.07</u></b>	<b>Procedures and Requirements for Appeals and Variances</b>
<b><u>Section 4.08</u></b>	<b>Appeals</b>
<b><u>Section 4.09</u></b>	<b>Stay of Proceedings</b>
<b><u>Section 4.10</u></b>	<b>Variance</b>
<b><u>Section 4.11</u></b>	<b>Application and Standards for Variances</b>
<b><u>Section 4.12</u></b>	<b>Supplementary Conditions and Safeguards</b>
<b><u>Section 4.13</u></b>	<b>Public Hearing by the Board of Zoning Appeals</b>
<b><u>Section 4.14</u></b>	<b>Notice of Public Hearing in Newspaper</b>
<b><u>Section 4.15</u></b>	<b>Notice to Parties in Interest</b>
<b><u>Section 4.16</u></b>	<b>Action by Board of Zoning Appeals</b>
<b><u>Section 4.17</u></b>	<b>General</b>
<b><u>Section 4.18</u></b>	<b>Contents of Application for Conditional Use Permit</b>
<b><u>Section 4.19</u></b>	<b>General Standards Applicable to All Conditional Uses</b>
<b><u>Section 4.20</u></b>	<b>Specific Criteria for Conditional Uses</b>
<b><u>Section 4.21</u></b>	<b>Supplementary Conditions and Safeguards</b>
<b><u>Section 4.22</u></b>	<b>Procedure for Hearing, Notice</b>
<b><u>Section 4.23</u></b>	<b>Action by the Board of Zoning Appeals</b>
<b><u>Section 4.24</u></b>	<b>Expiration of Conditional Use Permit</b>

## **Section 4.00 Office of Zoning Inspector Created**

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

## **Section 4.01 Duties of Zoning Inspector**

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

**Section 4.01.A** Upon finding that any of the provisions of this resolution are being violated, the Zoning Inspector shall notify in writing the person responsible for such violation(s), ordering the action necessary to correct such violation.

**Section 4.01.B** Order discontinuance of illegal uses of land, buildings, or structures.

**Section 4.01.C** Order removal of illegal buildings or structures or illegal additions or structural alterations.

**Section 4.01.D** Order discontinuance of any illegal work being done.

**Section 4.01.E** Take any other action authorized by this resolution to ensure compliance with or to prevent violation(s) of this resolution. This may include the issuance of and action on zoning permits and such similar administrative duties as are permissible under the law.

## **Section 4.02 Boards of Zoning Appeals and Zoning Commission Created**

A Board of Zoning Appeals and a Zoning Commission are hereby created, both of which shall consist of five members and two alternates for each board, each to be appointed by the Board of Township Trustees for a term of five years, except that the initial appointments of regular members shall be one member each for one, two, three, four and five year terms. Each member shall be a resident of the township. Members of the Board of Zoning Appeals or the Zoning Commission may be removed from office by the Board of Township Trustees for cause, upon written charges and after a public hearing. The Board of Township Trustees shall fill vacancies through appointment for the un-expired term of the member vacating the position.

The Alternate Members shall meet the same appointment criteria as Regular Members, and shall take the place of an absent Regular Member at any meeting of the Board of Zoning Commission and the Board of Zoning Appeals. An Alternate Member may vote on any matter on which the absent Member is authorized to vote. Alternate Members of the

Board(s) may be removed from office by the Board of Township Trustees for cause upon written charges and after a public hearing as provided in ORC 519.04. Vacancies shall be filled by appointment by the Board of Township Trustees for the un-expired term of the member affected.

The commission shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this resolution. Meetings shall be held at the call of the chairman and at such other times as the commission may determine. All meetings shall be open to the public. The Commission shall abide by the Sunshine Law and all other applicable Ohio Laws. Meetings shall be conducted in accordance with Robert's Rules of order (which are hereby adopted and incorporated by reference herein) unless in conflict with the ORC. In such cases it shall be superseded by the ORC. The commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the commission.

### **Section 4.03 Duties of Zoning Commission**

For the purpose of this resolution the Commission shall have the following duties as authorized by Section 519.05 of the Ohio Revised Code:

**Section 4.03.A** Initiate proposed amendments to this resolution and the official zoning map, and make recommendation to the board of trustees as outlined in Article 5: Amendment.

**Section 4.03.B** Review all proposed amendments to this resolution and make recommendations to the Board of Township Trustees as specified in Article 5: Amendment.

**Section 4.03.C** Review all proposed changes to official Zoning Map and make recommendations to the Board of Township Trustees as specified in Article 5: Amendment.

**Section 4.03.D** Organize, adopt rules for the transaction of the boards business, and keep a record of its actions and determinations.

**Section 4.03.E** Other duties as authorized by the ORC and/or Jersey Township Board of Trustees.

**Section 4.03.F** Three members of the Zoning Commission shall be necessary to constitute a quorum to conduct business. A majority vote of those members of the Zoning Commission present to form a quorum shall be necessary to make a recommendation to the Jersey Township Trustees.



## **Section 4.04 Proceedings of the Board of Zoning Appeals**

The Board of Zoning Appeals shall adopt rules necessary for the conduct of its affairs in keeping with the provisions of this resolution. Three members of the Board of Zoning Appeals shall be necessary to constitute a quorum to conduct business. A majority vote of those members of the Board of Zoning Appeals present to form a quorum shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this resolution or to effect any variation in the application of this resolution. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all which shall be a public record and be immediately filed in the office of the Board of Zoning Appeals.

## **Section 4.05 Duties of the Board of Zoning Appeals**

In exercising its duties, the board may, as long as such action is in conformity with the terms of this resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. A majority vote of those members of the Board of Zoning Appeals present to form a quorum shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this resolution or to effect any variation in the application of this resolution. For the purpose of this resolution the board has the following specific responsibilities:

### **Section 4.05.A**

To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector.

### **Section 4.05.B**

To authorize such variances from the terms of this resolution as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this resolution will result in unnecessary hardships, and so that the spirit of this resolution shall be observed and substantial justice done.

### **Section 4.05.C**

To grant conditional use permits as specified in Article 7 – Establishment and Purpose of the Official Schedule of District Regulations through Article 21 - Landscaping and Buffering and such additional safeguards as will uphold the intent of this resolution.

#### **Section 4.05.D**

To interpret the zoning map and resolution upon appeal of the Zoning Inspector's decision.

#### **Section 4.05.E**

Where the streets or lot layout actually on the ground, or as recorded, differs from the streets and lot lines as shown on the zoning map, the Board of Zoning Appeals, after written notice to the owners of the property or properties concerned, and after public hearing, shall interpret the map in such a way as to carry out the intent and purpose of this resolution. In case of any questions as to the location of any boundary line between zoning districts, or where there is uncertainty as to the meaning and intent of a textual provision a question may be made to the Board of Zoning Appeals and a determination shall be made by said Board.

### **Section 4.06 Duties of Zoning Inspector, Board of Zoning Appeals, Legislative Authority and Courts on Matters or Appeal**

It is the intent of this resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, and that such questions shall be presented to the Board only on appeal from the decision of the Zoning Inspector, and that recourse from the decisions of the board shall be to the courts as provided by law. It is further the intent of this resolution that the duties of the Board of Township Trustees in connection with this resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this resolution. Under this resolution the Board of Township Trustees shall have only the duties of considering the adopting or rejecting proposed amendments or the repeal of this resolution as provided by law, and of establishing a schedule of fees and charges as stated in Appendix C: Fee Schedule of this resolution. Nothing in this resolution shall be interpreted to prevent any official of the township from appealing a decision of the Board to the courts as provided in Chapters 2505 and 2506 of the Ohio Revised Code (ORC). Any such appeal shall be made within thirty days of the board's written decision.

### **Section 4.07 Procedures and Requirements for Appeals and Variances**

Appeals and variances shall conform to the procedures and requirements of Sections 4.08 – Procedures and Requirements for Appeals and Variances to 4.18 – General, inclusive of this resolution. As specified in Section 4.09 – Appeals, the Board of Zoning Appeals has appellate jurisdiction relative to appeals and variances.

### **Section 4.08 Appeals**

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the township affected by any decision of the Zoning Inspector. Such appeal shall be taken within 20 days after the decision by filing a notice of appeal that

specifies the grounds upon which the appeal is being taken with the Zoning Inspector and the Board of Zoning Appeals. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

## **Section 4.09 Stay of Proceedings**

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

## **Section 4.10 Variance**

### **Section 4.10.A Use Variance**

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

The factors to be considered and weighed in determining whether a property owner seeking a use variance has encountered unnecessary hardship in the use of the property include, but are not limited to:

**Section 4.10.A.01** That special conditions and circumstances exist which are peculiar to the land, structure, or buildings in the same district.

**Section 4.10.A.02** That a literal interpretation of the provisions of this resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this resolution.

**Section 4.10.A.03** That special conditions and circumstances do not result from the applicant.

**Section 4.10.A.04** That granting the variance requested will not confer on the applicant by special privilege that is denied by this resolution to other lands, structures, or buildings in the same district.

**Section 4.10.A.05** Owner's consent to application or satisfactory evidence showing applicant's legal or equitable interest in property. Copy of the deed showing the applicant's legal ownership of said property.

**Section 4.10.A.06** Names and addresses of adjoining owners within 500 feet of property, including property across the roadway. This list shall be typed or printed on mailing labels.

### **Section 4.10.B Area Variance**

The Board of Zoning Appeals in regards to lot area, lot width and setbacks may authorize upon appeal in specific cases such variance from the terms of this resolution as will not be contrary to the public interest where, owing to special conditions of the land, a literal enforcement of the provisions of this resolution would result in practical difficulties. The Board of Zoning Appeals shall not grant a variance from the terms of this resolution unless and until practical difficulty is proven. The factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered practical difficulties in the use of the property include; but are not limited to:

**Section 4.10.B.01** Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;

**Section 4.10.B.02** Whether a variance is substantial;

**Section 4.10.B.03** 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;

**Section 4.10.B.04** Whether the variance would adversely affect the delivery of governmental services, (e.g. water, sewer, garbage, medical, fire, police.);

**Section 4.10.B.05** Whether the property owner purchased the property with knowledge of the zoning restriction;

**Section 4.10.B.06** Whether the property owner's predicament feasibly can be prevented or corrected through some method other than a variance; and

**Section 4.10.B.07** Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

## **Section 4.11 Application and Standards for Variances**

### **Section 4.11.A Application Contents**

A variance from the terms of this resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Clerk containing the following information:

**Section 4.11.A.01** Name, mailing address, and phone number of applicants.

**Section 4.11.A.02** Legal description of property.

**Section 4.11.A.03** Description of nature of variance requested.

**Section 4.11.A.04** A narrative statement demonstrating that the requested variance conforms to the following standards:

**Section 4.11.A.04.a** That special conditions and circumstances exist which are peculiar to the land, structure, or buildings in the same district.

**Section 4.11.A.04.b** That a literal interpretation of the provisions of this resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this resolution.

**Section 4.11.A.04.c** That special conditions and circumstances do not result from actions of the applicant.

**Section 4.11.A.04.d** That granting the variance requested will not confer on the applicant any special privilege that is denied by this resolution to other lands, structures, or buildings in the same district.

**Section 4.11.A.04.e** Owner's consent to application or satisfactory evidence showing applicant's legal or equitable interest in property.

**Section 4.11.A.05** Names and mailing addresses of adjoining owners within 500 feet of the property, including across the roadway. This list must be typed on mailing labels.

**Section 4.11.A.06** Fees need to be paid in accordance to Appendix C: Fee Schedule.

**Section 4.11.A.07** Other information as specified by the Board of Zoning Appeals.

**Section 4.11.A.08** See application form in Appendix B – Application Forms.

**Section 4.11.B Basis for Granting a Variance**

A variance shall not be granted unless the Board of Zoning Appeals makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and requirements imposed by Section 4.10.A: Use Variance or Section 4.10.B: Area Variance of this Article have been met by the applicant. Variances may be granted as guided by, but not limited to, any or all of the following examples:

**Section 4.11.B.01** To permit any yard or setback less than the yard or setback required by the applicable regulations.

**Section 4.11.B.02** To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but generally the respective area and width of the lot or lots should not be less than eighty (80) percent of the required area and width.

**Section 4.11.B.03** To permit the same off-street parking facility to qualify as required facilities for two (2) or more uses, provided that substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week.

**Section 4.11.B.04** To reduce the applicable off-street parking or loading facilities required, but generally by not more than thirty (30) percent of the required facilities.

**Section 4.11.B.05** To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified as a condition of the variance.

**Section 4.11.B.06** To increase the maximum distance that required parking spaces are permitted to be located from the use served, but generally not more than forty (40) percent. (See Article 19: Off Street Parking and Loading Regulations.)

**Section 4.11.B.07** To increase the maximum allowable size or area of signs on a lot, but generally by not more than twenty-five (25) percent.

**Section 4.11.B.08** To increase the maximum gross floor area of any use so limited by the applicable regulations, but generally not more than twenty-five (25) percent.

**Section 4.11.B.09** Under no circumstance shall a variance be granted due to personal hardship. Variances are granted for reasons associated with difficulties with the land only (i.e. topographical, floodplain, soils, natural feature, and the like).

### **Section 4.12 Supplementary Conditions and Safeguards**

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this resolution in the district involved, or any use expressly or by implication prohibited by the terms of this resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this resolution and punishable under Section 2.10: Penalties for Violation of this resolution.

### **Section 4.13 Public Hearing by the Board of Zoning Appeals**

The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after receipt of an application for an appeal, variance, or conditional use from the Zoning Inspector or an applicant.

### **Section 4.14 Notice of Public Hearing in Newspaper**

Before holding the public hearing required in Section 4.13 – Public Hearing by the Board of Zoning Appeals, notice of such hearing shall be given in one or more newspapers of general circulation of the township at least ten days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance. Notice shall state who placed the notice (such as clerk or chairman of the Board of Zoning Appeals).

### **Section 4.15 Notice to Parties in Interest**

Before holding the public hearing required in Section 4.13 – Public Hearing by the Board of Zoning Appeals, written notice of such hearing shall be mailed by the Board of Zoning Appeals by first class mail at least ten (10) days before the day of the hearing to all owners of property within, contiguous to, and directly across the thoroughfare from the parcel to be considered for an appeal, variance or conditional use by the Board of Zoning Appeals. The notice shall be mailed to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees.

### **Section 4.16 Action by Board of Zoning Appeals**

Within thirty (30) days after the public hearing required in Section 4.13 – Public Hearing by the Board of Zoning Appeals, the Board of Zoning Appeals shall approve, approve with supplementary conditions as specified in Section 4.12 - Supplementary Conditions and Safeguards, or disapprove the request for appeal, variance or conditional use. The Board of Zoning Appeals shall further make possible a reasonable use of the land, building, or

structure. Appeals from Board decisions shall be made in the manner specified in Section 4.08 - Appeals.

Conditional uses shall conform to the procedures and requirements of Section 4.18 - Contents of Application for Conditional Use Permit to Section 4.24 – Expiration of Conditional Use Permit, inclusive of this resolution.

## **Section 4.17 General**

It is recognized that an increasing number of new kinds of uses are appearing daily, and that many of these and some other more conventional uses possess characteristics of such unique and special nature relative to location, design, size, method of operation, circulation, and public facilities that each specific use must be considered individually. These specific uses as they are conditionally permitted under the provisions of Article 9 shall follow the procedures and requirements set forth in Section 4.18 - Contents of Application for Conditional Use Permit to Section 4.24 – Expiration of Conditional Use Permit, inclusive. The Board of Zoning Appeals may not permit a use that is dissimilar to the surrounding uses.

## **Section 4.18 Contents of Application for Conditional Use Permit**

**Section 4.18.A** An application for conditional use permit shall be filed with the Zoning Inspector by at least one owner or lessee of the property for which such conditional use is proposed. At a minimum, the application shall contain the following information:

**Section 4.18.A.01** Name, address, and phone number of applicant.

**Section 4.18.A.02** Legal description of the property.

**Section 4.18.A.03** Description of existing use.

**Section 4.18.A.04** Zoning district.

**Section 4.18.A.05** Description of proposed conditional uses.

**Section 4.18.A.06** A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards, and such other information as the Board may require to determine the proposed conditional use meets the intent and requirements of this resolution; a copy of the tax map certified by the County Engineer's office showing the property in question and surrounding areas.

**Section 4.18.A.07** A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration



on adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the comprehensive plan.

**Section 4.18.A.08** Names and addresses of all legal owners of property within, contiguous to, and directly across the thoroughfare from such parcel to be considered for a variance or conditional use by the Board of Zoning Appeals. The address of such owners shall be obtained from the list of names appearing on the County Auditor's current tax list or the Treasurer's mailing list and to such other list or lists that may be specified by the Board of Township Trustees. These names and addresses shall be typed on mailing labels.

**Section 4.18.A.09** Such other information as may be required in 4.21 - Supplementary Conditions and Safeguards, including legal owner's consent if applicant is not the legal owner or satisfactory showing of applicant's legal or equitable interest.

**Section 4.18.A.10** A fee as established by the Board of Township Trustees according to Section 2.11: Schedule of Fees, Charges, and Expenses, see also Appendix C: Fee Schedule.

## **Section 4.19 General Standards Applicable to All Conditional Uses**

In addition to the specific requirements for conditionally permitted uses as specified in Section 4.20: Specific Criteria For Conditional Uses, the Board shall review the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

**Section 4.19.A** Is in fact a conditional use as established under the provisions of Article 7 and appears on the Official Schedule of District Regulations adopted by Article 7 for the zoning district involved.

**Section 4.19.B** Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan and/or the zoning resolution.

**Section 4.19.C** Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

**Section 4.19.D** Will not be hazardous or disturbing to existing or future neighboring uses.

**Section 4.19.E** Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services. Additionally, a letter from the agency with water and wastewater authority shall provide a letter stating that they have capacity to serve the site and/or provide on-site water and wastewater service as applicable.

**Section 4.19.F** Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.

**Section 4.19.G** Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odor.

**Section 4.19.H** Will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.

**Section 4.19.I** Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

**Section 4.19.J** The owner/developer shall provide a business plan showing the projected number of employees and growth of the proposed business over the next ten (10) years. This shall be used by the owner/developer to show the projected expansion of any proposed structures due to increase in number of employees and/or growth of the business.

## **Section 4.20 Specific Criteria for Conditional Uses**

The following is a list of specific criteria that is individually selectable and can be used in evaluating or determining conditionally permitted uses as specified under the Official Schedule of District Regulations. In addition, several conditionally permitted uses listed under the various districts of Article 8 –Conservation Districts to Article 14 – Planned Unit Development specifically refer to one or more of the following conditions as a probable requirement for approval.

### **Section 4.20.A Protection of Surrounding Properties and Neighborhoods**

(The following is a list of specific criteria that is individually selectable and can be used in evaluating or determining conditionally permitted uses as specified under the Official Schedule of District Regulations.)

**Section 4.20.A.01** Such uses, if not in a residential district, shall not be conducted closer than 500 feet from any residential district, nor closer than 200 feet from any structure used for human occupancy in any other district.

**Section 4.20.A.02** All structures and activity areas should be located at least 100 feet from all property lines.

**Section 4.20.A.03** Such structures should be located adjacent to parks and other nonresidential uses such as schools and shopping facilities where use could be made of joint parking facilities.

**Section 4.20.A.04** Site locations should be preferred that offer natural or manmade barriers that would lessen the effect of intrusion into a residential area.

**Section 4.20.A.05** Such uses should be properly landscaped to be harmonious with surrounding residential uses in accordance with Article 21 .

**Section 4.20.A.06** The area of use shall be completely enclosed by a fence sufficient for screening and appropriately landscaped to be harmonious with surrounding properties.

**Section 4.20.A.07** All permitted installations shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, or to the community in general.

**Section 4.20.A.08** There shall be no more than one (1) sign oriented to each abutting street and identifying the activity. Furthermore the requirements of Article 20 – Signs and Outdoor Advertising Structures must be met.

**Section 4.20.A.09** All lighting and lighting used for advertising purposes shall be directed away from surrounding and nearby residential properties by a suitable screen of evergreen shrubs of at least twenty (20) feet in width and six (6) feet in height above finished grade, a wall at least six (6) feet in height above finished grade or a combination thereof.

**Section 4.20.A.10** Sound from loud speakers, which can be detected beyond the premises, shall not be permitted.

**Section 4.20.A.11** The buildings shall be designed so as to conform to the architectural character of the neighborhood.

**Section 4.20.B Specific Performance Standards** (The following is a list of specific criteria that is individually selectable and can be used in evaluating or determining conditionally permitted uses as specified under the Official Schedule of District Regulations.)

**Section 4.20.B.01** Lighting shall not create a nuisance and shall in no way impair safe movement of traffic on any street or highway.

**Section 4.20.B.02** Hours may be limited further depending upon the surrounding land uses.

**Section 4.20.B.03** The site shall not be used for the exterior storage of trucks, and truck parking shall be limited to a time not to exceed 24 hours.

**Section 4.20.B.04** The facility shall be operated so that a guest resides at the residential structure for not longer than one continuous week.

**Section 4.20.B.05** The facility shall contain not more than four (4) sleeping rooms for guests.

**Section 4.20.B.06** Outdoor pens and exercise runs shall be kept in a clean and sanitary condition and shall be screened from public view. A screening plan shall be submitted to the Board of Zoning Appeals for approval.

**Section 4.20.B.07** Sanitation practices shall be adequate to assure that objectionable odors shall not be noticeable on or off the lot considering various wind conditions.

**Section 4.20.B.08** The applicant shall submit a written statement showing the measures and practices he or she will use to reduce the noise level in the design of the building and the management or rotation of animals and outdoor exercise runs.

**Section 4.20.B.09** No dead animals shall be buried on the premises and incineration of dead animals shall not create odors or smoke.

**Section 4.20.B.10** Outdoor playgrounds, tot lots, exercise areas, etc., shall be fully enclosed by a fence, the height and design of which, shall be approved by the Board of Zoning Appeals. The lot owner shall maintain the fence in a safe and functional manner at all times.

**Section 4.20.C Excavation Standards** (The following is a list of specific criteria that is individually selectable and can be used in evaluating or determining conditionally permitted uses as specified under the Official Schedule of District Regulations.)

**Section 4.20.C.01** Information shall be submitted on the anticipated depth of excavations and on depth and probable effect on the existing water table and coordinated with the Ohio Division of Water.

**Section 4.20.C.02** All excavations shall be made either to a water producing depth, such depth to be not less than five feet below the low water mark, or shall be graded or backfilled with non-noxious, non-flammable, and non-combustible solids, to secure:

**Section 4.20.C.02.a** That the excavating area shall not allow water to collect or remain stagnant therein.

**Section 4.20.C.02.b** That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof, so as to produce a gently running surface that will minimize erosion due to rainfall and which will not adversely impact the adjoining land area. The banks of all excavations not back filled shall be sloped, which shall not be less than four (4) feet horizontal to one (1) foot vertical, and said bank shall be seeded to establish permanent vegetation.

**Section 4.20.D Mining Standards** (The following is a list of specific criteria that is individually selectable and can be used in evaluating or determining conditionally permitted uses as specified under the Official Schedule of District Regulations.)

**Section 4.20.D.01** There shall be filed with the Board of Zoning Appeals a detailed plan for the restoration of the area to be mined which shall include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of not greater interval than five feet, the type and number per acre of trees, shrubs, or grass to be planted, and the location of future roads. Drives, drainage courses, or other improvements contemplated.

**Section 4.20.D.02** There shall be filed with the Zoning Inspector a location map which clearly shows areas to be mined and the location of adjacent properties, roads, and natural features.

**Section 4.20.D.03** All equipment and machinery shall be operated and maintained in such a manner as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment as may be specified by the County Engineer.

**Section 4.20.E Access Standards** (The following is a list of specific criteria that is individually selectable and can be used in evaluating or determining conditionally permitted uses as specified under the Official Schedule of District Regulations.)

**Section 4.20.E.01** All points of entrance or exit should be located no closer than 500 feet from the intersection of two arterial thoroughfares, or no closer than 250 feet from the intersection of an arterial street and a local or collector street.

**Section 4.20.E.02** Structures should have primary access to a collector thoroughfare.

**Section 4.20.E.03** Such developments should have primary access to arterial thoroughfares or be located at intersections of arterial and/or collector streets.

**Section 4.20.E.04** Such uses should be located on an arterial thoroughfare, adjacent to sparsely settled residential uses.

**Section 4.20.E.05** Such developments should be located on or immediately adjacent to state highways.

**Section 4.20.E.06** Truck parking areas, maneuvering lands, and access ways to public thoroughfares shall be designed to cause no interference with safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site. The site shall not be used for the storage of trucks, and truck parking shall be limited to a time not to exceed 24 hours.

**Section 4.20.E.07** Such use should be subject to the restrictions outlined in Article 13.

**Section 4.20.E.08** The applicant shall submit a parking and traffic circulation plan to the Board of Zoning Appeals for approval. The design, location, and surface of the parking areas and vehicular approaches shall be subject to approval by the Board of Zoning Appeals so as to reduce congestion, promote safety, and reduce the impact on the residential character of the neighborhood. The plan shall provide for the separation of incoming and outgoing vehicles during high volume periods and shall, if applicable, provide a safe drop off point for pedestrians that will not impede other traffic..

## **Section 4.20.F Animal Shelter/Humane Society/Kennel-Commercial/Kennel-Agriculture Conditions**

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

### **Section 4.20.F.01 Applicability**

In accordance with Section 519.21 of the Ohio Revised Code, a township zoning resolution, or an amendment to such resolution, may in any platted subdivision approved under section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or in any area consisting of fifteen or more lots approved under section 711.131 of the Ohio Revised Code that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate:

1. Agriculture on lots of one acre or less;
2. Buildings or structures incident to the use of land for agricultural purposes on lots greater than one acre but not greater than five acres by: setback building lines, height, and size;
3. Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least 35% of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject

to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Ohio Revised Code. After 35% of the lots are so developed, dairying and animal and poultry husbandry shall be considered non-conforming use of land and buildings or structures pursuant to section 519.19 of the Ohio Revised Code.

Section 4.20.F.01 of this section confers no power on any township Zoning Commission, board of township trustees, or Board of Zoning Appeals to regulate agriculture, buildings or structures, and dairying and animal and poultry husbandry on lots greater than five acres.

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

Ohio Case Law:

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

Ohio Attorney General Opinions

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

### **Section 4.20.F.01 Setbacks**

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

#### **Section 4.20.F.02 Buffer**

The perimeter of a lot of record upon which a animal shelter, humane society or kennel-commercial is located upon shall provide a landscape buffer in accordance with Article 21. Said buffer shall exceed the standards in Article 21 by providing 100% year round opacity. This shall require the use of mixed evergreens and deciduous plant materials to obtain this goal. In part, the buffer is to provide a means to reduce noise levels from barking dogs, which is considered a nuisance within Jersey Township.

#### **Section 4.20.F.03 Indoor Kennels**

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

#### **Section 4.20.F.04 Outdoor Kennels**

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

#### **Section 4.20.F.05 Outdoor runs**

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

#### **Section 4.20.F.06 Stables & Pasture**

Stables and pasture areas for large domestic animals (horses, mules, cows, buffalo, llamas, goats, sheep, and the like) shall be considered agriculture use and shall comply with the setback and buffering standards within this Section 4.20.F: Animal Shelter/Humane Society/Kennel-Commercial/Kennel Agriculture Conditions unless otherwise exempt as an agriculture use as stated in Section 4.20.F.0: Applicability.

#### **Section 4.20.F.06 Disposal of animal waste**

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



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

**Section 4.20.F.07 Disposal of deceased animals from Animal Shelter, Humane Society, Kennel-Commercial and Kennel-Agriculture**

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

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

**Section 4.20.F.08 Perimeter fencing**

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

**Section 4.20.F.09 Parking**

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

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

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

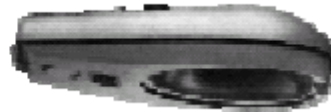
### **Section 4.20.F.10 Lighting**

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

**Figure 4.A How to Recognize a Fully Shielded Fixture**



Unshielded Fixture



Fully-Shielded Fixture

### **Section 4.21 Supplementary Conditions and Safeguards**

In granting any conditional use, the Board may prescribe appropriate conditions and safeguards in conformity with this resolution. Violations of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this resolution and punishable under Section 2.10: Penalties for Violation of this resolution.

### **Section 4.22 Procedure for Hearing, Notice**

Upon receipt of the application for a conditional use permit specified in Section 4.19: Contents of Application for Conditional Use Permit, the Board shall hold a public hearing, publish notice in a newspaper, and give written notice to all parties in interest according to the procedures specified in Section 4.14 – Public Hearing by the Board of Zoning Appeals through 4.16 – Notice to Parties in Interest.

### **Section 4.23 Action by the Board of Zoning Appeals**

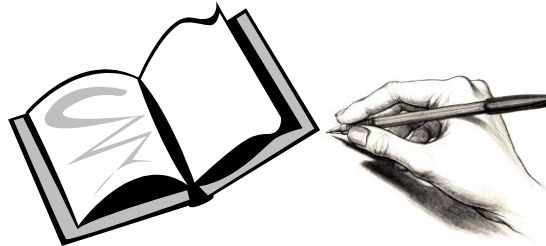
Within 30 days after the public hearing required in Section 4.23: Procedure for Hearing, Notice, the Board shall either approve, approve with supplementary conditions as specified in Section 4.22 – Supplementary Conditions and Safeguards, or disapprove the application as presented. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue a conditional use permit listing the conditions specified by the Board for approval. If the Board disapproves the application, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made in the manner specified in Section 4.09 - Appeals.

## **Section 4.24 Expiration of Conditional Use Permit**

A conditional use permit shall be deemed to authorize only one particular conditional use and said permit shall run with the land. However, a conditional use shall automatically expire if, for any reason, the conditional use shall cease for more than one year.

*Article 4: Administration; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*

## **ARTICLE 5 ~ AMENDMENT**



<b><u>Section 5.00</u></b>	<b>Procedure for Amendments for District Changes</b>
<b><u>Section 5.01</u></b>	<b>General</b>
<b><u>Section 5.02</u></b>	<b>Initiation of Zoning Amendments</b>
<b><u>Section 5.03</u></b>	<b>Contents of Application</b>
<b><u>Section 5.04</u></b>	<b>General Standards for All Zoning Amendments</b>
<b><u>Section 5.05</u></b>	<b>Transmittal to Zoning Commission</b>
<b><u>Section 5.06</u></b>	<b>Submission to County Planning Commission</b>
<b><u>Section 5.07</u></b>	<b>Submission to Director of Transportation</b>
<b><u>Section 5.08</u></b>	<b>Notice of Public Hearing by Zoning Commission</b>
<b><u>Section 5.09</u></b>	<b>Notice of Public Hearing in Newspaper</b>
<b><u>Section 5.10</u></b>	<b>Notice to Property Owners by Zoning Commission</b>
<b><u>Section 5.11</u></b>	<b>Recommendation by Zoning Commission</b>
<b><u>Section 5.12</u></b>	<b>Public Hearing by Board of Township Trustees</b>
<b><u>Section 5.13</u></b>	<b>Action by Board of Township Trustees</b>
<b><u>Section 5.14</u></b>	<b>Effective Date and Referendum</b>
<b><u>Section 5.15</u></b>	<b>Updating the Zoning Resolution Text or Zoning Map</b>
<b><u>Section 5.16</u></b>	<b>Certification of Zoning Amendments to the Licking County Recorder's Office and the Licking County Planning Commission</b>

## **Section 5.00 Procedure for Amendments for District Changes**

This resolution may be amended by utilizing the procedures specified in Sections 5.01 – General to Section 5.13 – Action by the Board of Trustees, inclusive of this resolution.

## **Section 5.01 General**

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

## **Section 5.02 Initiation of Zoning Amendments**

Amendments to this resolution may be initiated in one of the following ways:

**Section 5.02.A** By adoption of a motion by the Zoning Commission.

**Section 5.02.B** By adoption of a resolution by the Board of Township Trustees.

**Section 5.02.C** By the filing of an application by at least one owner or lessee of property within the area proposed to be changed or affected by said amendment.

## **Section 5.03 Contents of Application**

Applications for amendments to the Official Zoning Map adopted, as part of this resolution by Article 6 – Provisions For Official Zoning Map, shall contain at least the following information:

**Section 5.03.A** Name, address, and phone number of applicant(s) and legal owner(s).

**Section 5.03.B** Area in question shall be drawn on a certified map from the County Engineer's Office.

**Section 5.03.C** Present use.

**Section 5.03.D** Present zoning district.

**Section 5.03.E** Proposed use.

**Section 5.03.F** Proposed zoning district.

**Section 5.03.G** A written description, sufficient to identify the area in question, shall be included, as well as a legal description, including a survey, describing the area proposed to be rezoned. A copy of the deed showing the applicant's legal ownership of the lot(s) is also required.

**Section 5.03.H** A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require.

**Section 5.03.I** Names and addresses of all legal owners of property within, contiguous to, and directly across the thoroughfare from the parcel to be considered for a variance or conditional use by the Zoning Commission Board. The address of such owners shall be obtained from the list of names appearing on the County Auditor's current tax list or the Treasurer's mailing list, and to such other list or lists that may be specified by the Board of Township Trustees. These names and addresses shall be typed on two sets of mailing labels.

**Section 5.03.J** A statement on how the proposed amendment relates to the comprehensive plan.

**Section 5.03.K** A fee as established by the Board of Township Trustees according to Section 2.11: Schedule of Fees, Charges, and Expenses, see also Appendix C: Fee Schedule.

**Section 5.03.L** Owner's consent to application or satisfactory showing of the applicant's legal or equitable interest in said property.

**Section 5.03.M** Applications for amendments proposing to amend, supplement, change or repeal portions of this resolution other than the Official Zoning Map shall include Items in Sections 5.03.A, 5.03.J, and 5.03.L listed above in addition to the proposed text.

**Section 5.03.N** If rezoning a portion of a lot of record and not the entire lot of record, the applicant shall provide a survey and legal description of the area to be rezoned. Said survey and legal shall be recorded with the resolution adopting the zoning map amendment.

## **Section 5.04 General Standards for All Zoning Amendments**

**Section 5.04.A** Will be harmonious and in accordance with the general objectives, or with any specific objective of the township comprehensive plan and/or the zoning resolution and the Subdivision, Land Division, Development and Congestion Prevention Regulations for Licking County, Ohio.

**Section 5.04.B** Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

**Section 5.04.C** Will not be hazardous or disturbing to existing or future neighboring uses.

**Section 5.04.D** Will be served adequately by essential public facilities and services, such as highways, street, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such services.

**Section 5.04.E** Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

**Section 5.04.F** Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, air or water pollution, or potential for explosion.

**Section 5.04.G** Will have vehicular approaches to the property, which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.

**Section 5.04.H** Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

## **Section 5.05 Transmittal to Zoning Commission**

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission. The Zoning Inspector or Township Fiscal Officer shall transmit the application or resolution to the Zoning Commission Clerk or if the clerk is not available due to leave or vacancy of position, then to the Commission Chairperson within forty-eight (48) hours.

## **Section 5.06 Submission to County Planning Commission**

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

*Note: The LCPC regular monthly meeting is normally held on the 4<sup>th</sup> Monday of every month, except in May, November and December, when it is held the 3<sup>rd</sup> Monday (subject to change without notice in this resolution). The Zoning Commission's public hearing should be scheduled after this date, but should also comply with Section 5.08 – Notice of Public Hearing by Zoning Commission of this resolution.*

## **Section 5.07 Submission to Director of Transportation**

Before any zoning amendment is approved affecting any land within 300 feet of the centerline of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of 500 feet from the point of intersection of said centerline with any public road or highway, the Commission shall give notice, by registered or certified mail to the Director of Transportation. The Zoning Commission may proceed as required by law, (Ohio Revised Code, Section 5511.01); however, the Board of Township Trustees shall not approve the amendment for 120 days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Board of Township Trustees that he shall proceed to acquire any land needed, then the Board of Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Board of Township Trustees that acquisition at this time is not in the public interest, or upon the expiration of the 120-day period of any extension thereof agreed upon the Director of Transportation and the property owner, the Board of Township Trustees shall proceed as required by law.

## **Section 5.08 Notice of Public Hearing by Zoning Commission**

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



## **Section 5.09 Notice of Public Hearing in Newspaper**

Before holding the public hearing as required in Section 5.08 – Notice of Public Hearing by Zoning Commission, notice of such hearing shall be given by the Zoning Commission by at least one publication in one or more newspapers of general circulation in the township at least 10 days before the date of said hearing.

### **Section 5.09.A Published Notice, Amendment to Rezone Greater Than 10 Parcels**

If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten (10) parcels of land, as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

**Section 5.09.A.01** The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment.

**Section 5.09.A.02** A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution.

**Section 5.09.A.03** The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten (10) days prior to the public hearing.

**Section 5.09.A.04** The name of the person responsible for giving notice of the public hearing by publication.

**Section 5.09.A.05** A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action.

**Section 5.09.A.06** Any other information requested by the Zoning Commission.

### **Section 5.09.B Published Notice, Amendment To Rezone 10 Or Fewer Parcels**

If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

**Section 5.09.B.01** The name of the Zoning Commission that will be conducting the public hearing.

**Section 5.09.B.02** A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution.

**Section 5.09.B.03** A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment, and the names of the owners of these properties, as they appear on the County Auditor's current tax list.

**Section 5.09.B.04** The present zoning classification of property named in the proposed amendment and the proposed zoning classification of such property.

**Section 5.09.B.05** The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten (10) days prior to the public hearing.

**Section 5.09.B.06** The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail.

**Section 5.09.B.07** Any other information requested by the Zoning Commission.

**Section 5.09.B.08** A statement that after the conclusion of such hearing, the matter will be submitted to the Board of Trustees for its action.

## **Section 5.10 Notice to Property Owners by Zoning Commission**

If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail as certificate of mailing, at least ten (10) days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare from the parcel proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list, and to such other list or lists that may be specified by the Board of Township Trustees. The failure to deliver the notice, as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information as required of notices published in newspapers as specified in Section 5.09 – Notice of Public Hearing in Newspaper.

## **Section 5.11 Recommendation by Zoning Commission**

Within thirty (30) days after the public hearing required by Section 5.10 – Notice to Property Owners by Zoning Commission, the Zoning Commission shall recommend to the Board of Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment not be granted.

## **Section 5.12 Public Hearing by Board of Township Trustees**

Within thirty (30) days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. The Board of Township Trustees, as specified in Section 5.09 – Notice of Public Hearing in Newspaper and 5.10 – Notice of Property Owners by Zoning Commission, shall give notice of such public hearing in a newspaper and to contiguous property owners.

### **Section 5.13 Action by Board of Township Trustees**

Within twenty (20) days after the public hearing required by Section 5.12 – Public Hearing by the Board of Township Trustees, the Board of Township Trustees shall either adopt or deny by resolution the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees denies or modifies the recommendation of the Commission, the majority vote of the Board of Township Trustees is required.

### **Section 5.14 Effective Date and Referendum**

Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption, unless within thirty (30) days after the adoption of the amendment there is presented to the Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the township or part thereof included in the zoning plan (equal to not less than 8 percent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected), requesting the Board of Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

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

### **Section 5.15 Updating the Zoning Resolution Text or Zoning Map**

Upon the effective date (Section 5.14 – Effective Date and Referendum) of a zoning text amendment or Zoning Map amendment, the Jersey Township Board of Trustees shall cause the Zoning Resolution or Zoning Map to be changed to reflect the newly adopted text or map. The amended text of the zoning resolution shall be followed by the following statement “Resolution Number \_\_INSERT NUMBER\_\_”. This shall serve to identify the resolution in which the amendment was passed for future reference. Additionally, all amendments shall be listed under Amendments at the beginning of the Jersey Township Zoning Resolution.

### **Section 5.16 Certification of Zoning Amendments to the Licking County Recorder’s Office and the Licking County Planning Commission**

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

The board shall file all amendments, including text and maps that are in effect on January 1, 1992, in the office of the county recorder within thirty (30) working days after that date. The board shall also file the duplicates of the same documents with the regional or county planning commission, if one exists, within the same period.

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

*Article 5: Amendment; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*



# **ARTICLE 6 ~ PROVISIONS FOR OFFICIAL ZONING MAP**

## **Section 6.00 Official Zoning Map**

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

## **Section 6.01 Identification of the Official Zoning Map**

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

## **Section 6.02 Interpretation of District Boundaries**

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

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

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

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

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

*Article 6: Provisions for Official Zoning Map; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*

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

## **Section 7.00 Compliance With Regulations**

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

### **Section 7.00.A**

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

### **Section 7.00.B**

No building or other structure shall be erected or altered:

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

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

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

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

### **Section 7.00.C**

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



## **Section 7.01 Official schedule of District Regulations Adopted**

District regulations shall be as set forth in:

**Article 7 - Establishment and Purpose of the Official Schedule of District Regulations**

**Article 8 - Conservation Districts**

**Article 9 - Residential Districts**

**Article 10 - Manufactured Home District**

**Article 11 - Business/Commercial Districts**

**Article 12 - Manufacturing Districts**

**Article 13 - Reserve for Future Use**

**Article 14 - Planned Unit Development District**

**Article 15 - Supplementary District Regulations**

Hereby adopted and declared to be part of this resolution.

## **Section 7.02 Intent of District Regulations**

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

Administration, and other articles of these regulations. Rules, regulations, requirements, standards, resolutions, articles, and/or sections not specifically included for each district, but which are contained in these regulations and which are applicable to each district or use, shall be applied as if stated in full in Article 7 of these regulations. Uses not specifically defined or stated as permitted or conditionally permitted in any district which cannot reasonably be interpreted by the Zoning Inspector or the Zoning Commission shall be referred to the Board of Zoning Appeals for an order in the determination of such use and the district to which and under what circumstances it will prevail as specified in Article 5, Administration.

*Article 7: Establishment and Purpose of the Official Schedule of District Regulations; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*

## ARTICLE 8 ~ CONSERVATION DISTRICTS



## **Section 8.00 Conservation District**

### **Section 8.00.A Purpose**

The purpose of the Conservation District is to protect the public health and to reduce the financial burdens imposed on the community, its governmental units, and its individuals, which may result from improper use of lands having excessively high water tables or are subject to frequent and periodic floods and overflow.

### **Section 8.00.B Uses Permitted in the C-1, Conservation District**

**Section 8.00.B.01** Any customary agricultural use, forestry.

**Section 8.00.B.02** Recreational facilities such as fishing lakes, golf courses, golf driving ranges, and parks.

**Section 8.00.B.03** Water conservation works; including water supply works, flood control and watershed protection, fish and game hatcheries and preserves, hydro-electric power installation, etc.

**Section 8.00.B.04** Accessory use and buildings.

**Section 8.00.B.05** Essential services.

### **Section 8.00.C Conditional Uses in the C-1, Conservation District**

**Section 8.00.C.1** Gun clubs, archery courts, and other similar uses.

**Section 8.00.C.2** Commercial mining; in accordance with the provisions of Article 20: Signs and Outdoor Advertising Structures.

**Section 8.00.C.3** Reclamation of lands subject to flooding, provided that no filling, draining, construction of levees or other improvements intended to reduce the danger of flood or erosion shall be authorized by the Commission unless the Commission finds that such reclamation work is in concert with the objectives of the land use plan; and, that any such work is done in accordance with plans approved by the Licking County Soil and Water Conservation District.

### **Section 8.00.D Other Requirements**

Buildings or structures authorized in the Conservation District shall not obstruct natural drainage courses and floodways. Equipment, materials and wastes stored in areas subject to flooding shall have a specific gravity substantially heavier than

water, or shall be otherwise secured against floating away and shall not become a source of water pollution or contamination.

**Section 8.00.D.1** Engineer's Report: Whenever the Commission is required to pass on matters of protection of life and property from flood hazards it shall request a report and recommendations thereon from the chief engineer of any Conservation District. Such report shall be considered final and conclusive and the Commission shall be bound thereby.

**Section 8.00.D.2** Change to Non-conservation District: Changes of district classification from C-1 to any other classification provided by this resolution may be initiated in accordance with the requirements of this resolution; provided that no such change shall be authorized by the Township Trustees that any flood condition existing at the time the C-1 District was originally established does no longer exist or has been remedied to the satisfaction of said engineer, and that the area in question is now reasonable well protected from floods for the intended purpose and occupancy. Prior to recommending a change of zoning to the Township Trustees, the Township Zoning Commission shall require completion of all necessary flood works in accordance with the requirements and specifications of the C-1 District.

**Section 8.00.E** Required Lot Area and Lot Width in the C-1 District  
None, except as may be specified by the Commission; provided that no structure shall be located closer than 35 feet to any existing or proposed public right-of-way and not closer than 50 feet to any side or rear lot line.

**Section 8.00.F** Height Regulation in the C-1 District  
No structure shall exceed 35 feet in height.

*Article 8: Conservation Districts; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*



## **ARTICLE 9 ~ RESIDENTIAL DISTRICTS**



- |                            |  |
|----------------------------|--|
| <b><u>Section 9.00</u></b> | <b>Rural Residential District – (RR)</b>   |
| <b><u>Section 9.01</u></b> | <b>Rural Residential District – (RR-3)</b> |
| <b><u>Section 9.02</u></b> | <b>Residence District – (R-1)</b>          |
| <b><u>Section 9.03</u></b> | <b>General Residence District (R-2)</b>    |
| <b><u>Section 9.04</u></b> | <b>Multi-Residence District (R-3)</b>      |

## **Section 9.00 Rural Residential District – (RR)**

### **Section 9.00.A Purpose**

The purpose of the Rural Residential is to provide an area for agricultural pursuits protected from infringement of unguided urban development; to create and preserve a setting for rural small estate residential development; and, to conserve areas physically unsuitable for intensive development.

### **Section 9.00.B Uses Permitted in the RR District**

**Section 9.00.B.1** Agricultural uses, commercial grain storage;

**Section 9.00.B.2** One single-family residential dwelling per lot of record;

**Section 9.00.B.3** Essential public utility and service system buildings and lands, public buildings, picnic grounds;

**Section 9.00.B.4** Basic Home Occupation with Permit (See Section 16.32: Basic Home Occupation Regulations and Appendix B: Application Forms);

**Section 9.00.B.5** Accessory structure(s) incidental and subordinate to the principal structure on the lot. Accessory structures are located on the same lot with such principal structure.

### **Section 9.00.C Conditionally Permitted Uses in the RR District (With Board of Zoning Appeals Approval)**

**Section 9.00.C.1** Extraction of minerals are subject to the provisions of Article 18: Extraction of Minerals;

**Section 9.00.C.2** Cemeteries, golf courses and similar uses;

**Section 9.00.C.3** Home occupations that do not qualify as basic home occupation;

**Section 9.00.C.5** Religious Institution;

**Section 9.00.C.6** Public School and Education and Private School and Education.

See also Sections 4.17: General through Section 4.24: Expiration of Conditional Use Permit.

## **Section 9.00.D General Requirements to the RR District**

### **Section 9.00.D.1 Required Lot Area**

Each lot shall have a minimum lot area of 85,000 Square Feet.

### **Section 9.00.D.2 Required Lot Width**

Each lot shall have a minimum lot width of 150 feet at the road and throughout the lot.

### **Section 9.00.D.3 Required Setbacks**

Each principal structure, accessory structure (unless integrated part of residential/principal structure) and/or agricultural structure on a lot shall comply with the structure setbacks as specified below. Said setbacks shall be measured from the lot line, with the exception of the front yard setback. The front yard setback shall be measured from the road right-of-way line. Where no road right-of-way is specified, the front yard setback shall be measured from a point 30 feet from the centerline of the road. For example if there is no right-of-way specified, and the minimum front yard setback is 40 feet from the road right-of-way, the setback would be 70 feet (30' + 40' setback) from the centerline of the road. Corner lots and through lots shall provide the minimum front yard requirements for each street side of the lot.

#### **Section 9.00.D.3.a Principal Structure**

<b><u>Section 9.00.D.3.a.1</u></b>	Front Yard	-	40 feet
<b><u>Section 9.00.D.3.a.2</u></b>	Side Yard	-	15 feet each side
<b><u>Section 9.00.D.3.a.3</u></b>	Rear Yard	-	50 feet
<b><u>Section 9.00.D.3.a.4</u></b>	Other Structures*	-	6 feet

#### **Section 9.00.D.4.b Accessory Structures**

<b><u>Section 9.00.D.3.b.1</u></b>	Front Yard	-	50 feet
<b><u>Section 9.00.D.3.b.2</u></b>	Side Yard	-	6 feet each side
<b><u>Section 9.00.D.3.b.3</u></b>	Rear Yard	-	10 feet
<b><u>Section 9.00.D.3.b.4</u></b>	Other Structures*	-	6 feet

#### **Section 9.00.D.4.c Agricultural Structures**

<b><u>Section 9.00.D.3.c.1</u></b>	Front Yard	-	50 feet
<b><u>Section 9.00.D.3.c.2</u></b>	Side Yard	-	15 feet each side
<b><u>Section 9.00.D.3.c.3</u></b>	Rear Yard	-	10 feet
<b><u>Section 9.00.D.3.c.4</u></b>	Other Structures*	-	6 feet

*\*Other structures include the dwelling, accessory structures, agriculture structures on the same lot.*



**Section 9.00.D.4.e Setback Summary**

	FRONT	SIDE	REAR	CORNER/THROUGH LOTS	FROM OTHER STRUCTURES
Principal Structure	40'	15' each side	50'	40'	6'
Accessory Structures	50'	6' each side	6'	50'	6'
Agriculture Structures	50'	15' each side	10'	50'	6'

**Section 9.00.D.4 Required Floor Area in the RR District**

Any building intended in whole or part for residential purposes shall provide a minimum floor area as hereinafter specified:

**Section 9.00.D.4.a Single-Family Dwelling\***

**Section 9.00.D.4.a.1** With basement - 1,000 square feet

**Section 9.00.D.4.a.2** Without basement - 1,100 square feet

\*Shall not be less than 24 feet in width or depth, whichever is the smaller dimension.

**Section 9.00.D.5 Height Regulation in the RR District**

No principal structure, accessory structure or habitable agriculture structure shall exceed 2 1/2 stories or 35 feet in height. Non-habitable agriculture structures are exempt from this height restriction. Non-habitable agriculture structures may include silos, barns, grain bins, and the like not intended for human occupation.

**Section 9.00.D.6 Supplementary District Regulations**

Please also reference Articles 16 through 25, which apply as applicable.

## **Section 9.01 Rural Residential District – (RR-3)**

### **Section 9.01.A Purpose**

The purpose of the Rural Residential District (3) is to provide an area for agricultural pursuits protected from infringement of unguided urban development; to create and preserve a setting for rural small estate residential development; and, to conserve areas physically unsuitable for intensive development.

### **Section 9.01.B Uses Permitted in the RR-3 District**

**Section 9.01.B.1** Agricultural uses, commercial grain storage;

**Section 9.01.B.2** One single-family residential dwelling per lot of record;

**Section 9.01.B.3** Essential public utility and service system buildings and lands, public buildings, picnic grounds;

**Section 9.01.B.4** Basic Home Occupation with Permit (See Section 16.32: Basic Home Occupation Regulations and Appendix B: Application Forms);

**Section 9.01.B.5** Accessory structure(s) incidental and subordinate to the principal structure on the lot. Accessory structures are located on the same lot with such principal structure.

### **Section 9.01.C Conditionally Permitted Uses in the RR-3 District (With Board of Zoning Appeals Approval)**

**Section 9.01.C.1** Extraction of minerals are subject to the provisions of Article 18: Extraction of Minerals;

**Section 9.01.C.2** Cemeteries, golf courses and similar uses;

**Section 9.01.C.3** Home occupations that do not qualify as basic home occupation;

**Section 9.01.C.5** Religious Institution;

**Section 9.01.C.6** Public School and Education and Private School and Education.

See also Sections 4.17: General through Section 4.24: Expiration of Conditional Use Permit.

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

### **Section 9.01.D.1 Required Lot Area**

Each lot shall have a minimum lot area of three (3) acres.

### **Section 9.01.D.2 Required Lot Width**

Each lot shall have a minimum lot width of 150 feet at the road and throughout the lot.

### **Section 9.01.D.3 Required Setbacks**

Each principal structure, accessory structure (unless integrated part of residential/principal structure) and/or agricultural structure on a lot shall comply with the structure setbacks as specified below. Said setbacks shall be measured from the lot line, with the exception of the front yard setback. The front yard setback shall be measured from the road right-of-way line. Where no road right-of-way is specified, the front yard setback shall be measured from a point 30 feet from the centerline of the road. For example if there is no right-of-way specified, and the minimum front yard setback is 40 feet from the road right-of-way, the setback would be 70 feet (30' + 40' setback) from the centerline of the road. Corner lots and through lots shall provide the minimum front yard requirements for each street side of the lot.

#### **Section 9.01.D.3.a Principal Structure**

<b><u>Section 9.01.D.3.a.1</u></b>	Front Yard	-	40 feet
<b><u>Section 9.01.D.3.a.2</u></b>	Side Yard	-	15 feet each side
<b><u>Section 9.01.D.3.a.3</u></b>	Rear Yard	-	50 feet
<b><u>Section 9.01.D.3.a.4</u></b>	Other Structures*	-	6 feet

#### **Section 9.01.D.3.b Accessory Structures**

<b><u>Section 9.01.D.3.b.1</u></b>	Front Yard	-	50 feet
<b><u>Section 9.01.D.3.b.2</u></b>	Side Yard	-	6 feet each side
<b><u>Section 9.01.D.3.b.3</u></b>	Rear Yard	-	10 feet
<b><u>Section 9.01.D.3.b.4</u></b>	Other Structures*	-	6 feet

#### **Section 9.01.D.3.c Agricultural Structures**

<b><u>Section 9.01.D.3.c.1</u></b>	Front Yard	-	50 feet
<b><u>Section 9.01.D.3.c.2</u></b>	Side Yard	-	15 feet each side
<b><u>Section 9.01.D.3.c.3</u></b>	Rear Yard	-	10 feet
<b><u>Section 9.01.D.3.c.4</u></b>	Other Structures*	-	6 feet

*\*Other structures include the dwelling, accessory structures, agriculture structures on the same lot.*

**Section 9.01.D.3.d Setback Summary**

	FRONT	SIDE	REAR	CORNER/THROUGH LOTS	FROM OTHER STRUCTURES
Principal Structure	40'	15' each side	50'	40'	6'
Accessory Structures	50'	6' each side	6'	50'	6'
Agriculture Structures	50'	15' each side	10'	50'	6'

**Section 9.01.D.4 Required Floor Area in the RR-3 District**

Any building intended in whole or part for residential purposes shall provide a minimum floor area as hereinafter specified:

**Section 9.01.D.4.a** Single-Family Dwelling\*

**Section 9.01.D.4.a.1** With basement - 1,000 square feet

**Section 9.01.D.4.a.2** Without basement - 1,100 square feet

\*Shall not be less than 24 feet in width or depth, whichever is the smaller dimension.

**Section 9.01.D.5 Height Regulation in the RR-3 District**

No principal structure, accessory structure or habitable agriculture structure shall exceed 2 1/2 stories or 35 feet in height. Non-habitable agriculture structures are exempt from this height restriction. Non-habitable agriculture structures may include silos, barns, grain bins, and the like not intended for human occupation.

**Section 9.01.D.6 Supplementary District Regulations**

Please also reference Articles 16 through 25, which apply as applicable.

## **Section 9.02 Residence District – (R-1)**

### **Section 9.02.A Purpose**

The purpose of the Residence District (R-1) is to provide an area for rural small estate residential development; to provide an area for light agricultural pursuits; and to conserve areas physically unsuitable for intensive development.

### **Section 9.02.B Uses Permitted in the R-1 District**

**Section 9.02.B.1** One single-family residential dwelling per lot of record;

**Section 9.02.B.2** Light agricultural uses including greenhouses and raising farm products (not including livestock); provided any lot or tract in such use shall not be less than five acres in area, and provided that any greenhouse heating plant shall be located not less than 200 feet distant from any lot line;;

**Section 9.02.B.3** Essential public utility and service system buildings and lands, public buildings, picnic grounds;

**Section 9.02.B.4** Basic Home Occupation with Permit (See Section 16.32: Basic Home Occupation Regulations and Appendix B: Application Forms);

**Section 9.02.B.5** Accessory structure(s) incidental and subordinate to the principal structure on the lot. Accessory structures are located on the same lot with such principal structure.

### **Section 9.02.C Conditionally Permitted Uses in the R-1 District (With Board of Zoning Appeals Approval)**

**Section 9.02.C.1** Country clubs, golf courses and similar uses and facilities. Swimming pools shall be located not less than 100 feet from any other lot in any R-District.

**Section 9.02.C.2** Utility sub-stations and pump houses provided that such structures will not detract from the general appearance of the area nor adversely affect the comfort, safety, or welfare of the residents of the area.

See also Sections 4.17: General through Section 4.24: Expiration of Conditional Use Permit.

## **Section 9.02.D General Requirements to the R-1 District**

### **Section 9.02.D.1 Required Lot Area**

Each lot shall have a minimum lot area of 85,000 square feet.

### **Section 9.02.D.2 Required Lot Width**

Each lot shall have a minimum lot width of 150 feet at the road and throughout the lot.

### **Section 9.02.D.3 Required Setbacks**

Each principal structure, accessory structure (unless integrated part of residential/principal structure) and/or agricultural structure on a lot shall comply with the structure setbacks as specified below. Said setbacks shall be measured from the lot line, with the exception of the front yard setback. The front yard setback shall be measured from the road right-of-way line. Where no road right-of-way is specified, the front yard setback shall be measured from a point 30 feet from the centerline of the road. For example if there is no right-of-way specified, and the minimum front yard setback is 40 feet from the road right-of-way, the setback would be 70 feet (30' + 40' setback) from the centerline of the road. Corner lots and through lots shall provide the minimum front yard requirements for each street side of the lot.

#### **Section 9.02.D.3.a Principal Structure**

<b><u>Section 9.02.D.3.a.1</u></b>	Front Yard	-	40 feet
<b><u>Section 9.02.D.3.a.2</u></b>	Side Yard	-	15 feet each side
<b><u>Section 9.02.D.3.a.3</u></b>	Rear Yard	-	50 feet
<b><u>Section 9.02.D.3.a.4</u></b>	Other Structures*	-	6 feet

#### **Section 9.02.D.3.b Accessory Structures**

<b><u>Section 9.02.D.3.b.1</u></b>	Front Yard	-	50 feet
<b><u>Section 9.02.D.3.b.2</u></b>	Side Yard	-	6 feet each side
<b><u>Section 9.02.D.3.b.3</u></b>	Rear Yard	-	10 feet
<b><u>Section 9.02.D.3.b.4</u></b>	Other Structures*	-	6 feet

#### **Section 9.02.D.3.c Agricultural Structures**

<b><u>Section 9.02.D.3.c.1</u></b>	Front Yard	-	50 feet
<b><u>Section 9.02.D.3.c.2</u></b>	Side Yard	-	15 feet each side
<b><u>Section 9.02.D.3.c.3</u></b>	Rear Yard	-	10 feet
<b><u>Section 9.02.D.3.c.4</u></b>	Other Structures*	-	6 feet

*\*Other structures include the dwelling, accessory structures, agriculture structures on the same lot.*

**Section 9.02.D.3.d Setback Summary**

	FRONT	SIDE	REAR	CORNER/THROUGH LOTS	FROM OTHER STRUCTURES
Principal Structure	40'	15' each side	50'	40'	6'
Accessory Structures	50'	6' each side	6'	50'	6'
Agriculture Structures	50'	15' each side	10'	50'	6'

**Section 9.02.D.4 Required Floor Area in the R-1 District**

Any building intended in whole or part for residential purposes shall provide a minimum floor area as hereinafter specified:

**Section 9.02.D.4.a** Single-Family Dwelling\*

**Section 9.02.D.4.a.1** With basement - 1,000 square feet

**Section 9.02.D.4.a.2** Without basement - 1,100 square feet

\*Shall not be less than 24 feet in width or depth, whichever is the smaller dimension.

**Section 9.02.D.5 Height Regulation in the R-1 District**

No principal structure, accessory structure or habitable agriculture structure shall exceed 2 1/2 stories or 35 feet in height. Non-habitable agriculture structures are exempt from this height restriction. Non-habitable agriculture structures may include silos, barns, grain bins, and the like not intended for human occupation.

**Section 9.02.D.6 Supplementary District Regulations**

Please also reference Articles 16 through 25, which apply as applicable.

## **Section 9.03 Residence District – (R-2)**

### **Section 9.03.A Purpose**

The purpose of the General Residence District (R-2) is to provide an area for residential uses and those public and semi-public uses normally considered an integral part of the residential neighborhood they serve.

### **Section 9.03.B Uses Permitted in the R-2 District**

#### **Section 9.03.B.1**

One single-family residential dwelling or one two-family residential dwelling per lot of record;

#### **Section 9.03.B.2**

Light agricultural uses including greenhouses and raising farm products (not including livestock). Seasonal produce may be sold on premises;

**Section 9.03.B.3** Essential public utility and service system buildings and lands, public buildings;

**Section 9.03.B.4** Parks, playgrounds, cemeteries;

**Section 9.03.B.5** Basic Home Occupation with Permit (See Section 16.32: Basic Home Occupation Regulations and Appendix B: Application Forms);

**Section 9.03.B.6** Accessory structure(s) incidental and subordinate to the principal structure on the lot. Accessory structures are located on the same lot with such principal structure.

### **Section 9.03.C Conditionally Permitted Uses in the R-2 District (With Board of Zoning Appeals Approval)**

**Section 9.03.C.1** Religious Institution;

**Section 9.03.C.2** Public School and Education and Private School and Education;

**Section 9.03.C.3** Libraries, museums, and art galleries;

**Section 9.03.C.4** Professional and business offices;



**Section 9.03.C.5** Utility sub-stations and pump houses provided that such structures will not detract from the general appearance of the area nor adversely affect the comfort, safety, or welfare of the residents of the area.

See also Sections 4.17: General through Section 4.24: Expiration of Conditional Use Permit.

## **Section 9.03.D General Requirements to the R-2 District**

### **Section 9.03.D.1 Required Lot Area**

Each lot shall have a minimum lot area of 40,000 square feet.

### **Section 9.03.D.2 Required Lot Width**

Each lot shall have a minimum lot width of 150 feet at the road and throughout the lot.

### **Section 9.03.D.3 Required Setbacks**

Each principal structure, accessory structure (unless integrated part of residential/principal structure) and/or agricultural structure on a lot shall comply with the structure setbacks as specified below. Said setbacks shall be measured from the lot line, with the exception of the front yard setback. The front yard setback shall be measured from the road right-of-way line. Where no road right-of-way is specified, the front yard setback shall be measured from a point 30 feet from the centerline of the road. For example if there is no right-of-way specified, and the minimum front yard setback is 40 feet from the road right-of-way, the setback would be 70 feet (30' + 40' setback) from the centerline of the road. Corner lots and through lots shall provide the minimum front yard requirements for each street side of the lot.

#### **Section 9.03.D.3.a One and Two Family Residential Structures**

<b><u>Section 9.03.D.3.a.1</u></b>	Front Yard	-	40 feet
<b><u>Section 9.03.D.3.a.2</u></b>	Side Yard	-	15 feet each side
<b><u>Section 9.03.D.3.a.3</u></b>	Rear Yard	-	45 feet
<b><u>Section 9.03.D.3.a.4</u></b>	Other Structures*	-	6 feet

#### **Section 9.03.D.3.b Accessory Structures**

<b><u>Section 9.03.D.3.b.1</u></b>	Front Yard	-	50 feet
<b><u>Section 9.03.D.3.b.2</u></b>	Side Yard	-	6 feet each side
<b><u>Section 9.03.D.3.b.3</u></b>	Rear Yard	-	10 feet
<b><u>Section 9.03.D.3.b.4</u></b>	Other Structures*	-	6 feet

#### **Section 9.03.D.3.c Other Permitted or Conditionally Permitted Uses**

<b><u>Section 9.03.D.3.c.1</u></b>	Front Yard	-	40 feet
<b><u>Section 9.03.D.3.c.2</u></b>	Side Yard	-	20 feet each side

- Section 9.03.D.3.c.3** Rear Yard - 50 feet  
**Section 9.03.D.3.c.4** Other Structures\* - 6 feet

*\*Other structures include the dwelling, accessory structures, agriculture structures on the same lot.*

**Section 9.03.D.3.d Setback Summary**

	FRONT	SIDE	REAR	CORNER/THROUGH LOTS	FROM OTHER STRUCTURES
One and Two Family Residential Structure	40'	15' each side	45'	40'	6'
Accessory Structures	50'	6' each side	6'	50'	6'
Other Permitted or Conditionally Permitted Structures	40'	20' each side	50'	40'	6'

**Section 9.03.D.4 Required Floor Area in the R-2 District**

Any building intended in whole or part for residential purposes shall provide a minimum floor area (livable area) as hereinafter specified:

**Section 9.03.D.4.a** Single-Family – 1,000 square feet\*

**Section 9.03.D.4.b** Two-Family – 900 square feet per unit\*

**Section 9.03.D.4.c** Multi-Family – 650 square feet per unit\*

\*Shall not be less than 24 feet in width or depth, whichever is the smaller dimension.

\*\*Two-family dwellings shall provide the minimum square footage per unit.

**Section 9.03.D.5 Height Regulation in the R-2 District**

No principal structure, accessory structure or habitable agriculture structure shall exceed 2 1/2 stories or 35 feet in height. Non-habitable agriculture structures are exempt from this height restriction. Non-habitable agriculture structures may include silos, barns, grain bins, and the like not intended for human occupation.

**Section 9.03.D.6 Supplementary District Regulations**

Please also reference Articles 16 through 25, which apply as applicable.

## **Section 9.04 Multi-Residence District – (R-3)**

### **Section 9.04.A Purpose**

The purpose of the Multi-Residence District (R-3) is to provide an area for residential uses and those public and semi-public uses normally considered an integral part of the residential neighborhood they serve.

### **Section 9.04.B Uses Permitted in the R-3 District**

**Section 9.04.B.1** Any use permitted in the R-2 District;

**Section 9.04.B.2** Multi-family dwellings, tourist homes, lodging houses;

**Section 9.04.B.3** Clubs, lodges, rest homes, funeral homes, clinics and similar uses;

**Section 9.04.B.4** Parks, playgrounds, cemeteries;

**Section 9.04.B.5** Accessory structure(s) incidental and subordinate to the principal structure on the lot. Accessory structures are located on the same lot with such principal structure.

### **Section 9.04.C Conditionally Permitted Uses in the R-3 District (With Board of Zoning Appeals Approval)**

**Section 9.04.C.1** Religious Institution;

**Section 9.04.C.2** Public School and Education and Private School and Education;

**Section 9.04.C.3** Libraries, museums, and art galleries;

**Section 9.04.C.4** Residence District (R-2) Conditionally Permitted Uses – Same uses as are conditionally permitted and as regulated in the R-2 District, except as specifically limited in this chapter. See Section 9.03.c Conditionally permitted uses in the R-2 District

**Section 9.04.C.5** Motels and hotels;

**Section 9.04.C.6** Manufactured home parks, subject to the provision of Article 10 Manufactured Homes and Manufactured Home Parks.

See also Sections 4.17: General through Section 4.24: Expiration of Conditional Use Permit.

**Section 9.04.D General Requirements to the R-3 District**

**Section 9.04.D.1 Required Lot Area**

Each lot shall have the following minimum lot area based on the use:

**Section 9.04.D.1.a** Single-Family Use - 20,000 square feet.

**Section 9.04.D.1.b** Two-Family Use - 26,000 square feet.

**Section 9.04.D.1.c** Multi-Family Use - 10,000 square feet, plus 6000 square feet per unit.

**Section 9.04.D.1.d** Other Permitted or Conditionally Permitted Uses – 32,000 square feet.

**Section 9.04.D.2 Required Lot Width**

Each lot shall have the following minimum lot width at the road and throughout the lot, based on the use:

**Section 9.04.D.2.a** Single-Family Use – 100 feet.

**Section 9.04.D.2.b** Two-Family Use - 110 feet.

**Section 9.04.D.2.c** Multi-Family Use – 120 feet per unit.

**Section 9.04.D.2.d** Other Permitted or Conditionally Permitted Uses – 135 feet.

**Section 9.04.D.3 Lot Area and Lot Width Summary**

Use	Lot Area	Lot Width
Single-Family	20,000 sq. ft.	100 ft.
Two-Family	26,000 sq. ft.	110 ft.
Multi-Family	10,000 sq. ft. plus 6000 sq. ft. per unit.	120 ft.
Other Permitted or Conditionally Permitted Uses	32,000 sq. ft.	135 ft.

**Section 9.04.D.4 Required Setbacks**

Each principal structure, accessory structure (unless integrated part of residential/principal structure) and/or agricultural structure on a lot shall comply with the structure setbacks as specified below. Said setbacks shall be measured from the lot line, with the exception of the front yard setback. The front yard setback shall be measured from the road right-of-way line. Where no road right-of-way is specified, the front yard setback shall be measured from a point 30 feet

from the centerline of the road. For example if there is no right-of-way specified, and the minimum front yard setback is 40 feet from the road right-of-way, the setback would be 70 feet (30' + 40' setback) from the centerline of the road. Corner lots and through lots shall provide the minimum front yard requirements for each street side of the lot.

**Section 9.04.D.4.a** One and Two Family Residential Structures

<b><u>Section 9.04.D.4.a.1</u></b>	Front Yard	-	40 feet
<b><u>Section 9.04.D.4.a.2</u></b>	Side Yard	-	10 feet each side
<b><u>Section 9.04.D.4.a.3</u></b>	Rear Yard	-	45 feet
<b><u>Section 9.04.D.4.a.4</u></b>	Other Structures*	-	6 feet

**Section 9.04.D.4.b** Multi-Family Residential Structures

<b><u>Section 9.04.D.4.b.1</u></b>	Front Yard	-	40 feet
<b><u>Section 9.04.D.4.b.2</u></b>	Side Yard	-	15 feet each side
<b><u>Section 9.04.D.4.b.3</u></b>	Rear Yard	-	45 feet
<b><u>Section 9.04.D.4.b.4</u></b>	Other Structures*	-	6 feet

**Section 9.00.D.4.c** Accessory Structures

<b><u>Section 9.04.D.4.c.1</u></b>	Front Yard	-	50 feet
<b><u>Section 9.04.D.4.c.2</u></b>	Side Yard	-	6 feet each side
<b><u>Section 9.04.D.4.c.3</u></b>	Rear Yard	-	10 feet
<b><u>Section 9.04.D.4.c.4</u></b>	Other Structures*	-	6 feet

**Section 9.04.D.4.d** Other Permitted or Conditionally Permitted Uses

<b><u>Section 9.04.D.4.d.1</u></b>	Front Yard	-	40 feet
<b><u>Section 9.04.D.4.d.2</u></b>	Side Yard	-	20 feet each side
<b><u>Section 9.04.D.4.d.3</u></b>	Rear Yard	-	50 feet
<b><u>Section 9.04.D.4.d.4</u></b>	Other Structures*	-	6 feet

*\*Other structures include the dwelling, accessory structures, agriculture structures on the same lot.*

**Section 9.04.D.4.e Setback Summary**

	FRONT	SIDE	REAR	CORNER/THROUGH LOTS	FROM OTHER STRUCTURES
One and Two Family Residential Structure	40'	10' each side	45'	40'	6'
Multi-Family Residential Structure	40'	15' each side	45'	40'	6'
Accessory Structures	50'	6' each side	6'	50'	6'
Other Permitted or Conditionally Permitted Structures	40'	20' each side	50'	40'	6'

**Section 9.04.D.5 Required Floor Area in the R-3 District**

Any building intended in whole or part for residential purposes shall provide a minimum floor area as hereinafter specified:

**Section 9.04.D.5.a Single-Family and Two-Family Dwelling\***

**Section 9.04.D.5.a.1** With basement - 1,000 square feet

**Section 9.04.D.5.a.2** Without basement - 1,100 square feet

\*Shall not be less than 24 feet in width or depth, whichever is the smaller dimension.

**Section 9.04.D.6 Height Regulation in the R-3 District**

No principal structure, accessory structure or habitable agriculture structure shall exceed 3 1/2 stories or 45 feet in height. Non-habitable agriculture structures are exempt from this height restriction. Non-habitable agriculture structures may include silos, barns, grain bins, and the like not intended for human occupation.

**Section 9.04.D.7 Supplementary District Regulations**

Please also reference Articles 16 through 25, which apply as applicable.

*Article 9: Residential Districts, Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013 Effective May 29, 2013*

*Article 9: Residential Districts, Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # September 28, 2015; Effective October 28, 2015.*

**ARTICLE 10 ~ MANUFACTURED HOMES AND  
MANUFACTURED HOME PARKS, MOTELS AND  
MOTOR HOTELS**



## **Section 10.00.A General Requirements**

The Commission may authorize establishment of a manufactured home park in any R-3 District, however, such manufactured home park site shall be located at least 200 feet from any existing residence and be in accordance with the provisions of this article. The sanitary regulations prescribed by the authority having jurisdiction, and as may be otherwise required by law shall be complied with, in addition to the following requirements:

**Section 10.00.A.1** Area and Yard Requirements - Manufactured home parks, motels and motor hotels shall comply with all area and yard requirements prescribed for such uses in the district in which located.

**Section 10.00.A.2** Parking - All areas used for automobile access and parking shall comply with the applicable provisions of this resolution, provided that there shall be at least two off-street parking spaces for each manufactured home park lot and one additional space for each four such lots to accommodate guests.

**Section 10.00.A.3** Entrance to Manufactured Home Parks; Motels - No vehicular entrance to or exit from any manufactured home park or motel, wherever such may be located, shall be within 200 feet along streets from any school, public playground, church, hospital, library or institution for dependents or for children, except where such property is in another block or another street which the premises in question do not abut.

**Section 10.00.A.4** Landscaping - Unused Areas - All areas not used for access, parking circulation, building, and service shall be completely and permanently landscaped and the entire site maintained in good condition. A landscaped strip of land not less than 20 feet in width, shall be established and maintained within the manufactured home park along its exterior boundaries.

**Section 10.00.A.5** Enclosure - Manufactured home parks and motels shall be enclosed on the sides and in the rear by appropriate privacy fences, not less than six feet high, or by a combination of landscaped screens and other suitable fences acceptable to the Board.

**Section 10.00.A.6** Enlargement - Permit - Any enlargement or extension to any existing motel, motor hotel or manufactured home park, shall require application for a zoning certification, as if it were a new establishment.

**Section 10.00.A.7** Enlargement - Existing Facilities to Comply - No enlargements or extensions to any motel, motor hotel or motor home park shall be permitted unless the existing facility is made to conform substantially with all the requirements for new construction for such an establishment.

**Section 10.00.A.8** Skirts - Skirts shall be provided as approved by the Board (enclosed by a skirt).



## **Section 10.00.B Manufactured Home Parks - Submission of Plans**

An application for the establishment of a manufactured home park shall be filed with the Zoning Inspector and must be accompanied by a plat, drawn to scale and certified by a bona fide land surveyor, civil engineer, landscape architect or architect. The Zoning Inspector shall check the plat, and after approval of the County Board of Health, if he finds the same to be in compliance with the requirements of this article, forward the same and submit his recommendations to the Commission. The Commission shall hold a public hearing on the application, giving ten days notice thereof in a newspaper of general circulation. Upon completion of said hearing, the Commission shall approve, conditionally approve or deny the application. The plat shall contain the following information:

**Section 10.00.B.1** Accurate dimensions of the proposed manufactured Home Park.

**Section 10.00.B.2** All roads and approaches and the method of ingress and egress from public highways.

**Section 10.00.B.3** The complete electric service installation, wire service outlets and lighting facilities.

**Section 10.00.B.4** The complete location of any natural gas facilities to serve the manufactured home park.

**Section 10.00.B.5** A complete layout of unit parking spaces and the number of square feet therein, together with dimensions thereof.

**Section 10.00.B.6** The location of electric power or gas distribution systems, water mains or wells for water supply outlets for domestic water users, location of sanitary facilities, washrooms, garbage disposal units, incinerators, sanitary sewers or septic tanks, sewer drain lines, leeching beds, fire protection stalls, and other building or structures contemplated to be used by such application in connection with said business.

## **Section 10.00.C Manufactured Home Parks - Minimum Standards and Requirements**

Manufactured home parks shall be designed and maintained in accordance with the following requirements:

**Section 10.00.C.1** Park Area - The minimum manufactured home park area shall be 25 acres. The minimum width of the manufactured home park shall not be less than 500 feet.

**Section 10.00.C.2** Lot Area - The minimum lot area per mobile home unit site within the manufactured home park shall be 5,000 square feet.

**Section 10.00.C.3** Lot Width - The minimum lot width per manufactured home unit within the manufactured home park shall have an average of 50 feet at the concrete slab location.

**Section 10.00.C.4** Access - Each mobile home park shall abut upon a public street and each manufactured home lot shall have direct access to a private hard surface road, such as concrete or asphaltic concrete.

**Section 10.00.C.5** Distance Between Manufactured Homes - The minimum distance between neighboring manufactured homes shall be approved by the Board.

**Section 10.00.C.6** Concrete Slab - Each manufactured home unit lot shall be equipped with a concrete slab of sufficient size to support the manufactured home, as approved by the Board.

## **Section 10.00.D Utilities**

The following requirements shall apply:

**Section 10.00.D.1** Water Supply - Water supply shall be from a municipal water service or from approved and protected driven wells that meet all test requirements, provided with tight, elevated concrete platforms and which will not be subject to overflow or surface drainage. A daily minimum of 150 gallons per manufactured home shall be required. The source of water supply for human consumption shall meet all the requirements of the Licking County and State Boards of Health. The use of open wells, springs, cisterns, or open storage tanks for human consumption is unlawful and shall constitute a violation of the terms of this resolution.

**Section 10.00.D.2** Sewage Treatment and Sewage Disposal - The treatment of all sewage shall be through a sewage disposal system approved by the Licking County and State Boards of Health.

**Section 10.00.D.3** Waste and Garbage Disposal - Manufactured home parks shall be kept in clean and sanitary condition and provided with suitable covered metal receptacles for garbage, waste, litter, and trash. Disposal of waste and garbage shall be regular and as determined by the Licking County Board of Health.

**Section 10.00.D.4** Manufactured home units not equipped with water and sewer facilities shall be located not more than 200 feet from a community utility building, which shall provide separate toilet and shower facilities for each sex.

**Section 10.00.D.5** Fire hydrants shall be located in accordance with the specifications of the National Board of Fire Underwriters.

**Section 10.00.D.6** Each manufactured home unit shall be equipped with at least one weatherproof electric outlet.

**Section 10.00.D.7** Copies of the recommendations of all approved authorities shall be attached to each application to establish a manufactured home park.

## **Section 10.00.E Interior Streets**

The minimum roadway width of interior one-way streets with parking permitted on one side shall be 21 feet. The minimum roadway width of two-way streets with parking permitted on one side shall be 30 feet. The minimum width of two-way streets without parking permitted shall be 20 feet. Such streets shall be paved with a hard surface, such as concrete or asphaltic concrete and maintained in good condition and lighted at night.

## **Section 10.00.F Recreation Areas**

There shall be provided within each manufactured home park an adequate site or sites for recreation for the exclusive use of the park occupants. Such recreation site or sites shall have a minimum area in the aggregate of 300 square feet for each manufactured home space in said park. The recreation sites shall be of appropriate design and provided with appropriate equipment.

## **Section 10.00.G Length of Occupancy**

No manufactured home shall remain in a manufactured home park for a period exceeding 15 days without connection to the permanent sanitary sewer system of the park.

## **Section 10.00.H Additional Requirements**

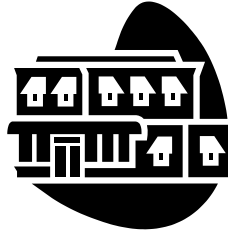
In addition to the foregoing, the Commission may impose such other conditions, requirements or limitations concerning the design, development and operation of such manufactured home parks, as it may deem necessary for the protection of adjacent properties and the public interest.

### **Section 10.00.I Fees**

Subject to the provisions of Appendix C: Fee Schedule of this resolution.

*Article 10: Manufactured Homes and Manufactured Home Parks; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*

# **ARTICLE 11 ~ BUSINESS/COMMERICAL DISTRICTS**



**Section 11.00 Neighborhood Business District (NB)**

**Section 11.01 General Business District (GB-1, GB-2 and GB-3)**

## **Section 11.00 Neighborhood Business District (NB)**

### **Section 11.00.A Purpose and Intent Statement**

The Neighborhood Business District is hereby established in the Jersey Township Zoning Resolution to provide a zoning tool to implement the neighborhood commercial land use recommendations of the Jersey Township Comprehensive Plan 2030 (page 54) and it shall be the same as the “Neighborhood Commercial” district description and designation of the comprehensive plan. Also this district is established to promote the community goals and strategies of the comprehensive plan (pg 28 to 39) as applicable. The Neighborhood Business District should be located in areas identified as “Neighborhood Commercial” on the Jersey Township Future Land Use Map on page 51 of the Jersey Township Comprehensive Plan 2030.

The Neighborhood Business District is intended to provide local businesses that meet the daily and weekly shopping needs and valuable services to the immediate residential neighborhoods of the Worthington Road corridor. In accordance with the comprehensive plan, this district is suitable for areas within 500’ of the roadway, along the Worthington Road corridor.

The regulations, which apply within this district are designed to encourage the formation of compatible and economically healthy business and service uses which benefit from close proximity to each other and the surrounding residential community. Said uses shall be primarily conducted within an enclosed structure that integrates well with the surrounding community and does not adversely impact the often, residential use of the adjoining lots. Said uses generate minimal vehicular traffic; attract a larger percentage of pedestrian and bicycle traffic; incorporates interconnected internal and external pedestrian and bicycle access as a key component of its design; and has a maximum structure square footage of 14,000 sq. ft. Parking areas and internal vehicular circulation shall be designed to accommodate all types of traffic generated by the business and limit the impact of the development on the adjoining roadways.

Buildings shall be placed fronting the roadway and massed closely together. The building setbacks shall be small with parking at the rear of the structure. Landscaping and signage shall be aesthetically pleasing and shall greatly reduce the impact of the commercial business on surrounding residential uses.

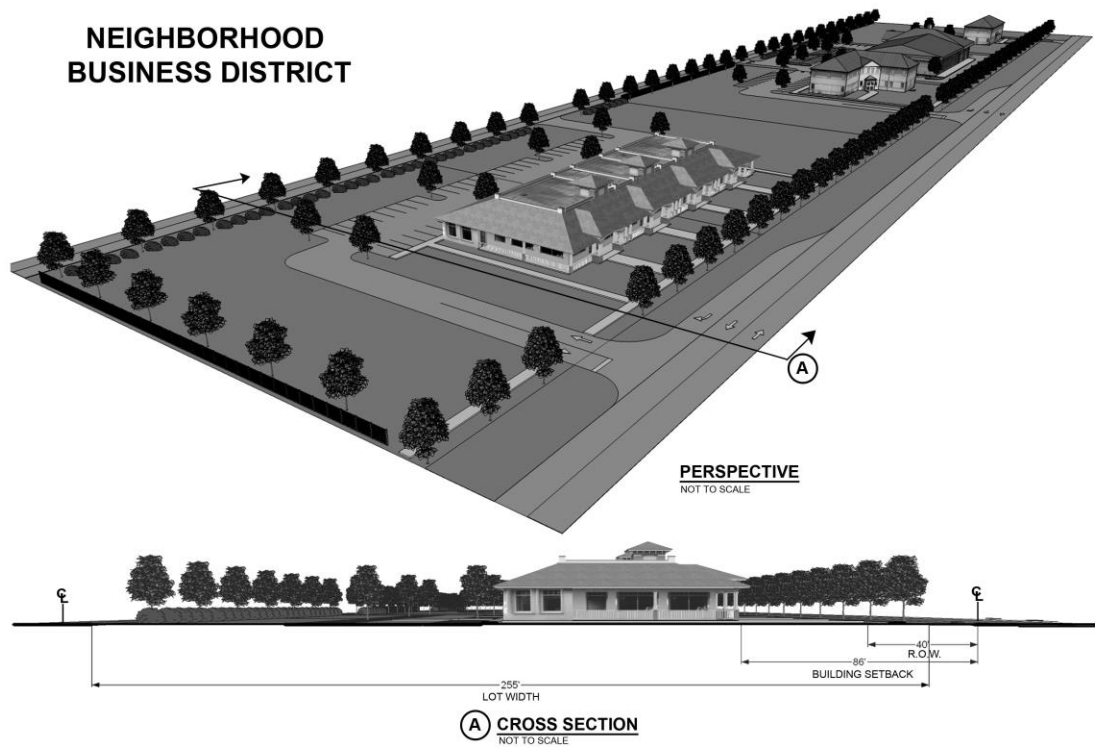
### **Section 11.00.B Uses**

The permitted and conditionally permitted uses within the Neighborhood Business District (NB) utilize and are defined by the North American Industry Classification System (NAICS) for the United States, 1997 Edition. Said permitted and

conditionally permitted uses for the NB District are specified in Appendix E: Permitted and Conditionally Permitted Uses of this resolution.

Conditionally permitted uses shall only be established upon receiving an approved Conditional Use Permit from the Jersey Township Board of Zoning Appeals in accordance with Article 4: Administration.

**Figure 11.00 Neighborhood Business District**



### **Section 11.00.C Lot Standards**

The following lot standards shall be the minimum standards for a lot within the NB District. Any lot of record that is existing as of the date this section is adopted April 29, 2013, that is not in compliance with this subsection, shall be considered a non-conforming lot of record and shall be subject to Article 3: Non-Conforming Uses.

#### **Section 11.00.C.1 Minimum Lot Area**

Each lot within the NB district shall have a minimum lot area of 1.5 acres, exclusive of road right-of-way, floodplain, wetlands, bodies of water and easements of record. The minimum lot area for a proposed development shall provide adequate area to meet the minimum standards for the NB district, including building area, parking, access and drive lanes, setbacks, water and wastewater systems, stormwater management, buffering, and others as specified within this resolution for any proposed permitted or conditionally permitted use.

#### **Section 11.00.C.2 Minimum Road Frontage and Lot Width**

The minimum frontage and lot width specified within this sub-section shall be measured at the centerline of the road for non-platted lots (generally a document that has a meets and bounds description otherwise known as a legal description prepared by a surveyor) and at the road right-of-way for platted lots (generally a legal document, prepared by a surveyor, that provides a scaled, graphical representation of the lot boundaries, and delineates public road right-of-ways, public areas, lots, easements, and the like.), and shall be maintained throughout the lot.

A minimum of 250 feet of frontage and lot width throughout the lot shall be required for each lot within the NB District. Corner lots within the NB District shall have a minimum lot width of 250 feet of frontage and lot width throughout the lot along each roadway that abuts the lot.

### **Section 11.00.C.3 Setbacks**

The minimum setbacks as defined below shall be required for any structure within the NB district.

#### **Section 11.00.C.3.a Front Setback**

A minimum front setback of eighty (86') feet from the centerline of the road shall be required.

#### **Section 11.00.C.3.b Side Setback**

The side setback may be a zero lot line setback if the property is served by a platted shared access, where said plat is recorded in the Licking County Recorder's Office. However, if the lot is to be served by its own access driveway, then a minimum side setback of 30 feet shall be required. The side setback shall be measured from each side lot line.

#### **Section 11.00.C.3.c Rear Setback**

The rear setback shall be ten (10) feet unless it abuts a residential use. If the lot abuts a residential use, the rear yard setback shall be fifty (50) feet unless a 6 foot, 100% opaque year round buffer is established, in which case the rear setback shall be a minimum of twenty (20) feet. The rear setback shall be measured from the rear lot line.

#### **Section 11.00.C.3.d Corner Lot and Through Lot Setback**

On a corner lot or through lot the principal structure and its accessory structures shall be required to have the same setback distance from all street intersection an right-of-way lines (including private drives), as required for the front setback in Section 11.00.c.3.a: Front Setback.

#### **Section 11.00.C.3.e Driveway, Drive Lane, and Parking Setback**

Any driveway, drive lane and/or parking lot shall be setback from any lot line abutting a residential land use, a minimum distance of fifteen (15) feet. The



front lot line shall be the road right-of-way line for specified road right-of-ways, or sixty (60) feet from the centerline of the road for non-specified road right-of-ways in non-platted lots. On platted lots, the front lot line shall be the front lot line shown on the recorded plat.

**Section 11.00.C.3.f Access Driveway Sight Triangle**

See Section (To be developed in future amendment. This section number will be added once adopted.): Commercial, Industrial, Multifamily, Institutional, and Recreational District and Uses, Driveway Requirements.

**Section 11.00.C.3.g Setback Summary**

FRONT	SIDE	REAR	CORNER LOTS	DRIVEWAY, DRIVE LANE & PARKING ABUTTING RESIDENTIAL
86' <sup>1</sup>	Zero <sup>-</sup> Shared Access Provided <sup>2</sup> or 30' – Access On the Lot <sup>2</sup>	10' – Abut a commercial or manufacturing Use. <sup>3</sup> 50' – Residential Use or Zoned <sup>3</sup> or 20' - Residential Use or Zoned and Includes Buffer <sup>3</sup>	86' Each Road <sup>4</sup>	15' <sup>5</sup>

Footnotes:

1. See Section 11.00.C.3.a: Front Setback
2. See Section 11.00.C.3.b: Side Setback
3. See Section 11.00.C.3.c: Rear Setback
4. See Section 11.00.C.3.d: Corner Lot and Through Lot Setback
5. See Section 11.00.C.3.e: Driveway, Drive Lane, and Parking Setback

**Section 11.00.D Structure Standards**

The following structure standards shall be met within the NB District.

**Section 11.00.D.1 Structure Height**

No structure shall exceed a height of two stories (32 feet).

**Section 11.00.D.2 Maximum Lot Coverage**

No lot shall be developed with more than sixty (60) percent of the lot being covered by developed areas including principal structures, accessory structures, parking areas, and loading areas. Retention and detention areas for stormwater management and areas for on-site wastewater treatment and/or water supply are excluded from this lot coverage limitation.

**Section 11.00.D.3 Principal Structure Square Footage**

A maximum square footage of 14,000 sq. ft. shall be permitted.

**Section 11.00.D.4 Accessory Structure Square Footage**

All accessory structures upon the lot of record shall not exceed five (5) percent of the gross square footage of the principal structure.

**Section 11.00.D.5 Structure Limitations**

Unless otherwise specified within this resolution, no lot shall contain upon it more than one principal structure.

**Section 11.00.D.6 Landscaping and Buffering Standards**

See Article (To be developed in future amendment. This section number will be added once adopted.): Landscaping and Buffering

**Section 11.00.D.7 Pedestrian and Bicycle Facilities**

See Article Section (To be developed in future amendment. This section number will be added once adopted.): Pedestrian and Bicycle Facilities

**Section 11.00.D.8 Parking Standards**

All parking and loading facilities shall be located at the rear of the structure, and meet the standards in Article 19: Off Street Parking and Loading Regulations. Up to 1/3 of the parking required may be located on the side of the business but shall not extend beyond the front façade of the structure towards the road or encroach in the front yard setback.

**Section 11.00.D.9 Signs**

See Article 20: Signs and Outdoor Advertising Structures

*Article 12: Provisions Governing Manufacturing Districts; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*

## **Section 11.01 General Business District (GB)**

### **Section 11.01.A Purpose and Intent Statement**

The General Business Districts are hereby established in the Jersey Township Zoning Resolution to provide a zoning tool to implement the general commercial land use recommendations of the Jersey Township Comprehensive Plan (page 55) and it shall be the same as the “Commercial” district description and designation of the comprehensive plan. Also these districts are established to promote the community goals and strategies of the comprehensive plan (pg 28 to 39) as applicable. The General Business Districts should be located in areas identified as “Commercial” on the Jersey Township Future Land Use Map on page 51 of the Jersey Township Comprehensive Plan 2030.

The General Business Districts are designed to encourage sustainable business districts that serve the residents of the surrounding area, as well as persons who are visiting or passing through the area.

These districts are generally intended for larger arterial roadways that are capable, with proper access management, of handling the volumes of traffic generated. They also allow for commercial uses, and typically have larger space and land requirements. Said districts shall incorporate designated, functional, interconnected and well-designed pedestrian and bicycle access within developments. However this district also has a dependence on the use and accommodation of vehicular traffic from a regional market. Said vehicular areas shall be well designed, incorporate pedestrian and bicycle areas in a safe and functional manner; exemplify excellence in access management; rely heavily on interior circulation and interconnectivity between developments; shared parking and access locations; and the use of aesthetically pleasing and functional landscaping, restrictive fully shielded lighting, and buffering to greatly reduce the impacts of the development on the surrounding land uses. This includes the use of trees in the parking lots to reduce the effects of large paved surfaces, commonly known as the heat island effect.

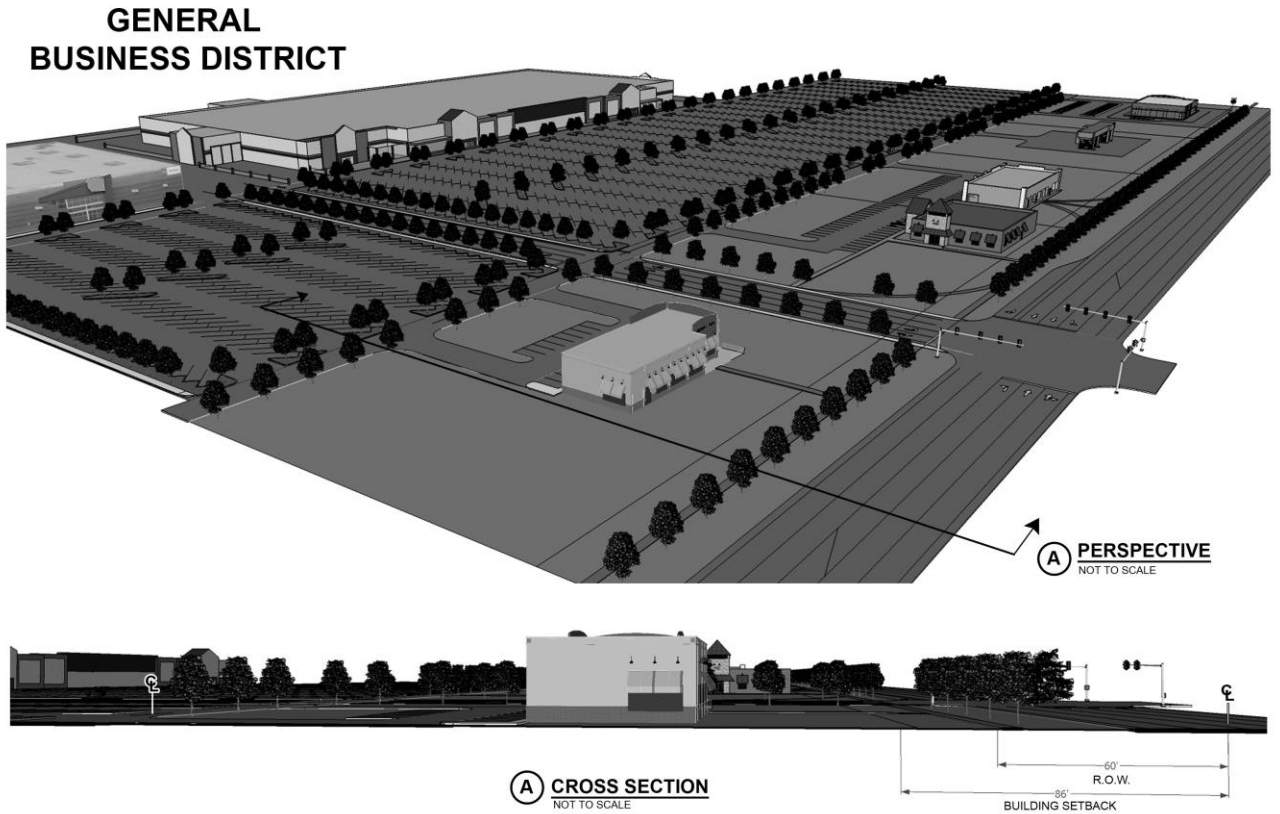
The General Business District has three districts that are distinguished by the maximum square footage of the principal structure allowed.

- General Business District 1 (GB-1)
  - o Up to 40,000 gross square feet of structure area per lot (including principal structure and accessory structure). This district includes structures generally constructed on out-parcels (out-lots) that are in-front of larger facilities, and/or along the public road frontage.
- General Business District 2 (GB-2)
  - o Up to 130,000 gross square feet of structure area per lot (including principal structure and accessory structure). This district includes structures generally referred to as “Big Box Stores”, which are located towards the mid-section or rear of a lot depending on the design of the project. Said structures generally,

have out-parcels (out-lots) that serve other commercial uses, and create a commercial shopping area.

- General Business District 3 (GB-3)
  - o No limit on the gross square feet of structure area per lot (including principal structure and accessory structure). This district includes structures generally referred to as “Big Box Stores”, which are located towards the mid-section or rear of a lot depending on the design of the project. Said structures generally, have out-parcels (out-lots) that serve other commercial uses, and create a commercial shopping area.

**Figure 11.01 General Business District**



**Section 11.01.B Uses**

The permitted and conditionally permitted uses within the General Business District (GB) utilize and are defined by the North American Industry Classification System (NAICS) for the United States, 1997 Edition. Said permitted and conditionally permitted uses for the GB District are specified in Appendix E: Permitted and Conditionally Permitted Uses of this resolution.

Conditionally permitted uses shall only be established upon receiving an approved Conditional Use Permit from the Jersey Township Board of Zoning Appeals in accordance with Article 4: Administration.

**Section 11.01.C Lot Standards**

The following lot standards shall be the minimum standards for a lot within the GB Districts. Any lot of record that is existing as of the date this section is adopted April, 29, 2013, that is not in compliance with this subsection, shall be considered a non-conforming lot of record and shall be subject to Article 3: Non-Conforming Uses.

**Section 11.01.C.1** Each lot within the GB districts shall have a minimum lot area as specified in Section 11.01.C.1.a: GB-1 to Section 11.01.C.1.c: GB-3 below. Said minimum lot area shall provide adequate area to meet the minimum standards for the GB district, including building area, parking, access and drive lanes, setbacks, on-site septic and well, storm water management, buffering, and others as specified within this resolution for any proposed permitted or conditionally permitted use.

**Section 11.01.C.1.a GB-1**

Two (2) acres, exclusive of road right-of-way, floodplain, wetlands, bodies of water and easements of record.

**Section 11.01.C.1.b GB-2**

Four (4) acres, exclusive of road right-of-way, floodplain, wetlands, bodies of water and easements of record.

**Section 11.01.C.1.c GB-3**

Five (5) acres, exclusive of road right-of-way, floodplain, wetlands, bodies of water and easements of record.

Section 11.01.C.1, Table 1, Minimum Lot Area Summary

GB-1	GB-2	GB-3
2 acres <sup>1</sup>	4 acres <sup>2</sup>	5 acres <sup>3</sup>

1. See Section 11.01.C.1.a: GB-1
2. See Section 11.01.C.1.b: GB-2
3. See Section 11.01.C.1.c: GB-3

**Section 11.01.D Minimum Road Frontage and Lot Width**

The minimum frontage and lot width specified within this sub-section shall be measured at the centerline of the road for non-platted lots (generally a document that has a meets and bounds description otherwise known as a legal description prepared by a surveyor) and at the road right-of-way for platted lots (generally a legal document, prepared by a surveyor, that provides a scaled, graphical representation of the lot boundaries, and delineates public road right-of-ways, public areas, lots, easements, and the like.), and shall be maintained throughout the lot. Said minimum lot area shall provide adequate area to meet the minimum standards for the GB district, including building area, parking, access and drive lanes, setbacks, on-site septic and well, storm water management, buffering, and others as specified within this resolution.

The minimum frontage and lot width throughout the lot that shall be required for each lot within the GB Districts shall be as specified below. Corner lots within the GB Districts shall have a minimum frontage and lot width throughout the lot as specified below, along each roadway that abuts the lot.

**Section 11.01.D.1 GB-1**

200 feet.

**Section 11.01.D.2 GB-2**

250 feet.

**Section 11.01.D.3 GB-3**

250 feet.

**Section 11.01.D, Table 1, Minimum Lot Width and Frontage Summary**

GB-1	GB-2	GB-3
200 feet <sup>1</sup>	250 feet <sup>2</sup>	250 feet <sup>3</sup>

Footnotes:

1. See Section 11.01.D.1: GB-1
2. See Section 11.01.D.2: GB-2
3. See Section 11.01.D.3: GB-3

**Section 11.01.E Setbacks**

The minimum setbacks as defined below shall be required for any structure within the GB district.

**Section 11.01.E.1 Front Setback**

A minimum front setback of 86' from the centerline of the road shall be required. For a rear lot, see Section (To be developed in future amendment. The section number will be added once adopted.)

### **Section 11.01.E.2 Side Setback**

Structures 13,000 sq. ft. or less may have a zero lot line side setback if the property is served by a platted shared access, where said plat is recorded in the Licking County Recorder's Office. However, if the lot is to be served by its own access driveway, then a minimum side setback of thirty (30) feet shall be required. The side setback shall be measured from each side lot line.

Structures over 13,000 sq. ft. shall have a minimum side setback of thirty (30) feet from any commercial or manufacturing use or zoned lot, and a side setback of sixty (60) feet from any residential or agriculture use or zoned lot.

### **Section 11.01.E.3 Rear Setback**

The rear setback shall be thirty (30) feet unless it abuts a residential or agriculture use or zoned lot. If the lot abuts a residential or agriculture use or zoned lot, the rear yard setback shall be sixty (60) feet.

### **Section 11.01.E.4 Corner Lot and Through Lot Setback**

On a corner lot or through lot the principal structure and its accessory structures shall be required to have the same setback distance from all street intersection an right-of-way lines (including private drives), as required for the front setback in Section 11.01.E.1: Front Setback.

### **Section 11.01.E.5 Driveway, Drive Lane, and Parking Setback**

Any driveway, drive lane and/or parking lot shall be setback from any lot line abutting a residential land use, a minimum distance of fifteen (15) feet. The front lot line shall be the road right-of-way line for specified road right-of-ways, or 30 feet from the centerline of the road for non-specified road right-of-ways in non-platted lots. On platted lots, the front lot line shall be the front lot line shown on the plat.

### **Section 11.01.E.6 Access Driveway Sight Triangle**

See Section (To be developed in future amendment. This section number will be added once adopted.): Commercial, Industrial, Multifamily, Institutional, and Recreational District and Uses, Driveway Requirements.

### Section 11.01.E.7: Setback Summary

FRONT	SIDE	REAR	CORNER LOTS	DRIVEWAY, DRIVE LANE & PARKING ABUTTING RESIDENTIAL
86' <sup>1</sup>	<p><b><u>Structure 13,000 sq. ft. or less</u></b>            Zero<sup>-</sup> Shared Access Provided<sup>2</sup>            or            30' – Access On the Lot<sup>2</sup></p> <p><b><u>Structures over 13,000 sq. ft.</u></b>            30' – Commercial Use or Zoned Commercial<sup>2</sup>            or            60' – Residential Use or Zoned Residential<sup>2</sup></p>	<p>50'<sup>3</sup> – Commercial Use or Zoned Commercial<sup>3</sup>            or            60'<sup>3</sup> – Residential Use or Zoned Residential<sup>3</sup></p>	86' Each Road <sup>4</sup>	15' <sup>5</sup>

Footnotes

1. See Section 11.01.E.1: Front Setback
2. See Section 11.01.E.2: Side Setback
3. See Section 11.01.E.3: Rear Setback
4. See Section 11.01.E.4: Corner Lot and Through Lot Setback
5. See Section 11.01.E.5: Driveway, Drive Lane, and Parking Setback

### Section 11.01.F Structure Standards

The following structure standards shall be met within the GB District.

#### **Section 11.01.F.1 Structure Height**

No structure shall exceed a height of forty-eight (48) feet.

#### **Section 11.01.F.2 Maximum Lot Coverage**

No lot shall be developed with more than seventy-five (75) percent of the lot being covered by principal structures, accessory structures, parking areas, loading areas. Retention and detention areas for stormwater management and areas for on-site wastewater treatment and/or water supply are excluded from this lot coverage limitation.

#### **Section 11.01.F.3 Principal Structure and Accessory Structure Square Footage Maximum**

- General Business District 1 (GB-1)
  - Up to 40,000 gross square feet of structure area per lot (including principal structure and accessory structures).



- General Business District 2 (GB-2)
  - Up to 130,000 gross square feet of structure area per lot (including principal structure and accessory structures).
- General Business District 3 (GB-3)
  - No limit on the gross square feet of structure area per lot (including principal structure and accessory structures) except maximum lot coverage as regulated in Section 12.3.b: Maximum Lot Coverage.

### **Section 11.01.G Structure Limitations**

Any lot with more than one principal structure and accessory structure on the lot shall meet the minimum lot standards as required in Section 11.01.C: Lot Standards of Article 11: General Business Districts (GB) of this resolution for each additional principal structure and/or accessory structure to be established. In regards to setbacks, the additional principal and accessory structures shall be setback from other principal structures and accessory structures at twice the minimum established in Section: 11.01.E: Setbacks as there will be no side yard line established. For example if the minimum side yard setback is 30' from the side lot line, and the lot owner desired to establish two principal structures on the lot, then each structure shall have a side setback of 60' from the other structure.

### **Section 11.01.H Landscaping and Buffering Standards**

See Article (To be developed in future amendment. This section number will be added once adopted.): Landscaping and Buffering

### **Section 11.01.I Pedestrian and Bicycle Facilities**

See Article Section (To be developed in future amendment. This section number will be added once adopted.): Pedestrian and Bicycle Facilities

### **Section 11.01.J Parking Standards**

All parking and loading facilities shall be located at the rear of the structure, and meet the standards in Article 19: Off Street Parking and Loading Regulations. Up to 1/3 of the parking required may be located on the side of the business but shall not extend beyond the front façade of the structure towards the road or encroach in the front yard setback. The exception to this requirement is any structure over 40,000 sq. ft., that provide out-parcels (out-lots) for other commercial activities. In these instances the parking may be located between the principal structure and the out-parcel (out-lot).

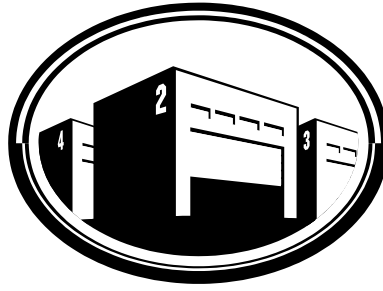
### **Section 11.01.K Signs**

See Article 20: Signs and Outdoor Advertising Structures

*Article 11: Business/Commercial Districts; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*



# ARTICLE 12 ~ MANUFACTURING DISTRICTS



## **Section 12.00 Light Manufacturing District (M-1)**

### **Section 12.00.A Purpose**

The Light Manufacturing District (M-1) is hereby established in the Jersey Township Zoning Resolution to provide a zoning tool to implement the light manufacturing recommendations of the Jersey Township Comprehensive Plan (page 56). The M-1 district shall be the same as the Mixed Use, Office and Light Manufacturing District” description and designation of the comprehensive plan, as it relates specifically to light manufacturing, and is intended for single lot or small scale development. Small scale development shall mean projects on lots twenty (20) acres or less. Large scale or mixed use developments should utilize the Mixed Use Office District (MUO) or Planned Professional research Office District (PPROD) of the zoning resolution. Large scale development shall mean projects on lots over twenty (20) acres. Light manufacturing shall provide for the manufacture, predominantly from previously prepared materials, of finished products or parts. This includes the processing, fabrication, assembly, treatment and packaging of such products, and may include the incidental storage, sales, and distribution of such products. Said light manufacturing activities occur in an enclosed structure and have limited if any outdoor storage. Should outdoor storage be required, said outdoor storage shall not exceed 30% of the total square footage of the principal structure, up to a maximum of 10,000 square feet for any lot. Said district shall exclude manufacturing activities, that process and treat raw materials for additional processing or assembly, or involve activities or processes that would necessitate the storage of large volumes of highly flammable, toxic materials or explosives.

### **Section 12.01.B Uses**

The permitted and conditionally permitted uses within the Light Manufacturing District (M-1) utilize and are defined by the North American Industry Classification System (NAICS) for the United States, 1997 Edition. Said permitted and conditionally permitted uses for the M-1 District are specified in Appendix E: Permitted and Conditionally Permitted Uses of this resolution.

Conditionally permitted uses shall only be established upon receiving an approved Conditional Use Permit from the Jersey Township Board of Zoning Appeals in accordance with Article 4: Administration.

### **Section 12.01.C Lot Standards**

The following lot standards shall be the minimum standards for a lot within the M-1 District. Any lot of record that is existing as of the date this section is adopted and effective (Effective date is December 24, 2014), that is not in compliance with this subsection, shall be considered a non-conforming lot of record and shall be subject to Article 3: Non-Conforming Uses.

**Section 12.01.C.1** Each lot within the M-1 district shall have a minimum lot area of one (1) acre (43,560 square feet) and a minimum lot width of 200 feet

throughout the lot. Said minimum lot area shall provide adequate area to meet the minimum standards for the M-1 district, including building area, parking, access and drive lanes, setbacks, on-site septic and well, stormwater management, buffering, and others as specified within this resolution for any proposed permitted or conditionally permitted use.

**Section 12.01.C.1, Table 1, Minimum Lot Standard Summary**

Lot Area	Frontage/Width
1 acres <sup>1</sup>	200' throughout the lot <sup>1</sup>

1. See Section 12.01.C.1.

**Section 12.01.D Minimum Road Frontage and Lot Width**

The minimum frontage and lot width specified within section 12.01.C.1 shall be measured at the centerline of the road for non-platted lots (generally a legal document that has a meets and bounds description otherwise known as a legal description prepared by a surveyor) and at the road right-of-way for platted lots (generally a legal document, prepared by a surveyor, that provides a scaled, graphical representation of the lot boundaries, and delineates public road right-of-ways, public areas, lots, easements, and the like.), and shall be maintained throughout the lot. Said minimum lot area shall provide adequate area to meet the minimum standards for the M-1 district, including building area, parking, access and drive lanes, setbacks, on-site septic and well, stormwater management, buffering, and others as specified within this resolution.

**Section 12.01.E Setbacks**

The minimum setbacks as defined below shall be required for any structure within the M-1 district.

**Section 12.01.E.1 Front Setback**

A minimum front setback of 86' from the centerline of the road shall be required. For a rear lot (flag lot), see Section 16.08: Front Setback Requirements for Parcels Over 20-Acres, Flag lots and Rear Lots.

**Section 12.01.E.2 Side Setback**

Lots up to 4.999-acres shall have a minimum side yard setback of thirty (30) feet, unless said lot abuts a residential district or use, then said minimum side yard setback shall be sixty (60) feet.

Lots 5.000-acres or greater shall have a minimum side yard setback of fifty (50) feet, unless said lot abuts a residential district or use, then said minimum side yard setback shall be one-hundred (100) feet.

### **Section 12.01.E.3 Rear Setback**

Lots up to 4.999-acres shall have a minimum rear yard setback of forty (40) feet, unless said lot abuts a residential district or use, then said minimum rear setback shall be sixty (60) feet.

Lots 5.000-acres or greater shall have a minimum rear setback of fifty (50) feet, unless said lot abuts a residential district or use, then said minimum side setback shall be sixty (100) feet.

*“Section 12.01.E.3 was Amended by Resolution (November 24, 2014), Effective December 24, 2014”*

### **Section 12.01.E.4 Corner Lot and Through Lot Setback**

On a corner lot or through lot the principal structure and its accessory structures shall be required to have the same setback distance from all street intersections and right-of-way lines (including private drives), as required for the front setback in Section 12.01.E.1: Front Setback.

*“Section 12.01.E.4 was Amended by Resolution (November 24, 2014), Effective December 24, 2014”*

### **Section 12.01.E.5 Driveway, Drive Lane, and Parking Setback**

Any driveway, drive lane and/or parking lot shall be setback from any lot line abutting a residential land use, a minimum distance of fifteen (15) feet. The front lot line shall be the road right-of-way line for specified road right-of-ways, or 30 feet from the centerline of the road for non-specified road right-of-ways in non-platted lots. On platted lots, the front lot line shall be the front lot line shown on the plat.

### **Section 12.01.E.6 Access Driveway Sight Triangle**

See Section (To be developed in future amendment. This section number will be added once adopted.): Commercial, Industrial, Multifamily, Institutional, and Recreational District and Uses, Driveway Requirements.

### Section 12.01.E.7: Setback Summary

FRONT	SIDE	REAR	CORNER LOTS	DRIVEWAY DRIVE LANE & PARKING ABUTTING RESIDENTIAL
86' <sup>1</sup>	<p><u>Lots up to 4.999-acres</u> 30' – Commercial/Manufacturing Use or Zoned Commercial/Manufacturing<sup>2</sup> <b>or</b> 60' – Residential Use or Zoned Residential<sup>2</sup></p> <p><u>Lots 5.000- acresand greater</u> 50' – Commercial/Manufacturing Use or Zoned Commercial/Manufacturing<sup>2</sup> <b>or</b> 100' – Residential Use or Zoned Residential<sup>2</sup></p>	<p><u>Lots up to 4.999-acres</u> 50' – Commercial/Manufacturing Use or Zoned Commercial/Manufacturing<sup>2</sup> <b>or</b> 60' – Residential Use or Zoned Residential<sup>2</sup></p> <p><u>Lots 5.000 and greater</u> 50' – Commercial/Manufacturing Use or Zoned Commercial/Manufacturing<sup>2</sup> <b>or</b> 100' – Residential Use or Zoned Residential<sup>2</sup></p>	86' Each Road <sup>4</sup>	15' <sup>5</sup>

Footnotes

1. See Section 12.01.E.1: Front Setback
2. See Section 12.01.E.2: Side Setback
3. See Section 12.01.E.3: Rear Setback
4. See Section 12.01.E.4: Corner Lot and Through Lot Setback
5. See Section 12.01.E.5: Driveway, Drive Lane, and Parking Setback

***“Section 12.01.E.7 was Amended by Resolution (November 24, 2014), Effective December 24, 2014”***

### Section 12.01.F Structure Standards

The following structure standards shall be met within the M-1 District.

#### Section 12.01.F.1 Structure Height

Lots up to 4.999-acres shall have a maximum structure height of thirty-two (32) feet.

Lots 5.000-acres or greater shall have a maximum structure height of forty-eight (48) feet.

#### Section 12.01.F.2 Maximum Lot Coverage

No lot shall be developed with more than seventy-five (75) percent of the lot being covered by principal structures, accessory structures, parking areas, loading areas. Retention and detention areas for storm water management and areas for on-site wastewater treatment and/or water supply are excluded from this lot coverage limitation.

**Section 12.01.F.3, Table 1, Minimum Structure Standard Summary**

Lot Size	Structure Height	Maximum Lot Coverage
Up to 4.999-acres	32' <sup>1</sup>	75% <sup>2</sup>
5.000 acres or greater	48' <sup>1</sup>	75% <sup>2</sup>

1. See Section 12.01.F.1
2. See Section 12.01.F.2

**Section 12.01.G Structure Limitations**

Any lot with more than one principal structure and accessory structure on the lot shall meet the minimum lot standards as required in Section 12.01.C: Lot Standards of Article 12: Light Manufacturing District (M-1) of this resolution for each additional principal structure and/or accessory structure to be established. In regards to setbacks, the additional principal and accessory structures shall be setback from other principal structures and accessory structures at twice the minimum established in Section: 12.01.E: Setbacks as there will be no side yard line established. For example if the minimum side yard setback is 30' from the side lot line, and the lot owner desired to establish two principal structures on the lot, then each structure shall have a side setback of 60' from the other structure.

**Section 12.01.H Landscaping and Buffering Standards**

See Article (To be developed in future amendment. This section number will be added once adopted.): Landscaping and Buffering

**Section 12.01.I Pedestrian and Bicycle Facilities**

See Article Section (To be developed in future amendment. This section number will be added once adopted.): Pedestrian and Bicycle Facilities

**Section 12.01.J Parking Standards**

All parking and loading facilities shall be located at the rear of the structure, and meet the standards in Article 19: Off Street Parking and Loading Regulations. Up to 1/3 of the parking required may be located on the side of the business but shall not extend beyond the front façade of the structure towards the road or encroach in the front yard setback. The exception to this requirement is any structure over 40,000 sq. ft., that provide out-parcels (out-lots) for other commercial activities. In these instances the parking may be located between the principal structure and the out-parcel (out-lot).

**Section 12.01.K Signs**

See Article 20: Signs and Outdoor Advertising Structures

*Article 12: Manufacturing Districts; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013*



**ARTICLE 13 ~ RESERVED FOR FUTURE USE**



## **ARTICLE 14 ~ PLANNED UNIT DEVELOPMENTS**



**Section 14.00      Planned Unit Development Projects**

**Section 14.01      Planned Industrial Projects**

**Section 14.02      Mixed Use Office District (MUOD)**

## **Section 14.00 Planned Unit Development Projects**

### **Section 14.00.A General Provisions**

#### **Section 14.00.A.01 Residential Development Projects**

In any R-3 District, the owners of a tract of land comprising not less than four acres shall submit to the Zoning Commission a plan for the use and development of all such tract of land for residential purposes or for the repair and alteration of any existing housing development on such tract of land.

#### **Section 14.00.B.02 Commercial Development Projects**

The owners of a tract of land located in any district at or near where a proposed shopping center (commercial development) is shown on the land use plan, containing not less than three acres in the case of a neighborhood shopping center (**LB** District) and not less than 15 acres in case of a community shopping center (commercial development) (**GB** District) shall submit to the Commission for its review a preliminary plan for the use and development of such tract of land for an integrated shopping center.

In accepting such plan for review, the Commission must be satisfied that the proponents of the integrated neighborhood or community development are financially able to carry out the proposed project; that they intend to start construction within one year of the approval of the project and necessary change in zoning, and intend to complete it within a reasonable time as determined by the Commission.

### **Section 14.00.B Commission Findings**

#### **Section 14.00.B.01 Residential Projects**

It shall be the duty of the Commission to investigate and ascertain whether the proposed residential development plan complies with the following conditions:

##### **Section 14.00.B.01.a Consistency – Zoning Resolution**

That the plan is consistent with the intent and purpose of this resolution.

##### **Section 14.00.B.01.b Adjacent Property – No Adverse Effect**

The property adjacent to the area included in the plan will not be adversely affected.

**Section 14.00.B.01.c Residential Use Only**

That the buildings are to be used only for residential purposes and usual accessory uses, such as garages, storage space, recreational and community activities, including churches.

**Section 14.00.B.01.d Lot Area Per Family**

That the average lot area per family or dwelling unit contained in the site, exclusive of the area of streets, will not be less than 80 percent of the lot area per family required in the district in which the site is located.

**Section 14.00.B.01.e Off-Street Parking**

That there are to be provided off-street parking facilities in accordance with the requirements of Article 19: Off Street Parking and Loading Facilities of this resolution.

**Section 14.00.B.01.f Recreation Facilities**

That there are to be provided, as a part of the proposed development, recreational facilities to serve the needs of the anticipated population to be housed therein as follows:

**Section 14.00.B.01.f.01 Recreation Area – Projects Over 20 Acres**

In any case any lot or tract on which a residential development or dwelling group is to be erected contains 20 acres or more, at least 5 percent of the acreage of such lot shall be set aside and developed as a neighborhood playground or playgrounds.

**Section 14.00.B.01.f.02 Recreation – Projects Under 20 Acres**

In case of a lot under 20 acres in area with more than 50 dwelling units, the required area of play lots shall be 2,000 square feet plus 30 square feet for each dwelling unit in excess of 50.

**Section 14.00.B.01.f.03 Recreation Area – Modifications**

These requirements for the provision of recreation areas may be modified or waived by the Zoning Commission where, in its opinion, adequate public recreation areas are available nearby, or where justified in view of the availability of suitable yard space or the type of occupancy the dwelling units are designed to accommodate.

**Section 14.00.B.7 Height and Yard Requirements**

The height limitations applicable in the district in which a community development project is located shall comply with Section 9.03.D.3: Height Regulations in the R-3 District.

## **Section 14.00.C Commercial Developments**

**It shall be the duty of the Commission to investigate and ascertain whether the proposed commercial development plan complies with the following conditions:**

### **Section 14.00.C.01**

The proposed development is located so that reasonable direct traffic access is supplied from principal thoroughfares and where congestion will not likely be created by the proposed center; or where congestion will be obviated by presently projected improvement of access thoroughfares, by demonstrable provision in the plan for proper entrances and exits, and by internal provisions for traffic and parking.

### **Section 14.00.C.02**

The plan provides for development consisting of one or more groups of establishments in buildings of integrated and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping, which will be an attractive and efficient development, convenient, pleasant and safe to use, and which will fit harmoniously into, and will have no adverse effects upon the adjoining or surrounding development.

#### **Section 14.00.C.02.a Permitted Uses**

The uses permitted in an integrated neighborhood development shall be those retail business, commercial and service uses permitted in the LB District and the uses permitted in an integrated community development shall be the same kind of uses as permitted in the GB District. No industrial uses shall be permitted.

#### **Section 14.00.C.02.b Regulations**

The following regulations shall apply to an integrated neighborhood or community development:

##### **Section 14.00.C.02.b.01 Building Heights**

No building shall exceed two stories or 25 feet in height, except as modified by Section 14.01: Planned Industrial Projects of this resolution.

##### **Section 14.00.C.02.b.02 Yards Neighborhood Development**

No building shall be less than 25 feet distant from any boundary of the tract on which the development is located. The development shall be permanently screened from all adjoining properties located in any R-District by a solid wall or compact evergreen hedge at least six feet in height. Such wall or hedge should be placed at least five feet from the property line, and wall or hedge shall be properly and permanently landscaped and properly maintained at all times. A bordering strip of

at least 30 feet in width adjacent to the property line along streets on which the center has frontage, except for necessary entrances and exits shall also be improved, landscaped and properly maintained subject to any regulations governing such street areas.

**Section 14.00.C.02.b.03 Yards Community Development**

The above provisions shall apply, except no building shall be less than 100 feet distant from any boundary of the tract on which the development is located.

**Section 14.00.C.02.b.04 Tract Coverage**

The ground area occupied by all buildings shall not exceed in the aggregate 25 percent of the total area of the lot or tract for community development.

**Section 14.00.C.02.b.05 Customer Parking Space**

Notwithstanding any other requirements of this resolution, there shall be provided one off-street parking space for each 175 square feet of floor space, no including basement storage space, in an integrated neighborhood development; and one off-street parking space for each 60 square feet of floor space, not including basement storage space in an integrated community development.

**Section 14.00.C.02.b.06 Loading Space**

Notwithstanding any other requirements of this resolution, there shall be provided one off-street loading or unloading space for each 10,000 square feet or fraction thereof of aggregate floor space of all buildings in the development. At least 1/3 of the spaces required shall be sufficient in an area and vertical clearance to accommodate trucks of the tractor-trailer type.

**Section 14.00.C.02.b.07 Access Drives and Illumination of Parking Areas**

Access drives and illumination of parking areas shall conform to the requirements of Section 16.01: Special Provisions.

**Section 14.00.C.02.b.08 Signs**

Each development shall be permitted two free standing signs not over 25 feet in height, having a maximum total area of 100 square feet. A single identification pylon or similar structure and in harmony with the design of the buildings shall be permitted in a community development. All signs within the development shall be controlled by written agreement between the owners and tenants of the development or otherwise to avoid excessive advertising and ensure a harmonious appearance to the development as a whole. In a neighborhood development, all signs shall only be indirectly illuminated with white light, and in both a neighborhood or community development, all signs shall conform to the distance requirements from property lines for the buildings in the development.

## **Section 14.00.D Submission and Approval of Final Development Plan**

### **Section 14.00.D.01 Final Development Plan**

Upon determination by the Commission that the proposed development project, as shown by the preliminary plan, appears to conform to the requirements of this section and all other applicable requirements of this resolution, the proponents shall prepare and submit a final development plan, which plan shall incorporate any changes or modifications required or suggested by the Commission.

### **Section 14.00.D.02 Recommendations to Trustees**

If the final development plan is found to comply with requirements set forth in this section and other applicable provisions of this resolution, the Commission shall submit said plan with its report and recommendations, together with the required application by the proponents of the necessary change in zoning classification of the site of the proposed project to the Township Trustees which shall hold a public hearing on both the development plan and application for a change in zoning.

### **Section 14.00.D.03 Rezoning**

Following a public hearing, the Township Trustees may modify the plan, consistent with the intent and meaning of this resolution, and may rezone the property to the classification permitting the proposed project, for development in substantial conformity with the final plan as approved by the Commission.

The above applies where property must be rezoned. In cases where property currently has the proper zoning district, a public hearing on rezoning is not necessary, however, all other provisions of the article shall prevail.

### **Section 14.00.D.04 Adjustments**

After the final development plan has been approved by the Township Trustees and in carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards, may be requested by the proponents, and provided such requests conform to the standards established by the final development plan and this resolution, such adjustments or rearrangements may be authorized by the Commission.

### **Section 14.00.D.05 Fees**

Each application for authorization of a community development project shall be accompanied by a check payable to the Clerk of the township or a cash payment, in accordance with the provisions of Appendix C: Fee Schedule of this resolution.



## **Section 14.01 Planned Industrial Projects**

### **Section 14.01.A Minimum Area**

The owner of a tract of undeveloped land or of land cleared for redevelopment of 20 acres or more which is suited for light industrial development may submit to the Zoning Commission for its review a preliminary plan for the use and development thereof for a planned industrial district regardless of the zoning classification of such tract at the time said plan is filed.

### **Section 14.01.B Commission Findings**

It shall be the duty of the Zoning Commission to ascertain that the proposed project will comply with the following conditions:

#### **Section 14.01.B.1 Integrated Design**

That the plan provides for an industrial district consisting of several buildings or groups of buildings of efficient and harmonious design, together with properly arranged traffic ways, parking and loading facilities and landscaping so arranged as to create an attractive project readily integrated with and having no adverse effect on adjoining or surrounding areas and developments.

#### **Section 14.01.B.2 Thoroughfare Access Required**

That the industrial district will abut a street designated in the official "thoroughfare plan" as a primary or secondary thoroughfare, or that direct access to such street is provided by means of an acceptable industrial service street.

#### **Section 14.01.B.3 Uses, Designs, Standards and Improvements**

That the proposed uses accord with the uses permitted and that the layout of the proposed industrial district and the proposed improvements conform in all respects with the general design standards and improvement requirements stipulated in this article.

### **Section 14.01.C Permitted Uses**

Any use permitted and as regulated in the M-District except uses prohibited therein; provided that any distance requirements and other standards of said districts may be modified by the Zoning Commission. Other requirements are as follows:

#### **Section 14.01.C.1 Lot Area**

Minimum 20,000 square feet.

#### **Section 14.01.C.2 Building Height Limit**

50 feet within 200 feet of any R-District.

**Section 14.01.C.3 Distance of Buildings From Project Boundary**

If adjoining R-District – 100 feet;  
If adjoining B-District – 50 feet.

**Section 14.01.C.4 Landscaping of Un-surfaced Areas**

All unpaved areas shall be landscaped subject to Commission approval.

**Section 14.01.C.5 Greenbelts**

The project area shall be enclosed on all sides by a planted strip at least 20 feet wide, or of such greater width which in the opinion of the Zoning Commission may be necessary for the adequate protection of adjoining premises. The plant material – subject to Commission approval – shall have initially a height and compactness of not less than 50 percent of the ultimately required height and compactness.

**Section 14.01.C.6 Outdoor Advertising**

Shall be prohibited, except that each industry may have one suitable identifying sign of not to exceed 150 square feet in area.

**Section 14.01.C.7 Illumination**

Lighting fixtures shall be so installed as to deflect the light away from adjacent properties.

**Section 14.01.D Final Development Plan**

Upon determination by the Zoning Commission that the proposed planned industrial district as shown in the preliminary plan, appears to conform to the requirements herein and all other applicable requirements of the resolution, the proponents shall submit a final development plan, which plan shall incorporate any changes or modifications required by the Commission.

**Section 14.01.E Recommendations to Board of Township Trustees**

If the final plan is found to be in compliance with the requirements herein, the Commission shall submit said plan, its report and recommendations to the Board of Township Trustees, together with an application by the proponents for the necessary appropriate change in zoning district classification of the side of the proposed planned industrial district. The Board shall hold a public hearing on both the plan and the application for zoning district change. If, in its judgment, other satisfactory arrangements are provided for which – among other beneficial effects – will afford properties located in the adjacent zoning districts to which such distance requirements or other standards are primarily applicable – protection against possible adverse effects equivalent to the protection intended to be provided by means of said distance requirements to other standards.

### **Section 14.01.F Prohibited Uses**

Residential and retail business uses of any kind, except when accessory to a permitted principal use.

### **Section 14.01.G General Design Standards and Improvement Requirements**

The following minimum design standards shall be observed and the owner or development shall post with the Zoning Commission an adequate surety bond or furnish other kind of surety or guarantee, satisfactory to the Commission, assuring at the expense of the owner or developer the installation of improvements specified in the following:

#### **Section 14.01.G.01 Rights-of-Way, Pavements and Utilities**

All interior streets shall have a right-of-way width of not less than 80 feet, and shall be provided with all-weather concrete pavement, curb and gutter meeting applicable specifications. All necessary utilities shall be installed meeting applicable specifications.

#### **Section 14.01.G.02 Off-Street Parking and Loading**

Employee parking- one space for each two employees on the maximum shift. Customer parking – at least ten spaces per plant. Loading facilities shall be determined according to type of industry; must be off-street and of sufficient size to accommodate normal peak loads. Loading docks shall not be placed along building fronts. There shall be provided sufficient storage area to accommodate off-street all plant vehicles. All off-street parking, loading, vehicle storage and maneuvering areas shall be surfaced with suitable pavement.

### **Section 14.01.H Rezoning**

Following the public hearing, the Board of Township Trustees may modify the plan, consistent with the intent of the resolution, and may change the zoning of the site to the appropriate zoning district classification.

### **Section 14.01.I Adjustments – Authorized by the Commission**

After the final development plan has been approved by the Board of Township Trustees and in the course of carrying out the plan, minor adjustments and rearrangements of buildings, service areas, and other features requested by the developers may be authorized by the Commission.

*Article 14: Planned Unit Development; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013, Effective May 29, 2013.*



## **Section 14.02 Mixed Use Office District (MUOD)**

### **Section 14.02.A Intent**

The Mixed – Use Office District (MUOD) is a Planned Unit Development District adopted pursuant to Ohio Revised Code §519.021 (C) and is intended to provide flexibility in the development standards primarily for mixed-use development based on a unified development plan.

The MUOD is intended to achieve the statutory purposes of §519.021 of the Ohio Revised Code for Planned Unit Developments, “promoting general public welfare, encouraging the efficient use of land and resources, promoting efficiency and providing public and utilities services, encouraging innovation in the planning and building of all types of development, and promoting the public health, safety, and morals.” Within a planned-unit development, the township zoning regulations, where applicable, need not be uniform, but may vary in order to accommodate unified development and to promote the public health, safety, morals, and the other purposes of this section.

The MUOD shall provide areas of the township with a mix of professional and research oriented commercial land uses. The development shall be thoughtfully planned and well designed to integrate with the rural community. The development should exemplify the highest standards of proper access management and provide for interconnectivity and internal vehicular circulation that greatly reduces the need to access the roadway. New development that occurs within this district should be done in incremental stages. Requested rezoning’s should be granted in an inward-out fashion from the existing New Albany corporate limits outward into the interior of Jersey Township.

Open space and multi-use paths shall interconnect and be integral parts of these developments. The rural character of the community shall be preserved as much as possible. Natural features such as topography, woodlands, tree rows, and wetlands, bodies of water, floodplains, drainage ways and historic architecture should be maintained in a natural state.

The Mixed-Use Office District should be located in those areas deemed “Mixed-Use, Office, and Light Manufacturing” on the Jersey Township Future land-use map on page 51 of the Jersey Township Comprehensive Plan 2030. The Jersey Township Zoning Resolution is to provide a zoning tool to implement the general commercial land use recommendations of the Jersey Township Comprehensive Plan page 56.

## **Section 14.02.B The Objectives of the Mixed-Use Office District include**

### **Section 14.02.B.1**

To encourage creativity in mixed – use design through a controlled process of review and approval of particular site development plans that preserve the open areas, working farmland, natural resources (tree canopy, rivers, streams, floodplain, steep slopes, and wetlands), and viewsheds that contribute to the rural character of the Township. Examples of a viewshed are as follows: A building such as an old barn and silo that is a landmark in the community, or a stand of trees with a meadow containing a pond in front of it. The structures or the trees, meadow and pond may be preserved and maintained as a viewshed;

### **Section 14.02.B.2**

To encourage creativity, flexibility and quality in the design of both the buildings as well as the site;

### **Section 14.02.B.3**

Facilitate integration of mixed-use development into the rural character of the area and blend it harmoniously with adjacent land use districts and existing developments;

### **Section 14.02.B.4**

Manage the impacts that occur from commercial development adjacent to non-compatible land uses and the greater community;

### **Section 14.02.B.5**

To provide places for area residents to work;

### **Section 14.02.B.6**

Establish greater tax base for the township;

### **Section 14.02.B.7**

Provide an opportunity for interconnectivity of similar uses that can be found in the eastern limits of New Albany to the western portion of the township ;

### **Section 14.02.B.8**

To ensure unique and high quality development so that mixed-use sites benefit from continued reinvestment over time;

**Section 14.02.B.9**

To encourage new development and redevelopment of existing sites that makes efficient use of land through current planning practices and helps reduce infrastructure costs through unified development;

**Section 14.02.B.10**

To establish multimodal transportation opportunities within Jersey Township to accommodate pedestrians, bicycles, public transportation and private vehicles in accordance with the Jersey Township Comprehensive Plan.

**Section 14.02.B.11**

To encourage clustered and more community oriented office and manufacturing developments near the Beech Road and State Route 161 intersection while preserving viewsheds, environmentally sensitive areas, floodplains, wooded areas with mature trees, and the rural character of Jersey Township.

**Section 14.02.B.12**

To permit the installation of central water and sewer (where appropriate) to support appropriate commercial activities in a manner that does not burden or place additional costs on residents;

**Section 14.02.B.13**

Establish objective criteria for development plan review that ensure conformity to community and district standards and allow for consistent treatment throughout;

**Section 14.02.B.14**

Establish objective criteria for the development plan review that ensures conformity to the Jersey Township Comprehensive Plan and other plans adopted by a government agency that impact Jersey Township.

**Section 14.02.C Effect of MUOD Overlay Area**

The Mixed Use Office District (MUOD) is created pursuant to §519.021 of the Ohio Revised Code and encompasses, overlays, and rezones to the MUOD to the area shown on the MUOD Overlay Zoning District Map, said map is attached hereto and incorporated herein as Appendix F: Overlay District Maps and is hereby adopted as the official zoning district map for the MUOD as part of this amendment. The effective date of the amendment referenced in this section is October 28, 2015. Any other zoning regulations, including application for map amendments per Section 5.03 Contents of Application of this zoning resolution, and zoning districts in existence as of the effective date of this amendment continue to apply within the MUOD unless the Board of Township Trustees or the Zoning Commission approves an application of an

owner of property within the district, in accordance with Section 14.02.D Process herein, to subject the owner's property to the MUOD regulations enumerated in Section 14.02.D Process through Section 14.02.F Development Standards.

## **Section 14.02.D Process**

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

### **Section 14.02.D.1 Concept Stage - Recommended**

The applicant is encouraged to engage in informal consultations including a site walk-about with the Zoning Commission or a designated representative of the Township prior to formal submission of a development plan and application to amend the zoning map. No statement by officials of the Township, or the designated representatives of the Township, shall be binding upon either party at the concept stage.

The Concept Stage application of Jersey Township is the Pre-Application Conference application or equivalent of the Licking County Planning Commission.

### **Section 14.02.D.2 Preliminary Development Plan**

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

#### **Section 14.02.D.2.a Preliminary Development Plan Process**

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

##### **Section 14.02.D.2.a.1 Preliminary Development Plan Submission**

An applicant for a Preliminary Development Plan shall submit all required information, maps, plans, and applications (see sub-



section 14.02.D.2.a.6 Preliminary Development Plan Contents) to the Zoning Inspector for forwarding to the Zoning Commission.

### **Section 14.02.D.2.a.2 Zoning Inspector**

After the applications are made to the Zoning Inspector, the following procedure shall be followed:

#### **Section 14.02.D.2.a.2.i**

The Zoning Inspector shall review the submitted application for the Preliminary Development Plan to ensure the application is complete.

#### **Section 14.02.D.2.a.2.ii**

The Zoning Inspector shall forward the Preliminary Development Plan application to the Zoning Commission.

#### **Section 14.02.D.2.a.2.iii**

The Zoning Inspector shall provide a “Jersey Township Staff Report” to the Zoning Commission outlining the plan and identifying if subsections (A-Z or 1-100 or a – z) of Section 14.02.B: The Objectives of the Mixed-Use Office District; Section 14.02.D.2.a.6 Preliminary Development Plan Contents; Section 14.02.E: Uses; and Section 14.02.F: Development Standards.

### **Section 14.02.D.2.a.3 Zoning Commission**

The Zoning Commission is a recommending body regarding the Preliminary Development Plan.

#### **Section 14.02.D.2.a.3.i**

The Zoning Commission shall review the Preliminary Development Plan and provide a written recommendation to the Board of Trustees based upon the plan’s compliance with the regulations and standards in Section 14.02.B: The Objectives of the Mixed-Use Office District; Section 14.02.D.2.a.6 Preliminary Development Plan Contents; Section 14.02.E: Uses; and Section 14.02.F: Development Standards for MUOD. The written recommendation shall list specific findings of fact and list specific examples of compliance and/or non-compliance according to the Jersey Township Zoning Resolution. For example if the Jersey Township Zoning Commission’s recommendation is for denial, the recommendation shall list specific sections of the Jersey Township Zoning Resolution for which the proposal does not comply.

#### **Section 14.02.D.2.a.3.ii**

If the Preliminary Development Plan is submitted in conjunction with the Zoning Map Amendment, the Zoning Commission shall provide two separate written recommendations concerning the

Preliminary Development Plan and the Zoning Map Amendment in the same meeting. The written recommendation for the Preliminary Development Plan shall list specific findings of fact. For example if the recommendation is for denial, the recommendation shall list specific sections of the Jersey Township Zoning Resolution for which the proposal does not comply.

**Section 14.02.D.2.a.4 Board of Trustees**

The Board of Trustees is the approving body for the Preliminary Development Plan. If the Zoning Map Amendment is denied then the submitted Preliminary Development Plan shall be considered null and void. If the Zoning Map Amendment is approved then the following process shall be followed.

**Section 14.02.D.2.a.4.i**

The Board of Trustees shall consider the Preliminary Development Plan and shall approve, deny, or approve with modifications the Preliminary Development Plan based upon the plan's compliance with the regulations and standards in Section 14.02.B: The Objectives of the Mixed-Use Office District; Section 14.02.D.2.a.6 Preliminary Development Plan Contents; Section 14.02.E: Uses; and Section 14.02.F: Development Standards for MUOD

**Section 14.02.D.2.a.4.ii**

If the plan is denied, the Board of Trustees shall provide specific findings and reasoning for the denial of the Preliminary Development Plan. For example if the Jersey Township Board of Trustees action is denial, the board shall list specific sections of the Jersey Township Zoning Resolution for which the proposal does not comply.

**Section 14.02.D.2.a.5 Licking County Planning Commission**

The Preliminary Development Plan of Jersey Township shall also be the Sketch Plan, or its equivalent, for the Licking County Planning Commission (LCPC). The Jersey Township Board of Trustees shall act on the Preliminary Development Plan prior to the LCPC approving a Preliminary Plan in accordance to the *Subdivision, Land Division, Development and Congestion Prevention Regulations for Licking County, Ohio*.

**Section 14.02.D.2.a.6 Preliminary Development Plan Contents**

The applicant shall submit one (1) printed copy and a CD with a .PDF of the Preliminary Development Plan to the Zoning Inspector. The Preliminary Development Plan shall show the intended layout of the site in accordance with MUOD standards. The plan shall include, in text and drawing form, the following:

**Section 14.02.D.2.a.6.i**

The proposed size and location of the MUOD, at a scale of at least 1" = 200', showing topographic contours of at least two (2) foot intervals, existing and proposed structures, and structures within two-hundred (200) feet of the development tract.

**Section 14.02.D.2.a.6.ii**

Environmentally sensitive areas such as the 100-year floodplain, bodies of water, forested areas, wetlands, and slopes greater than 20%. No structure (other than approved drainage structures) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Licking County.

**Section 14.02.D.2.a.6.iii**

Proposed land uses and density calculations.

**Section 14.02.D.2.a.6.iv**

The intended general provisions for fire hydrants and surface drainage, to the extent known. Information regarding existing pipe sizes, capacities, committed flows, and potential needed upgrades must be documented.

**Section 14.02.D.2.a.6.v**

Water supply and sanitary sewage disposal feasibility shall be indicated by the appropriate agency at the time of the Preliminary Development Plan.

**Section 14.02.D.2.a.6.vi**

Water supply shall be from a public water and wastewater service or from approved and protected drilled wells that meet all test requirements. Wells shall have a watertight, elevated concrete platform which will not be subject to overflow or surface drainage.

**Section 14.02.D.2.a.6.vii**

The source of water supply for human consumption shall meet all the requirements of the Licking County Health Department and Ohio Department of Health. The use of open wells, springs, cisterns, or open storage tanks for human consumption is unlawful and shall constitute a violation of this resolution.

**Section 14.02.D.2.a.6.viii**

Sewage Treatment and Disposal – The treatment of all sewage shall be through a public water and wastewater service or from a sewage disposal system. Centralized sanitary sewage systems, if necessary, shall be provided subject to local and Ohio Environmental Protection Agency approval. If on-site centralized sewage disposal systems are proposed, the

applicant shall indicate who is responsible for operation and maintenance. The applicant shall also provide a letter from the Licking County Health Department and/or the Ohio Department of Health declaring the site feasible for such systems and the anticipated capacity.

**Section 14.02.D.2.a.6.ix**

The relationship of the proposed development to existing and probable uses of surrounding areas, including easements, rights of way, proposed drainage, and public utilities.

**Section 14.02.D.2.a.6.x**

Proposed design of any reserves, open spaces, and/or proposed description of its use and maintenance.

**Section 14.02.D.2.a.6.xi**

Proposed public land dedications.

**Section 14.02.D.2.a.6.xii**

A copy of the preliminary Traffic Impact Study (TIS) required by the Licking County Planning Commission (LCPC) and Licking County Engineer's Office (LCEO) for township and county roads; and the Ohio Department of Transportation (ODOT) for U.S. Routes and State Routes. Said report shall be created in accordance to the required standards and methods specified by the LCPC and LCEO for any township road or county road, and from ODOT for any U.S. Route or State Route. Any improvements required by the LCPC, LCEO or ODOT as applicable, in regards to the existing or proposed roadways, shall be shown on all development plans. This may include turn lanes, signals, roundabouts, road widening's, existing and additional road right-of-way, etc.

**Section 14.02.D.2.a.6.xiii**

Existing public right-of-way, access points, and easements.

**Section 14.02.D.2.a.6.xiv**

Location of any existing buildings or permanent facilities.

**Section 14.02.D.2.a.6.xv**

Proposed general layout of internal road systems indicating: the vehicular right-of-way, all public streets, general indication of private streets and pedestrian circulation, bike paths, trails, sidewalks, crosswalks, access drives, improvements to existing streets, and traffic control requirements.

**Section 14.02.D.2.a.6.xvi**

Location and screening of all service areas including, but not limited to, dumpsters and loading docks.

**Section 14.02.D.2.a.6.xvii**

Proposed sign locations, types, sizes, illumination, and content.

**Section 14.02.D.2.a.6.xviii**

Emergency service provisions (letter from fire and police/sheriff

departments stating whether or not services are available, capacity, and any regulatory requirements that need to be met).

**Section 14.02.D.2.a.6.XIX**

General phasing plans, if any.

**Section 14.02.D.2.a.6.XX**

Any other supplemental information as required by the Zoning Commission and/or Board of Trustees to properly review the submitted Preliminary Development Plan.

**Section 14.02.D.2.a.7 Required Findings for Approval of a Preliminary Development Plan**

The Zoning Commission and Trustees shall approve an application for a Preliminary Development Plan within the Mixed-Use Office District provided they find that the proposed development complies with the requirements of the MUOD in Section 14.02.B: The Objectives of the Mixed-Use Office District; Section 14.02.D.2.a.6 Preliminary Development Plan Contents; Section 14.02.E: Uses; and Section 14.02.F: Development Standards The Mixed-Use Office District shall further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting greater efficiency in providing public and utility services, and encouraging innovation in the planning and building of all types of development. Within a Mixed-Use Office District, the township zoning regulations, where applicable, need not be uniform but may vary in order to accommodate unified development and to promote the public health, safety, morals, and the other purposes of §519.021 of the Ohio Revised Code. The proposed development should be consistent with the purpose, criteria and intent of this Zoning Resolution, Township Comprehensive Plans, existing land use character, appearance and physical development of the area.

**Section 14.02.D.2.a.8 Preliminary Development Plan Approval Period**

The approval of a Preliminary Development Plan shall be effective for a period of one (1) year in order to allow for the preparation and submission of the Final Development Plan. No zoning amendment passed during this one (1) year period shall affect the terms under which approval of the Preliminary Development Plan was granted. If the Final Development Plan has not been filed within this one (1) year period, then the Preliminary Development Plan approval shall expire unless the Board of Trustees has approved an extension of this time limit. A single extension with a maximum period of one (1) year may be considered by the Board of Trustees. Absent of such an extension, no use shall be established or changed and no building, structure or improvement shall be constructed until a new Preliminary and Final Development Plan has been submitted for approval to and approved

by the Township Board of Trustees. Such applications for approval shall be subject to the same procedures and conditions as an original application and shall commence at the Preliminary Development Plan stage. However, resubmission of a new Preliminary Development Plan is not an application for a zoning amendment and the zoning does not revert at any time to the previous zoning district or any other zoning district. These new applications shall comply with the terms of the Zoning Resolution then in effect at the time of filing, including, without limitation, any zoning amendments enacted from and after the date of the initial request to include the property within the MUOD.

**Section 14.02.D.2.a.9 Modifications**

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

**Section 14.02.D.2.a.9.i**

Any modification request that will not alter the physical characteristics of the Preliminary Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.

**Section 14.02.D.2.a.9.ii**

All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.

**Section 14.02.D.2.a.9.ii.a** The Zoning Commission shall review the modification and shall vote on a decision to approve or deny the requested modification.

**Section 14.02.D.2.a.9.ii.b** If the vote of the Zoning Commission is unanimous, then the decision is considered final and requires no other action by the Zoning Commission or Board of Trustees.

**Section 14.02.D.2.a.9.ii.c** If the vote of the Zoning Commission is not unanimous, then the decision is considered a recommendation to the Board of Trustees. The modification shall be forwarded immediately to the Board of Trustees for an official approval or denial.

**Section 14.02.D.3 Final Development Plan**

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

### **Section 14.02.D.3.a Final Development Plan Process**

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

### **Section 14.02.D.3.a.1 Final Development Plan Submission**

A Final Development Plan shall only be submitted if a Preliminary Development Plan has previously been reviewed and approved by the Board of Trustees. An applicant for a Final Development Plan shall submit all required information, maps, plans, and applications (see sub-section 14.02.D.3.a.2 Final Development Plan Contents) to the Zoning Inspector for forwarding to the Zoning Commission.

#### **Section 14.02.D.3.a.1.a Zoning Inspector**

After the applications are made to the Zoning Inspector, the following procedure shall be followed:

##### **Section 14.02.D.3.a.1.a.i**

The Zoning Inspector shall review the submitted application for the Final Development Plan to ensure the application is complete.

##### **Section 14.02.D.3.a.1.a.ii**

The Zoning Inspector shall forward the Final Development Plan application to the Zoning Commission.

##### **Section 14.02.D.3.a.1.a.iii**

The Zoning Inspector shall provide a “Jersey Township Staff Report” to the Zoning Commission outlining the plan and identifying if subsections (A-Z or 1-100 or a – z) of Section 14.02.B: The Objectives of the Mixed-Use Office District; Section 14.02.D.2.a.6 Preliminary Development Plan Contents; Section 14.02.D.3.a.2: Final Development Plan Contents; Section 14.02.E: Uses; and Section 14.02.F: Development Standards have been complied with.

#### **Section 14.02.D.3.a.1.b Zoning Commission**

The Zoning Commission is a recommending body regarding the Final Development Plan. The Zoning Commission shall review the Final Development Plan and provide a written recommendation to the Board of Trustees based upon the plan’s compliance with the regulations and standards in Section 14.02.B: The Objectives of the Mixed-Use Office District; Section 14.02.D.2.a.6 Preliminary Development Plan Contents; Section 14.02.D.3.a.2: Final Development Plan Contents; Section 14.02.E: Uses; and Section 14.02.F: Development Standards for MUOD. The written

recommendation shall list specific findings of fact and list specific examples of compliance and/or non-compliance according to the Jersey Township Zoning Resolution. For example if the Jersey Township Zoning Commission's recommendation is for denial, the recommendation shall list specific sections of the Jersey Township Zoning Resolution for which the proposal does not comply.

**Section 14.02.D.3.a.1.c Board of Trustees**

The Board of Trustees is the approving body for the Final Development Plan.

**Section 14.02.D.3.a.1.c.i**

The Board of Trustees shall consider the Final Development Plan and shall approve, deny, or approve with modifications the Final Development Plan based upon the plan's compliance with the regulations and standards in Section 14.02: Mixed Use Office District (MUOD).

**Section 14.02.D.3.a.1.c.ii**

If the plan is denied, the Board of Trustees shall provide specific findings and reasoning for the denial of the Final Development Plan. For example if the Jersey Township Board of Trustees action is denial, the board shall list specific sections of the Jersey Township Zoning Resolution for which the proposal does not comply.

**Section 14.02.D.3.a.1.d Licking County Planning Commission**

The Final Development Plan of Jersey Township shall also be the Preliminary Plan, or its equivalent, for the Licking County Planning Commission (LCPC). The Jersey Township Board of Trustees shall act on the Final Development Plan prior to the LCPC approving a Preliminary Plan in accordance to the *Subdivision, Land Division, Development and Congestion Prevention Regulations for Licking County, Ohio*.

**Section 14.02.D.3.a.2 Final Development Plan Contents**

The applicant shall submit one (1) printed copy and a CD with a .PDF of the Final Development Plan to the Zoning Inspector with the application. The Final Development Plan shall include in text and drawing form the following:

**Section 14.02.D.3.a.2.a**

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

**Section 14.02.D.3.a.2.b**

A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed MUOD.



**Section 14.02.D.3.a.2.c**

All design standards from Section 14.02.F Development Standards.

**Section 14.02.D.3.a.2.c.i**

The general development character of the tract including the limitations or controls to be placed on all uses with proposed lot sizes and minimum setback requirements shall be shown. Other development features including landscaping, entrance features, signage, pathways, sidewalks, recreational facilities, and all commonly owned structures shall be shown in detail which identifies the quantity, type, and typical section of each. For example, the landscape plan shall identify each plant, shrub or tree, its name, its size at planting, and rendering of how that section of the development would look in elevation.

**Section 14.02.D.3.a.2.d**

The developer shall supply the township with a copy of the Approved Traffic Impact Study (TIS) required by the Licking County Planning Commission (LCPC) and Licking County Engineer's Office (LCEO) for township and county roads; and the Ohio Department of Transportation (ODOT) for U.S. Routes and State Routes. Approval shall be from the agency with jurisdiction on said roadway. Said report shall be created in accordance to the required standards and methods specified by the LCPC and LCEO for any township road or county road, and from ODOT for any U.S. Route or State Route. Any improvements required by the LCPC, LCEO or ODOT as applicable, in regards to the existing or proposed roadways, shall be shown on all development plans. This may include turn lanes, signals, roundabouts, road widening's, existing and additional road right-of-way, etc.

**Section 14.02.D.3.a.2.e**

Dimensional sign package including details indicating the character, material, dimensions, location, shape, color(s), and illumination of all signs as well as proposed control procedures.

**Section 14.02.D.3.a.2.f**

Any covenants, easements, or restrictions.

**Section 14.02.D.3.a.2.g**

Common Area Management plan for any common areas that are proposed to be jointly maintained shall be provided. Said management plan shall identify the items for maintenance (lawn care, structures, trails/paths/sidewalks, lighting, landscaping, signage, water features, etc.); a cost estimate for maintenance of each item listed; timing and frequency of maintenance for each item; who is responsible for

maintenance; if a service provider (for example lawn care company) or the owners are responsible for maintenance; and if there are natural areas to not be disturbed (example environmentally sensitive areas). Additionally, it should identify who (developer or an association) will provide liability insurance and cost thereof (quote from an insurer); and identify that in situations where multiple parcels are involved, an association must be established and evidence of its perpetuity and responsibility provided.

**Section 14.02.D.3.a.2.h**

A private street cross section and drainage plan that meets the design standards of the Licking County Engineer and if applicable the *Subdivision, Land Division, Development and Congestion Prevention Regulations for Licking County, Ohio*. Said cross section shall be designed to accommodate the weight of the vehicle and the traffic anticipated with an estimated design life of twenty (20) years.

**Section 14.02.D.3.a.2.i**

The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities.

**Section 14.02.D.3.a.2.j**

If the proposed timetable for development includes developing the land (including open space) in phases, no phase shall be less than five (5) acres or the whole tract (whichever is smaller). These phases shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases.

**Section 14.02.D.3.a.2.k**

Final Development Plan drawing shall be to a scale of at least 1" = 100' and will show the proposed uses of the site, location of buildings and structures, streets and roadways, parking areas, all required design features, and the following:

**Section 14.02.D.3.a.2.k.i**

Provisions for water, fire hydrants, sanitary sewer, and surface drainage with engineering feasibility studies or other evidence of reasonableness including a grading plan along with line sizes and locations, detention basins, and drainage structures.

**Section 14.02.D.3.a.2.k.ii**

Location of all lot lines, easements, and rights-of-way.

**Section 14.02.D.3.a.2.k.iii**

Dimensions and locations of all proposed structures, buildings, streets, any other public or private facilities, the

proposed pedestrian and bike path systems, the arrangement of internal traffic circulation, including access roads and drives, lane and other pavement markings to direct and control parking and circulation, and the location of signs related to parking and traffic control.

**Section 14.02.D.3.a.2.k.iv**

Landscaping and screening plans.

**Section 14.02.D.3.a.2.k.v**

Location of parks, common areas and other public facility sites within or adjacent to the site.

**Section 14.02.D.3.a.2.k.vi**

Erosion control plans during construction.

**Section 14.02.D.3.a.2.k.vii**

Lighting plan including, but not limited to, fixture locations and details (including heights of poles), building accent lighting, pedestrian lighting, and footcandle calculations across the site and at the edges of the MUOD. Said lighting shall comply with Section 19.07: Lighting of this resolution.

**Section 14.02.D.3.a.2.k.viii**

If the proposed timetable for development includes developing the land (including open space) in phases, the applicant shall provide a representation of the phasing on the Final Development Plan drawing.

**Section 14.02.D.3.a.2.k.ix**

Identify areas that will be subject to the Common Area Management Plan.

**Section 14.02.D.3.a.2.k.x**

Each drawing that is part of the Final Development Plan shall bear the seal of the architect, landscape architect, or professional engineer who prepared said drawing, and who is licensed to practice in the State of Ohio.

**Section 14.02.D.3.a.2.k.xi**

Drawings that are a part of the Final Development Plan that shall bear the seal of an architect, landscape architect, and professional engineer licensed to practice in the State of Ohio, with respect to the design of each professional.

**Section 14.02.D.3.a.3 Required Findings for Approval of a Final Development Plan for a MUOD**

The Board of Trustees shall approve an application for a Final Development Plan provided they find that the Final Development Plan is in compliance with Section 14.02: Mixed Use Office District and there are no unresolved modifications between the plan and standards approved by the Board of Trustees at the Preliminary Development Plan stage.

**Section 14.02.D.3.a.4 Final Development Plan Approval Period**

The approval of a Final Development Plan shall be effective for a period of two (2) years in order to allow for the filing and recording of a final subdivision plat, if platting is required by applicable law, and the commencement of construction of improvements on the site. No zoning amendment passed during the established approval period shall affect the terms under which approval of the Final Development Plan was granted. If the required final subdivision has not been approved and recorded, and construction commenced within the established approval period, then the Final Development Plan shall expire. Upon expiration, no use shall be established or changed and no building, structure or improvement shall be constructed until a new Final Development Plan has been filed with and approved by the Township, and such application for approval, shall be subject to the same procedures and conditions as an original application. This new application shall comply with the terms of the Zoning Resolution then in effect at the time of filing, including, without limitation, any zoning amendments enacted from and after the date of the initial request to include the property within the MUOD.

**Section 14.02.D.3.a.5 Modifications**

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

**Section 14.02.D.3.a.5.a**

Any modification request that will not alter the physical characteristics of the Final Development Plan nor alter any physical characteristic of future development within the zoning district, and which complies with this Zoning Resolution, shall be approved by the Zoning Inspector.

**Section 14.02.D.3.a.5.b**

Examples of modifications that the Zoning Inspector may approve include the following:

**Section 14.02.D.3.a.5.b.i**

Items that are required to be changed with by another government agency, fire district or water and wastewater authority that has jurisdiction and authority to regulate such item. For example, should the local fire district require fire hydrants to be relocated or the number increased or decreased, said modification could be approved by the Zoning Inspector. Another example is if the Licking County

Engineer requires a road radius to be increased, thus altering the design of the roadway and the placement of sidewalks, this could be a modification approved by the Zoning Inspector.

**Section 14.02.D.3.a.5.b.ii**

Items that do not alter the number of lots, or the minimum frontage and lot area of lots, but may adjust the lot lines may be approved by the Zoning Inspector. For example, should the alignment of the road right-of-way be required to be adjusted by the County Engineer, and this required the lot lines to be adjusted accordingly, the Zoning Inspector may approve this modification.

**Section 14.02.D.3.a.5.b.iii**

Should the developer determine they need to alter the parking layout from 90 degree parking to angle parking, the Zoning Inspector may approve the change provided the number and location of the lot is not changed.

**Section 14.02.D.3.a.5.b.iv**

Should nursery inventory of a specified plantings not exist, the Zoning Inspector may approve a modification of the planting, so long as it is a similar type and growth habit. For example if the plans identify 6 feet high Blue Spruce for a landscape buffer, but nursery's do not have enough inventory, the Zoning Inspector may approve 6 feet high Norway Spruce.

**Section 14.02.D.3.a.5.c**

All other modification requests shall be forwarded to the Zoning Commission for consideration no later than their next regularly scheduled meeting.

**Section 14.02.D.3.a.5.c.i**

The Zoning Commission shall review the modification and shall vote on a recommendation that will be provided to the Jersey Township Board of Trustees. The recommendation may be to approve, approve with modifications or deny the requested modification. Should the board recommend denial, the board shall specify the reasons for denial in the motion.

**Section 14.02.D.3.a.5.c.ii**

The modification shall be forwarded immediately to the Board of Trustees for an official approval, approval with modifications or denial. Should the Board of Trustees deny the modification they shall specify the reasons for denial in the resolution.

**Section 14.02.D.4 Plat or Major Development Permit Required**

The Final Development Plan as approved by the Board of Trustees shall be the subject of a subdivision plat or major development permit to be approved by the LCPC if required by the *Subdivision, Land Division, Development and*

*Congestion Prevention Regulations for Licking County, Ohio.* Where the land is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved Final Development Plan. If required by applicable law, no use shall be established or changed, and no structure shall be constructed or altered until the required subdivision plat has been prepared and recorded or a development permit (if applicable) is issued in accordance with the *Subdivision, Land Division, Development and Congestion Prevention Regulations for Licking County, Ohio*, and this Zoning Resolution. The subdivision plat or development plan shall be in accordance with the approved Final Development Plan. The final development plan application step with the township shall be the preliminary plan application step in the subdivision administered by Licking County.

#### **Section 14.02.D.5 Failure to Maintain**

If the approved Final Development Plan is not adhered to, or the open space is not properly maintained, the Township Zoning Inspector may serve written notice of the deficiencies and demand that corrective action be taken. The Township may pursue noncompliance with the plan as a zoning violation which will be dealt with under **Section 2.10: Penalties for Violation.**

#### **Section 14.02.D.6 Administrative Review**

All plats, construction drawings, restrictive covenants, and other necessary documents shall be submitted to the Zoning Inspector, Zoning Commission, and/or their designated technical advisors for an administrative review to ensure substantial compliance with the development plan as approved, prior to issuance of a zoning permit. The Board of Trustees may establish a fee to be deposited with each administrative review in order to defray the costs associated with such a review.

### **Section 14.02.E Uses**

#### **Section 14.02.E.1 Permitted Uses**

An applicant for a MUOD may apply for any combination of Permitted Uses within their development as long as they are in keeping with the intent of the Township and will not adversely affect the adjacent property and/or the public health, safety and general welfare. However, the specific list of Permitted Uses for each MUOD is subject to approval on a case-by-case basis for that MUOD. **Refer to Appendix E: Permitted and Conditionally Permitted Uses.**

#### **Section 14.02.E.2 Conditional Uses**

An applicant for a MUOD may apply for any combination of Conditional Uses within their development as long as they are in keeping with the intent of the Township and will not adversely affect the adjacent property and/or the public

health, safety and general welfare. However, the specific list of Conditional Uses for each MUOD is subject to approval on a case-by-case basis for that MUOD. **Refer to Appendix E: Permitted and Conditionally Permitted Uses.** If residential uses such as apartments (multi-family residential units) and single-family condos are proposed to be part of MUOD, said uses shall be located above commercial/office units. Multi-family residential units and/or single-family condos shall be located on the second floor or higher of the structure. Only entrances, reception areas, mailbox areas, management office space, elevators and stairwells for the residential use may be located at the ground level. Basement areas of a structure may be used for storage areas and laundry facilities for the residential use. Residential uses should not exceed forty percent (40%) of the MUOD development.

### **Section 14.02.F Development Standards**

Development shall be designed in accordance with the planning and development principles included in this section.

#### **Section 14.02.F.1 Arrangement of Buildings**

Building arrangement should respond to the existing and expected uses and structures in the surrounding area.

##### **Section 14.02.F.1.a**

Buildings, structures, and parking areas shall be designed and located to preserve natural features including, but not limited to, viewsheds, wood lots greater than two (2) acres, stream corridors, wetlands, floodplains and steep slopes.

##### **Section 14.02.F.1.b**

Proposed parking for building sites shall primarily be located on the side or rear of the building that facing the main roadway(s). The side of the building facing the main roadway may consist of a faux façade alluding to it being the primary face of the structure with the primary entrance on the opposite side of the building.

##### **Section 14.02.F.1.c**

Buildings should not be located in the center of the lot and surrounded by parking on all sides.

#### **Section 14.02.F.2 Principal and Accessory Structure Standards**

Standards for Principal and Accessory Structures should broadly follow general standards and be measured for reasonableness rather than offering specific limitations, rules or exclusions. The following are guidelines:

**Section 14.02.F.2.a**

The proposed development should be in general conformity with the Comprehensive Plan for Jersey Township.

**Section 14.02.F.2.b**

Buildings and structures must relate to each other and to others in general vicinity rather than serving as a contrast. Buildings and structures which open a new area or development phase generally should be consistent with the anticipated subsequent development in the immediate area. Greater flexibility may be exercised when new development is isolated from residential or additional commercial development.

**Section 14.02.F.2.c**

Size, height and materials used should be compatible and consistent with existing commercial structures found in the development corridor which may include the City of New Albany and or other neighboring entities.

**Section 14.02.F.2.d**

Where multiple structures or accessory buildings are to be utilized it is essential that they appear and function as parts of a joined, congruent and compatible whole. The number of purely accessory buildings should be minimized.

**Section 14.02.F.2.e**

Traffic and circulation systems and open spaces should be multi-purpose where possible serving to connect with adjacent development and open spaces and to provide passive recreation (walking, biking, exercise, picnicking, fishing, etc.) activities for employees, visitors and all members of the Jersey Township Community.

**Section 14.02.F.2.f**

Deviations from these guidelines must be demonstrated to achieve one or more of the following:

**Section 14.02.F.2.f.i**

A superior manner of integrating the structure(s) into the available land or other features.

**Section 14.02.F.2.f.ii**

Offer the maximum possible positive visual impacts for residents and visitors to the township.

**Section 14.02.F.2.f.iii**

Significantly enhanced social and economic benefits to the township community.

**Section 14.02.F.1.2.iv**

Provide a minimum distraction to the rural nature of the township.



### **Section 14.02.F.3 Setbacks**

#### **Section 14.02.F.3.a**

Proposed buildings, structures, and parking lots shall maintain a minimum eighty-six (86) feet setback from the centerline of the roadway.

#### **Section 14.02.F.3.b**

The side setback may be a zero lot line setback if the property is served by a platted shared access, where said plat is recorded in the Licking County Recorder's Office. However, if the lot is to be served by its own access driveway, then a minimum side setback of 30 feet shall be required. The side setback shall be measured from each side lot line.

#### **Section 14.02.F.3.c**

The rear setback shall be ten (10) feet unless it abuts a residential use. If the lot abuts a residential use, the rear yard setback shall be fifty (50) feet unless a six (6) foot, 100% opaque year round buffer is established, in which case the rear setback shall be a minimum of twenty (20) feet. The rear setback shall be measured from the rear lot line.

#### **Section 14.02.F.3.d**

On a corner lot or through lot, the principal structure and its accessory structures shall be required to have the same setback distance from all street intersections and right-of-way lines (including private drives).

#### **Section 14.02.F.3.e**

Any driveway, drive lane, and/or parking lot shall be setback from any lot line abutting a residential land use, a minimum distance of fifteen (15) feet. The front lot line shall be the road right-of-way line for specified road right-of-ways, or sixty (60) feet from the centerline of the road for non-specified road right-of-ways in non-platted lots. On platted lots, the front lot line shall be the front lot line shown on the recorded plat.

#### **Section 14.02.F.3.f**

Buildings shall be placed no closer than thirty (30) feet from one another.

### **Section 14.02.F.4 Open Space**

#### **Section 14.02.F.4.a**

Open space shall be incorporated into the site design. A minimum of forty (40) percent of the site must remain open space. Open space must include areas for passive and/or active recreation as well as trails or pathways connecting to adjacent developments of compatible use.

**Section 14.02.F.4.b**

Open space should be well designed, contiguous, and used to preserve woodlots greater than 2 acres, stream corridors, wetlands, and any other significant natural features on the site.

**Section 14.02.F.4.c**

Open space shall not include any impervious, unnatural materials.

**Section 14.02.F.4.d**

An open space maintenance plan is required and must demonstrate long term maintenance of the open space.

**Section 14.02.F.4.e**

Identify ownership of open space and how it will be preserved as open space in perpetuity (forever).

**Section 14.02.F.4.f**

Provide an Open Space Management Plan. See Appendix D: Open Space Management Plan.

**Section 14.02.F.5 Screening and Landscaping**

**Section 14.02.F.5.a**

All sites must be well landscaped and maintain a rural feel. Existing, healthy trees shall be preserved to the greatest extent possible.

**Section 14.02.F.5.b**

A proposed development shall include appropriate buffers, open spaces, and setbacks. See to Section (Insert #) Landscaping and Buffering.

**Section 14.02.F.5.c**

New plant material shall conform to the standards of the American Association of Nurserymen, and have passed inspections required under state regulations and be non-invasive. New plant material must be in good condition, free of disease, insects, and damage.

**Section 14.02.F.5.d**

Interior site areas shall be planted at one tree per 5,000 square feet of proposed impervious area. Trees proposed in parking areas shall count toward this total.

**Section 14.02.F.5.e**

Plantings, walls or fencing, or a combination thereof must be designed to minimize the impacts of certain site components such as refuse and

recycling dumpsters, storage, utilities, and mechanical units.

**Section 14.02.F.5.f**

Parking areas shall include one (1), nine feet by eighteen feet (9'x18', minimum) planter island (curbed or uncurbed) for every 10 to 12 parking spaces. One shade tree shall be included per island.

**Section 14.02.F.5.g**

Provisions for street trees along public roadways and internal streets must be included. (Refer to See Section (Insert #) Landscaping and Buffering.

**Section 14.02.F.6 Street Scapes**

All sites must provide appropriate street scapes to encourage traffic calming and uphold the rural character of the area. This (may or shall) include approved street trees, decorative cross walks (ADA compliant) and/or curbs, roadside and/or median wildflower gardens, decorative lighting, etc.

**Section 14.02.F.7 Parking**

All developments shall provide off street parking. The layout, service areas, entrances, exits; signs, lighting, and landscape shall be designed to minimize adverse impacts on the community's character. Parking shall be designed and located so as to not be a dominant component of the aesthetic of the site. All parking and loading facilities shall be located at the rear of the structure, and meet the standards in Article 19: Off Street Parking and Loading Regulations. Landscaping shall be used to minimize the impact of parking lots. The use of shared parking and driveways should be utilized to limit the amount of conflict points and reduce the need of large, impervious parking lots.

**Section 14.02.F.8 Vehicular circulation**

Vehicular circulation shall provide adequate connections to the existing street network. Internal streets shall be organized and efficient to provide safe vehicular and pedestrian access to and within the site. Internal vehicular circulation should also be designed as to greatly reduce the need to access the roadway. Access to the site shall follow any access management plans adopted by Licking County or Jersey Township.

**Section 14.02.F.9 Lighting**

Lighting of the site shall be designed to minimize adverse impacts on the community, the adjacent properties, and the public right-of-way. Light fixtures must be fully shielded to minimize light pollution. A lighting plan showing footcandle distribution and fixture details must be submitted as part of the construction plans. Said lighting shall be turned off within thirty (30) minutes of closing if business is not open 24 hours. Security lighting may be used after hours provided that said lighting does not create any glare onto any horizontal or vertical plane on any adjoining lot of record. Lighting shall be considered

security lighting when said lighting is intended to reduce the risk of personal attack, discourage intruders, vandals, or burglars, and to facilitate active surveillance of an entrance to a structure.

**Section 14.02.F.10 Pedestrian amenities**

Pedestrian amenities and accommodations such as sidewalks, crosswalks, and multi-use-trails shall be included in the design of the site and provide all necessary connections for non-vehicular users of the site and comply with Americans with Disabilities Act (ADA) standards.

**Section 14.02.F.11 Signage**

**Section 14.02.F.11.a**

All signs and graphics within the MUOD shall be within an appropriate scale for the building and/or site. They must be consistent in size, location, height, material, shape, color, and illumination. A sign package shall be submitted as part of the development text to set forth the parameters for the entire site. See Article 20: Signs and Outdoor Advertising Structures.

**Section 14.02.F.11.b**

Signs shall contribute to an overall cohesive design of the site, not dominate the landscape, and avoid visual clutter.

**Section 14.02.F.11.c**

Signs shall have a maximum height identified in the MUOD proposal, which shall be appropriate to the scale of the development and the structures therein.

**Section 14.02.F.11.d**

Signs shall be compatible with the building architecture, the overall site design, and the surrounding community.

**Section 14.02.F.11.e**

Sign placement shall not create a sight distance limitation or other visual barrier and it shall not otherwise create a safety hazard that will adversely affect the public health, safety, or general welfare. The use of clear sight triangles at roadway and driveway intersections is required to ensure motorists have the greatest sight distance available to them before entering or exiting a roadway.

*Section 14.02: Mixed Use Office District (MUOD), Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # September 28, 2015; Effective October 28, 2015.*



# **ARTICLE 15 ~ OFFICIAL SCHEDULE OF SUPPLEMENTARY DISTRICT REGULATIONS**

## **Section 15.00 Purpose**

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

Supplementary district regulations shall be as set forth in:

**Article 16    General Requirements**

**Article 17    Adult Entertainment Regulations**

**Article 18    Extraction of Natural Resources**

**Article 19    Off Street Parking and Loading Facilities**

**Article 20    Signs**

**Article 21    Reserved for Future Use**

**Article 22    Automobile Service Stations, Parking Garages and Parking Areas**

**Article 23    Junk Motor Vehicles**

**Article 24    Telecommunication Towers**

**Article 25    Swimming Pools**

Are hereby adopted and declared to be part of this resolution.

*Article 15: Supplementary District Regulations; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2014, Effective December 24, 2014.*



# **ARTICLE 16 ~ GENERAL REQUIREMENTS**

<b><u>Section 16.00</u></b>	<b>Conversion of Dwelling to More Units</b>
<b><u>Section 16.01</u></b>	<b>Temporary Buildings</b>
<b><u>Section 16.02</u></b>	<b>Exceptions to Height Regulations</b>
<b><u>Section 16.03</u></b>	<b>Architectural Projections</b>
<b><u>Section 16.04</u></b>	<b>Yard Requirements for Multifamily Dwellings</b>
<b><u>Section 16.05</u></b>	<b>Side and Rear Yard Requirements For Non-residential Uses Abutting Residential Districts</b>
<b><u>Section 16.06</u></b>	<b>Side and Rear Yard Requirements for Accessory Buildings and Structures</b>
<b><u>Section 16.07</u></b>	<b>Setback Requirements for Corner Lots</b>
<b><u>Section 16.08</u></b>	<b>Front Setback Requirements For Parcels Over 20 Acres</b>
<b><u>Section 16.09</u></b>	<b>Visibility at Intersections</b>
<b><u>Section 16.10</u></b>	<b>Street Frontage Required</b>
<b><u>Section 16.11</u></b>	<b>Private Driveway Requirements</b>
<b><u>Section 16.12</u></b>	<b>Commercial/Industrial/Multifamily/Institutional and Recreational District/Uses Driveway Requirements</b>
<b><u>Section 16.13</u></b>	<b>Parking and Storage of Certain Vehicles</b>
<b><u>Section 16.14</u></b>	<b>Parking and Storage of Commercial Vehicles and Trailers</b>
<b><u>Section 16.15</u></b>	<b>Junk Motor Vehicles</b>
<b><u>Section 16.16</u></b>	<b>Ponds</b>
<b><u>Section 16.17</u></b>	<b>Community or Club Swimming Pools</b>
<b><u>Section 16.18</u></b>	<b>Required Trash Areas</b>
<b><u>Section 16.19</u></b>	<b>Special Provisions for Commercial and Industrial Uses</b>
<b><u>Section 16.20</u></b>	<b>Fire Hazard</b>
<b><u>Section 16.21</u></b>	<b>Radioactivity or Electrical Disturbance</b>
<b><u>Section 16.22</u></b>	<b>Noise</b>
<b><u>Section 16.23</u></b>	<b>Vibration</b>
<b><u>Section 16.24</u></b>	<b>Air Pollution</b>
<b><u>Section 16.25</u></b>	<b>Glare</b>
<b><u>Section 16.26</u></b>	<b>Erosion and Storm-Water Control</b>
<b><u>Section 16.27</u></b>	<b>Water Pollution</b>
<b><u>Section 16.28</u></b>	<b>Enforcement Provisions</b>
<b><u>Section 16.29</u></b>	<b>Measurement Procedures</b>



<b><u>Section 16.30</u></b>	<b>Internal Circulation</b>
<b><u>Section 16.31</u></b>	<b>Condominium Developments</b>
<b><u>Section 16.32</u></b>	<b>Utilities</b>
<b><u>Section 16.33</u></b>	<b>Fence and Wall Restrictions in Front Yards</b>
<b><u>Section 16.34</u></b>	<b>Practice of Agriculture</b>
<b><u>Section 16.35</u></b>	<b>Exceptions and Modifications</b>

## **Section 16.00 Conversion of Dwelling to More Units**

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

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

## **Section 16.01 Temporary Buildings, Storage and Parking**

In any district for the purpose of moving and/or construction, a portable storage unit, construction trailer/mobile office may be utilized as follows:

### **Section 16.33.A Portable storage units**

May be located upon the property for which it is to receive or deliver stored items for a period of no more than one month.

### **Section 16.33.B Construction trailer/mobile office**

May be located upon a property in which the active construction is occurring for the duration of the active construction project. Said construction trailer/mobile office must be removed within one week of completion of the project or during any extended period of non-active construction. Non-active constructions shall include circumstances of inactivity due to lack of funding to complete a project, periods of time between construction of phases of a project, or any other reason in which construction does not occur for a period of six months or longer.

### **Section 16.33.C General Requirements**

All portable storage units and/or construction trailers/mobile offices shall meet visual requirements as outlined in Section 16.09 Visibility at Intersections and Access Driveway, along with the side and rear yard setback requirements of the district in which they are located.

## **Section 16.02 Exceptions to Height Regulations**

The height limitations contained in the Official Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

### **Section 16.03 Architectural Projections**

Open structures such as porches, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which they are attached, and shall not project into the required minimum front, side, or rear yard. Such structures shall not count towards the minimum square footage requirements in the district regulations.

### **Section 16.04 Yard Requirements for Multifamily Dwellings**

Multifamily dwellings shall be considered as one building for the purpose of determining front, side, and rear yard requirements. The entire group as a unit shall require one front, one rear, and two side yards as specified for dwellings in the appropriate district. Each individual building shall meet all yard requirements for the appropriate district as though it were on an individual lot.

### **Section 16.05 Side and Rear Yard Requirements for Nonresidential Uses Abutting Residential Districts**

In addition to a respective district's yard requirements, non-residential buildings or uses shall not be located nor conducted closer than 40 feet to any lot line of an adjacent residential district. Accessory buildings/structures must comply with the front, side, and rear yard requirements of the zoning district where such accessory building is to be located (*see Article 12 Landscaping and Buffering*).

### **Section 16.06 Side and Rear Yard Requirements for Accessory Buildings and Structures**

**Section 16.06.A** All accessory buildings/structures less 120 sq. ft. shall be at least six feet from any dwelling situated on the same lot unless an integrated part thereof; at least six feet from any other accessory building and at least 10 feet from any lot lines of adjoining lots; and must be permanently affixed to the ground.

**Section 16.06.B** All accessory buildings/structures 120 sq. ft or greater must comply with the respective district's yard setback requirements and shall be permanently affixed to the ground. This means that no principal structure and/or accessory structure(s) can be placed within required yard setbacks.

### **Section 16.07 Setback Requirements for Corner Lots**

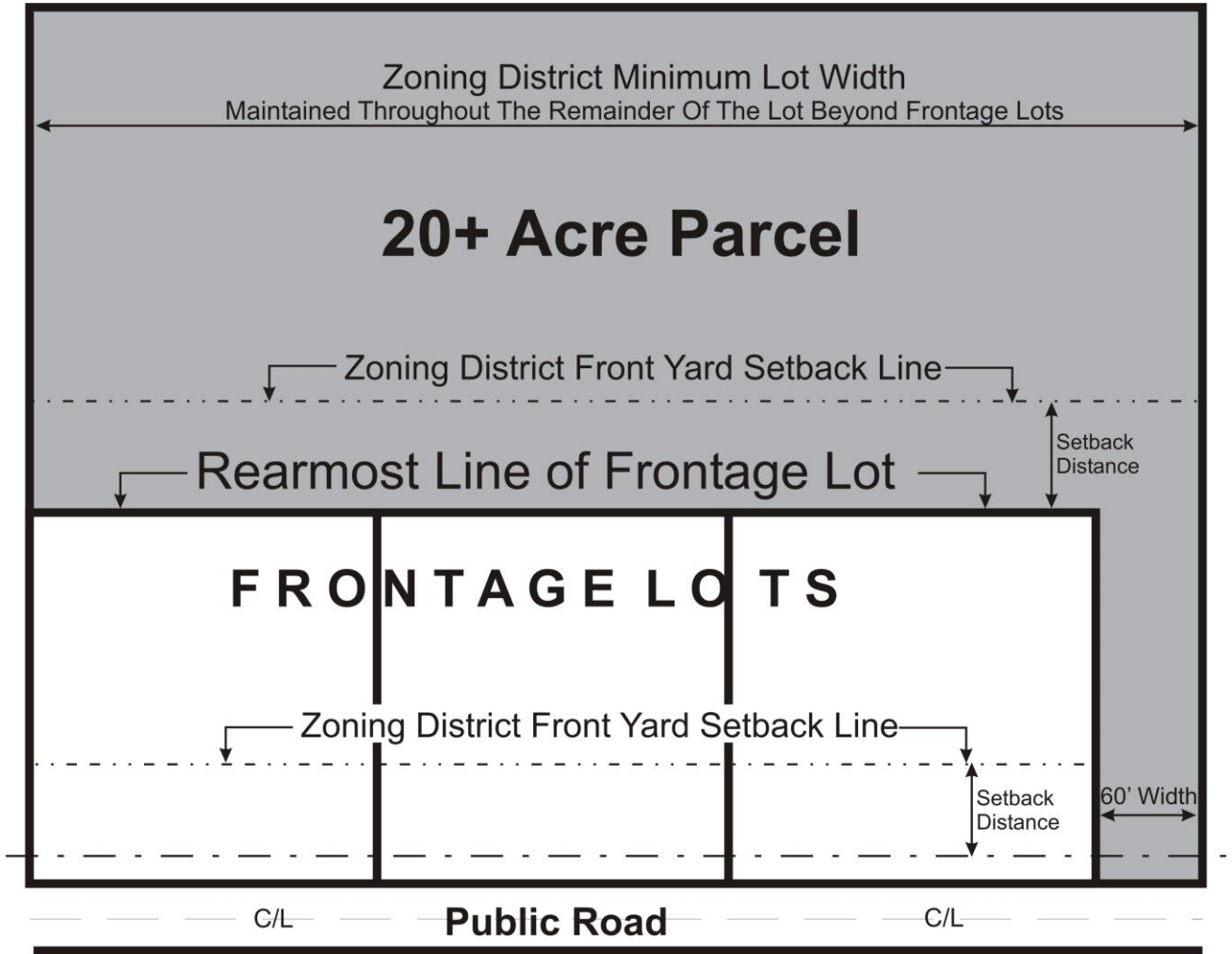
On a corner lot the principal building and its accessory structures shall be required to have the same setback distance from all street intersection right-of-way lines (including private drives), as required for the front yard in the district in which such structures are located.

### **Section 16.08 Front Setback Requirements For Parcels Over 20-Acres, Flag Lots, and Rear Lots.**

Front yard setback for parcels over 20 acres with a lot width (frontage) below the zoning district requirement as specified in Articles 9, 10, 11, 12, 13, 14 and 15 of this resolution, and for flag lots, shall be measured from the rearmost line of the frontage lot(s). For the purpose of this resolution, flag lots and rear lots shall be deemed any lot with acreage behind another lot of record (frontage lot). (See figure 16.A below.) (See also Section 1600.10.01.)

Continued on Next Page

**Figure 16.A**



C/L - Centerline of Road

- - - - Road Right-Of-Way Line

Note: In the above diagram, the depicted 20+ acre parcel is also considered a flag lot.

## **Section 16.09 Visibility at Intersections and Access Driveway**

**Locations** (Commercial, Industrial/Manufacturing, Institution, Condominium/multi-family)

### **Section 16.09. A Road Intersection**

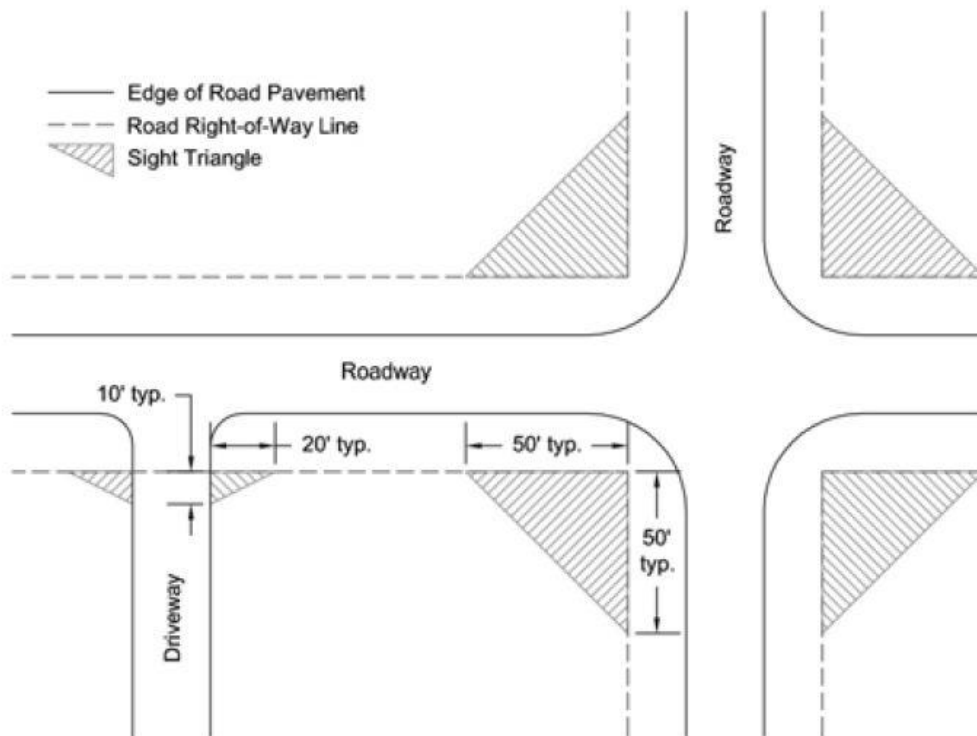
On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede or restrict vision between a height of two and one half (2 1/2) feet and ten feet above the center line grades of the intersecting roads in the area bounded by the right-of-way lines of such corner lots and a line joining points along said street lines 50 feet from the point of intersection, as measured along the edge of road pavement (See Figure 16.B).

### **Section 16.09.B Access Driveway Intersection with Road**

Nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede or restrict vision between a height of two and one half (2 1/2) feet and ten (10) feet above the center line grades of the intersecting road (public or private including service drives) and driveway access in the area bounded by the right-of-way line of the street and the edge of the driveway access. This requirement includes signs and entrance and exit signs, with the exception of traffic control signs (Stop, Yield, No Turn, etc.). This sight triangle shall be measured by taking a line from the edge of the driveway access and measuring along the right-of-way line a distance of twenty (20) feet and by taking a line from the right-of-way line and measuring along the edge of the driveway a distance of ten (10) feet. Connect the furthest dimension of each line and this will create the sight triangle, within which nothing shall be erected, placed, planted or allowed to grown as specified herein. Where no right-of-way exists, the right-of-way line shall be distance of 40' from the centerline of the public or private road (See Figure 16.B).

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**Figure 16.B**



## **Section 16.10 Street Frontage Required**

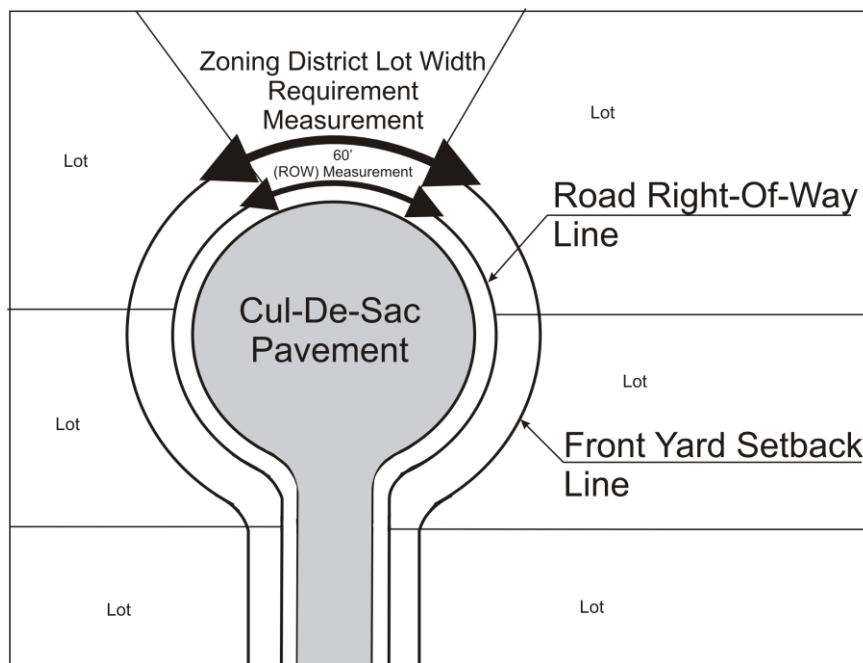
### **Section 16.10.A Parcels up to 20 Acres**

For all parcels up to and including 20 acres, no lot shall have a lot width (frontage) as measured along the edge of the road right-of-way of an existing constructed public road that is dedicated to local government entity, and maintained throughout the lot, less than the zoning district requirement as specified in Articles 9, 10, 11, 12, 13, 14 and 15 of this resolution, except as required by other provisions of these regulations.

### **Section 16.10.B Cul-De-Sac**

For cul-de-sac lots: the minimum road frontage requirement for lots fronting on a cul-de-sac shall be 60 feet along the edge of the road right-of-way of an existing constructed public road that is dedicated to local government entities, with the zoning district's width requirement being met at the front yard setback line. See Figure 16.C.

**Figure 16.C**



### **Section 16.10.C Parcels over 20 acres**

For all parcels over 20 acres, the minimum lot width (frontage) shall be no less than 60' as measured along the edge of the road right-of-way of an existing constructed public road that is dedicated to local government entity, and maintained throughout the portion of the lot adjacent to the frontage lot. The remainder of the lot behind the frontage lots shall maintain the zoning district minimum lot width standard throughout the remainder of the lot. See Figure 16.A.



## **Section 16.11 Parking and Storage of Certain Vehicles in Residential Districts (R1, R2, R3)**

Automotive vehicles, trailers, or truck bodies of any kind or type without current license plates shall not be parked or stored on any property, other than in completely enclosed buildings, unless property is zoned for business. A maximum of one unlicensed vehicle may be stored on property as long as it does not meet the junk motor vehicle requirements stated in the definition of Section 16.13 Junk Motor Vehicles. In addition, one boat, two utility trailers, and one travel trailer may be stored on the property if the vehicles have a current license or license expired no more than nine (9) months. Automotive vehicles or trailers of any type stored in completely enclosed buildings are exempt from this storage requirement.

## **Section 16.12 Parking and Storage of Commercial Vehicles**

Only one properly licensed commercial vehicle with a net capacity rating in excess of two and one half (2½) tons, including commercial tractors, trucks, and semi-trailers shall be parked on any property within a residential zoning district. Non licensed commercial vehicles may not be stored on any property in a residential district unless they are in an enclosed building. Our intent is to prohibit the creation of a business hub or storage of many commercial vehicles in a residential district. Further, properly licensed commercial vehicles parked in a residential district may not run their engines continuously more than two hours.

## **Section 16.13 Junk Motor Vehicles**

### **Section 16.13.A Intent**

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

### **Section 16.13.B Definition of Junk Motor Vehicles**

As used in this resolution, “junk motor vehicle” means a motor vehicle that meets all of the following criteria:

#### **Section 16.13.B.1**

Three model years old or older.

#### **Section 16.13.B.2**

Apparently inoperable; stored in the open for more than 72 hours.

#### **Section 16.13.B.3**

Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, transmission or body panels.

### **Section 16.13.C Notification of Property Owner**

After determining that a motor vehicle fits the definitions stated in Section 16.13.B:

Definition of Junk Motor Vehicles, the zoning inspector shall notify the person having the right to the possession of the property on which the junk motor vehicle is located that a violation has occurred. The notification may be delivered in person, or may be sent by certified mail with return receipt requested. The notice shall state that within ten (10) days of receipt of the notice, the junk motor vehicle either shall be covered by being housed in an enclosed garage or other suitable structure, or shall be removed from the property.

### **Section 16.13.D Property Owners Right of Appeal**

Any person wishing to appeal the decision made by the zoning inspector under the provision of this Article may appeal such decision to the Township Board of Zoning Appeals in accordance with Section 4.09: Appeals.

### **Section 16.13.E Enforcement**

No person shall willfully leave a junk motor vehicle (not housed as indicated by Section 16.11: Parking and Storage of Certain Vehicles) for more than ten (10) days after receipt of notice as provided in Section 16.13.C: Notification of Property Owner. The fact that a junk motor vehicle is so left is prima-facie evidence of willful failure to comply with the notice, and each subsequent day that a junk motor vehicle continues to be so left constitutes a separate offense under this zoning resolution.

In the instance that the problem continues to exist for greater than ten (10) days after receipt of the notice, the matter will be referred to the Licking County Sheriff's Office and to the Licking County Prosecutor's Office for review and a determination of whether or not prosecution of the violation should proceed.

In addition to other remedies provided by law, the Board of Township Trustees may institute an action for injunction, mandamus, or abatement, or any other appropriate action or proceeding to prohibit the storage of junk motor vehicles in violation of this section.

### **Section 16.13.F Collector's Vehicle**

This section is not intended to prevent a person from storing or keeping, or restrict a person in the method of storing or keeping, any undamaged and operable collector's vehicle on private property with the permission of the person having the right to the possession of the property, except that a person having such permission may be required to conceal, by means of buildings, fences, landscaped vegetation, terrain, or other suitable screening, any unlicensed collector's vehicle stored in the open.

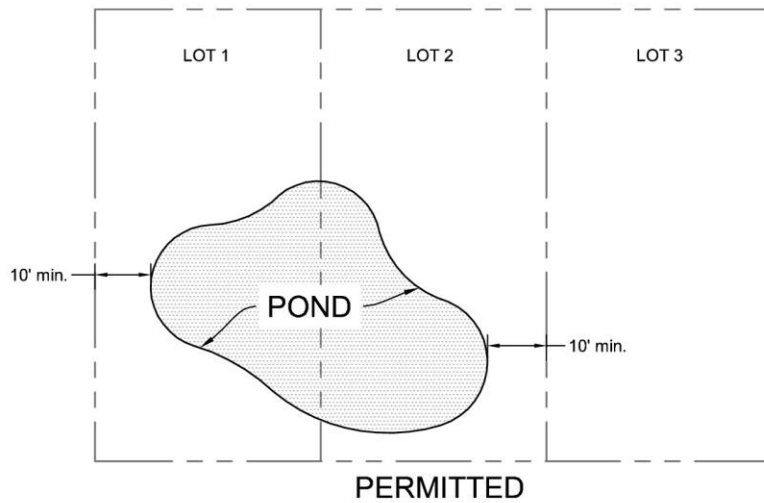
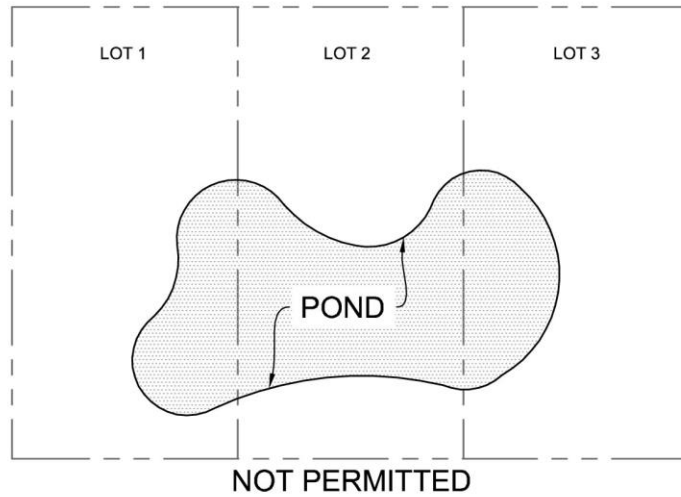
Regardless of whether it is licensed or unlicensed, a collector's vehicle is a "junk motor vehicle" for purposes of this section if the collector's vehicle meets all of the criteria contained in Section 16.13.B: Definition of Junk Motor Vehicle of this resolution. In this instance, the township may regulate the storage of that motor vehicle on private or public property in the same manner that the storage of any other junk motor vehicle is regulated.

## **Section 16.14 Ponds**

No pond, lake, or other area designed for the permanent storage of water may be constructed within thirty (30) feet of a public right-of-way or easement. Additionally, all ponds shall maintain a minimum ten (10) feet one side yard lot line and may have a zero setback on the opposing side yard lot line. The purpose of which is to not create a situation where a portion of a lot is not accessible from the remainder of the lot (See Section 16.14. Figure A).

All newly constructed ponds shall require a permit from the Jersey Township Zoning Inspector to ensure compliance with Section 16.14: Ponds and the Ohio Revised Code drainage regulations and maintenance of installation above and below ground and any disturbed ground to be finished and maintainable slope.

**Section 16.14, Figure A**



### **Section 16.15 Required Trash Areas**

All commercial, industrial, and multifamily residential uses which provide trash and/or garbage collection areas shall be enclosed on at least three sides by a solid wall or fence of at least four feet in height if such area is not within an enclosed building or structure. Provisions for adequate vehicular access to and from such area or areas for collection of trash and/or garbage as required in Section 19.03: Loading Space Requirements and Dimensions.

### **Section 16.16 Special Provisions for Commercial and Industrial Uses**

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious, or otherwise objectionable conditions that could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this resolution may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous conditions and nuisances to acceptable limits as established by the performance requirements in Article 16 through Article 21 in this zoning resolution are taken.

### **Section 16.17 Fire Hazard (Commercial and Industrial/Manufacturing)**

Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate firefighting and fire prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept away or removed from adjacent activities and structures to a distance, which is compatible with the potential danger and shall meet all requirements of the Ohio Fire Code and Ohio Building Code.

### **Section 16.18 Radioactivity or Electrical Disturbance**

(Commercial and Industrial/Manufacturing)

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

### **Section 16.19 Noise (Commercial and Industrial/Manufacturing)**

Objectionable noise associated with the operation of commercial and/or industrial/manufacturing uses, which is due to decibels, volume, frequency, or beat shall not be detectable on adjacent lots. Said objectionable noises shall be muffled or otherwise controlled. Excluding emergency warning system devices, and lawn mowing.

### **Section 16.20 Vibration (Commercial and Industrial/Manufacturing)**

No vibration from land use shall be permitted which is detected without instruments on any adjoining lot or property.

## **Section 16.21 Air Pollution (Commercial and Industrial/Manufacturing)**

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

## **Section 16.22 Light Trespass, Direct and Reflected Glare (Commercial, Institutional and Industrial/Manufacturing)**

### **Section 16.22.A Direct Glare**

Direct glare is defined as excessive brightness in the field of view that is sufficiently greater than the brightness to which the eyes are adapted. Such excessive brightness causes annoyance or loss in visual performance and visibility, so as to jeopardize health, safety or general welfare. Such glare is received directly from a light source.

### **Section 16.22.B Reflected Glare**

Reflected glare is defined as excessive brightness in the field of view that is sufficiently greater than the brightness to which the eyes are adapted. Such excessive brightness causes annoyance or loss in visual performance and visibility, so as to jeopardize health, safety or general welfare. Such glare results from the reflection of light in mirrored, polished or glossy surfaces on adjoining properties.

### **Section 16.22.C Light Trespass**

Light trespass is when light in sufficient quantity crosses over property lines and illuminates adjacent grounds or buildings in an objectionable manner.

### **Section 16.22.D Standard**

No light trespass in the form of direct or reflected glare shall be permitted onto adjoining properties or adjacent roadways from any light source on a lot.

## **Section 16.23 Erosion and Storm-Water Control (Commercial, Institutional and Industrial/Manufacturing)**

No erosion or runoff by water, and/or erosion by wind shall be permitted which will carry objectionable substances onto neighboring properties. All requirements as outlined in Urban Soils and Sediment Pollution Control of the Licking County Subdivision Regulations and/or all State laws pertaining to erosion control and water runoff shall be adhered to.

## **Section 16.24 Water Pollution (Commercial, Institutional and Industrial/Manufacturing)**

Water pollution shall be subject to the requirements and regulations established by the Ohio Environmental Protection Agency, as well as those outlined in the Ohio Wellhead Protection Guidelines.

## **Section 16.25 Zoning Permits/Additional Requirements**

The zoning inspector prior to the issuance of a zoning permit may require the submission of a statement that describes how the business or operation will meet the environmental and nuisance requirements of the township zoning, state, and federal regulations.

## **Section 16.26 Measurement Procedures**

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

## **Section 16.27 Internal Circulation**

All business/commercial, industrial/manufacturing, institutional, multifamily, or recreational districts/uses shall provide adequate internal circulation within the property so as no traffic must access a public road right-of-way to gain access back into the development. Adequate internal circulation shall be deemed accomplished obtained when a motor vehicle may maneuver around the site and any structures without having to access or encroach upon the public road and road right-of-way or any required yard setbacks. This includes delivery vehicles, which must be able to park to load and unload and allow the normal function of the internal circulation, parking area, etc.

## **Section 16.28 Condominium Developments**

A condominium development for the purpose of this resolution, shall be defined as the ownership of individual dwelling or commercial units located on a lot or lots that are owned in common by individual unit owners, or any division of the interests in real property, including easements and leases, that have the effect of permitting more than one dwelling or commercial unit on a lot without the division of the fee simple interest in said lot. Additionally it shall qualify as a condominium under Section 5311 - Condominium Property in the Ohio Revised Code. Said condominium development(s) shall meet the following requirements, in addition to the requirement of the district they are established:

**Section 16.28.A** Perimeter setbacks – Shall meet the district requirements for which the development occurs;

**Section 16.28.B** Internal setbacks – Forty (40) feet between structures;

**Section 16.28.C** Roads – All roads, streets, and alleys within the condominium development shall be designed and constructed to meet the standards of the Licking County Subdivision Regulations. This is to include but not limited to right-of-way, pavement width, road base, turn lanes, signage, sidewalks, storm drainage, etc. Said roads shall be maintained to said standards by the condominium association.

**Section 16.28.D** The road system within the development shall be designed to coordinate with existing, proposed, and planned roads outside of the development as follows:

**Section 16.28.D.1** Wherever a proposed development abuts land that has not been platted or a future development phase of the same development, street stubs shall be provided for access to abutting properties, or to logically extend the road system into the surrounding area. Such extension shall be paved to the edge of the property line, provide for a paved temporary turn around in the form of a T-turn around or a cul-de-sac, and marked with an appropriate approved barricade until such time as they are extended by future development.

**Section 16.28.D.2** Where roads and/or extensions exist from adjoining developments, the proposed development shall be required to connect to said road and/or extension.

**Section 16.28.E** The purpose of these requirements is to promote public health, safety, and general welfare by allowing for the movement of traffic between residential neighborhoods, facilitating emergency access and evacuation, and reducing traffic congestion on main roadways from trips made from one adjoining development to another.

## **Section 16.29 Utilities**

All utilities shall be buried within a platted subdivision, and any lot not platted shall be required to bury the utilities from the edge of the road right-of-way to the structure for which it is to serve.

## **Section 16.30 Traffic Visibility Across Corner Lots**

In any district on any corner lot, no fence, structure or planting shall be erected or maintained within twenty (20) feet of the corner (the point of intersection of the right-of-way lines), which interferes with traffic visibility across the corner.

## **Section 16.31 Practice of Agriculture**

All forms of agriculture and forestry production as defined by the terms Agriculture and Forestry in Appendix A: Definitions. Agriculture uses may be conducted on any parcel in the Rural Residential (RR) District with the following exceptions:

### **Section 16.31.A**

Parcels of one (1) acre or less in any platted subdivision.



### **Section 16.31.B**

Parcels of one (1) acre or less in an area consisting of 15 or more lots that are contiguous to one another, including lots on the opposite side of a public road right-of-way.

### **Section 16.31.C**

Buildings or structures incident to the use of land for agricultural purposes on lots greater than one (1) acre but not greater than five acres by:

- Setback Building Lines
- Height
- Size

### **Section 16.31.D**

Dairying, and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least thirty-five per cent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under section 4503.06 of the Revised Code. After thirty-five per cent of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to section 519.19 of the Ohio Revised Code.

### **Section 16.31.E**

A farm market where fifty per cent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. However, a board of township trustees, as provided in section 519.02 of the Revised Code, may regulate such factors pertaining to farm markets as size of the structure, size of parking areas that may be required, set back building lines, and egress or ingress, where such regulation is necessary to protect the public health and safety.

### **Section 16.31.F**

Biodiesel production, biomass energy production, or electric or heat energy production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under sections 5713.30 to 5713.37 of the Revised Code for real property tax purposes. As used in division (C)(2) of this section, "biodiesel," "biomass energy," and "electric or heat energy" have the same meanings as in section 5713.30 of the Revised Code.

*Section 16.31.F: Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*

### **Section 16.31.G**

Biologically derived methane gas production if the land on which the production facility is located qualifies as land devoted exclusively to agricultural use under sections 5713.30 to 5713.37 of the Ohio Revised Code for real property tax purposes and if the facility that produces the biologically derived methane gas does not produce more than seventeen million sixty thousand seven hundred ten British thermal units, five megawatts, or both. As used in division (C)(3) of this section, "biologically derived methane gas" has the same meaning as in section 5713.30 of the Ohio Revised Code.

*Section 16.31.G: Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*

*Article 9: Residential Districts, Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # April 29, 2013 Effective May 29, 2013*

*Article 9: Sup, Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2014; Effective December 24, 2014.*



# **ARTICLE 17 ~ ADULT ENTERTAINMENT REGULATIONS**

<b><u>Section 17.01</u></b>	<b>Purpose and Intent</b>
<b><u>Section 17.02</u></b>	<b>Location</b>
<b><u>Section 17.03</u></b>	<b>Off Street Parking</b>
<b><u>Section 17.04</u></b>	<b>Buffering</b>
<b><u>Section 17.05</u></b>	<b>Lighting</b>
<b><u>Section 17.06</u></b>	<b>Signage</b>
<b><u>Section 17.07</u></b>	<b>Exterior Portions of Sexually-Oriented Business</b>
<b><u>Section 17.08</u></b>	<b>Sexually-Oriented Businesses Prohibited</b>
<b><u>Section 17.09</u></b>	<b>Exceptions</b>
<b><u>Section 17.10</u></b>	<b>Severability Clause</b>
<b><u>Section 17.11</u></b>	<b>Definitions</b>

## **Section 17.01 PURPOSE AND INTENT<sup>1</sup>**

**Section 17.01.A** In enacting this Resolution, pursuant to Section 519 of the Ohio Revised Code, the Jersey Township Board of Trustees makes the following statement of intent and findings in regards to adult entertainment establishments:

**Section 17.01.A.1** Adult entertainment establishments require special supervision from the public safety agencies of Jersey Township in order to protect and preserve the health, safety, morals, and welfare of the patrons and employees of the businesses, as well as the citizens of Jersey Township.

**Section 17.01.A.2** The Jersey Township Board of Trustees finds that adult entertainment establishments are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature.

**Section 17.01.A.3** There is convincing documented evidence that adult entertainment establishments, because of their very nature, have a deleterious (harmful in unexpected ways) effect on both the existing businesses around them and the surrounding residential areas adjacent to them, cause increased crime, particularly in the overnight hours, and downgrade property values.

**Section 17.01.A.4** The Jersey Township Board of Trustees desires to minimize and control these adverse effects by regulating adult entertainment establishments in the specified manner. By minimizing and controlling these adverse effects, the Jersey Township Board of Trustees seeks to protect the health, safety, and welfare of the citizenry; protect the citizens from increased crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods; and deter the spread of urban blight.

**Section 17.01.B** It is the intent of the Jersey Township Board of Trustees in enacting this Resolution to regulate in the specified manner adult entertainment establishments in order to promote the health, safety, morals, and general welfare of the citizens of Jersey Township, and establish reasonable regulations to prevent the deleterious secondary effects of adult entertainment establishments within Jersey Township. The provisions of this Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually-oriented materials. Similarly, it is not the intent of the Jersey Township Board of Trustees in enacting this Resolution to restrict or deny, or authorize the restriction or denial of, access by adults to sexually-oriented materials protected by the First Amendment, or to deny, or authorize the denial of, access by the distributors and exhibitors of adult entertainment and adult materials to their

intended market. Neither is it the intent nor effect of the Jersey Township Board of Trustees in enacting this Resolution to condone or legitimize the distribution or exhibition of obscene material.

<sup>1</sup> This is a modified version of the purpose and intent included in House Bill No. 23. It is placed here to maintain consistency with the enacting legislation.

## **Section 17.02 Location**

**Section 17.02.A** Sexually-oriented businesses shall only be permitted in a General Business District (GB). Said use shall not be located as follows:

**Section 17.02.A.1** Within 1,500 feet of a public or private school; this shall include the school grounds, including but not limited to football fields, soccer fields, baseball fields, parking areas and nature conservancy areas, leased and operated or owned and operated by the public or private school.

**Section 17.02.A.2** Within 1,500 feet of a church, synagogue, mosque, temple, other religious institution, or building which is used primarily for religious worship and related religious activities.

**Section 17.02.A.3** Within 1,500 feet of a child daycare center, a child daycare home facility, nursery school or preschool.

**Section 17.02.A.4** Within 1,500 feet of an adult daycare facility.

**Section 17.02.A.5** Within 1,500 feet of a residential zoned area (includes single family and multi-family uses).

**Section 17.02.A.6** Within 1,500 feet of a public park, nature preserve, pedestrian/bicycle trails (excluding sidewalks in the general business district) or recreational facility.

**Section 17.02.A.7** Within 1,500 feet of a nursing home, continuing care facility, assisted living facility or the like.

**Section 17.02.A.8** Within 1,500 feet of a mortuary, funeral home, or cemetery or the like.

**Section 17.02.A.9** Within 1,500 feet of another adult entertainment facility.

**Section 17.02.A.10** Said prohibited distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the proposed lot of record upon which the proposed

sexually-oriented business is to be located, to the nearest property line of a lot of record upon which one of the above mentioned uses (Section 17.02.A.1 to 17.02.A.9) is located.

**Section 17.02.B** All sexually-oriented business activities shall be conducted within a completely enclosed structure. No sexually-oriented business activities shall occur in outdoor areas such as, but not limited to patios, outdoor amphitheaters and stages, parking areas, or lawns. No sexually-oriented business use activity shall be visible from any public areas, including but not limited to adjoining parcels, streets, and sidewalks, i.e. no individual utilizing a street, sidewalk, or adjoining parcel shall be able to look onto the property upon which the sexually-oriented business is located and see into any structure within which a sexually-oriented business is conducted and see any sexually-oriented business activity. The interior of the structure shall be designed so that any windows within the structure do not allow anyone from a street, sidewalk or adjoining parcel to see any sexually-oriented business activity within. Areas such as parking areas, service areas, entrances and exits where patrons and employees whom are fully clothed in normal street clothes (shirt, pants, and shoes or a dress and shoes) shall be excluded from this requirement.

**Section 17.02.C** There shall only be permitted one sexually-oriented business, under single ownership, within a structure.

**Section 17.02.D** No lot of record shall have more than one structure in which a sexually-oriented business is operated and conducted upon it.

## **Section 17.03 Off-Street Parking and Loading Facilities**

**Section 17.03.A** See Article 19: Off-Street Parking and Loading Facilities.

**Section 17.03.B** No sexually-oriented business activity shall be conducted within the off-street parking and loading facility areas.

## **Section 17.04 Buffering Requirements**

Sexually-oriented businesses shall provide landscaped buffering along all property lines, regardless of zoning district or use, that are not along a public road right-of-way with a constructed public road. Said landscaped buffering shall consist of either a six (6) foot opaque fence or a landscaped buffer. If a landscape buffer is established, the buffer shall consist of evergreen trees planted no further than 9 feet apart from tree trunk to tree trunk, in a staggered pattern as to provide 100% year round opacity. Said trees shall be at least six (6) feet in height at the time of planting. At least one (1) deciduous tree shall be planted

every 40' in addition to the evergreen requirement. Any combination of mounding (so long as said mounding does not interfere with the site drainage) and fencing may be used in addition to the plantings to obtain the 100% year round opacity requirement. This requirement shall not be required for any sexually-oriented business located in a structure that is part of strip shopping center, where the overall development complies with the landscaping and buffering standards of Article (INSERT NUMBER UPON ADOPTION): Landscaping and Buffering of the Jersey Township Zoning Resolution. A landscape plan prepared by a Certified Landscape Architect shall be submitted to determine compliance with this section. Said plan shall provide a plan view and a profile view of the landscaping at the time of planting and at maturity. Additionally, the plan shall reference the common and botanical name of the plants to be used and their mature height and width.

## **Section 17.05 Lighting**

**Section 17.05.A** Every sexually-oriented business shall provide adequate fully shielded lighting as follows:

**Section 17.05.A.1** All parking areas shall be lit with fully shielded light fixtures. Said lighting shall be of sufficient footcandles (not to exceed 2.5 footcandles) to provide adequate lighting for patrons and employees to safely maneuver in the parking areas and make a visual inspection of these areas.

**Section 17.05.A.2** All entrance and exits to the structure shall be lit by fully shielded light fixtures.

**Section 17.05.A.3** All sides of a building that do not abut another structure (physically against one another) shall be lit by fully shielded light fixtures.

**Section 17.05.A.4** All service areas, including but not limited to loading and unloading areas, dumpster or recycling areas, and accessory structures, shall be lit by fully shielded light fixtures.

**Section 17.05.A.5** All fully shielded fixtures shall be directed towards the ground; no light shall be directed to the sky or onto adjoining lots of record.

**Section 17.05.A.6** See also Article 16: Supplementary District, Glare.

## **Section 17.06 Signage**

**Section 17.06.A** Signage shall comply with Article 20: Signs of this resolution.

**Section 17.06.B** No sign shall contain photographs, silhouettes, drawings, or pictorial representation of sexually-oriented activities in any manner.

**Section 17.06.C** No sign shall contain flashing lights.



## **Section 17.07 Exterior Portions of Sexually-Oriented Businesses**

**Section 17.07.A** It shall be unlawful for an owner or operator of a sexually-oriented business to allow the merchandise or activities of the establishment to be visible from a point outside the establishment.

**Section 17.07.B** It shall be unlawful for the owner or operator of a sexually-oriented business to allow the exterior portion of the sexually-oriented business to have flashing lights, or any words, lettering, photographs, silhouettes, drawings, or pictorial representations of sexually-oriented activities in any manner except to the extent permitted by the provisions of this Resolution. (See Section 17.06: Signage within this Article.)

## **Section 17.08 Sexually-Oriented Businesses Prohibited**

All sexually-oriented businesses shall be prohibited within the border and boundaries of Jersey Township, Licking County, Ohio, except as permitted within the General Business District.

### **Section 17.08.A PROHIBITION OF ADULT MOTELS.**

**Section 17.08.A.1** No person shall operate an adult motel within Jersey Township.

**Section 17.08.A.2** Evidence that a sleeping room in a hotel, motel, or similar commercial establishment has been rented and vacated two (2) or more times in less than ten (10) hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined in Section 17.11: Definitions of this Article.

**Section 17.08.A.3** Evidence that a person in control of a sleeping room in a hotel, motel, or similar commercial establishment has rented or subrented a sleeping room to a person and, within ten (10) hours from the time the room was rented, has rented or subrented the same sleeping room again, creates a rebuttable presumption that the establishment is an adult motel as that term is defined in Section 17.11: Definitions of this Article.

**Section 17.08.A.4** For purposes of Section 17.08.A.3 hereof, the terms “rent” or “subrent” mean the act of permitting a room to be occupied for any form of consideration.

## **Section 17.09 Exceptions**

Nothing in this article shall be construed to pertain to:

**Section 17.09.A** The purchase, distribution, exhibition, and/or loan of any work of art, book, magazine or other printed material or manuscript by any accredited museum, library, fine art gallery, school or institution of higher learning.

**Section 17.09.B** The exhibition and/or performance of any play, drama, tableau, or motion picture by any theater, museum, library, fine art gallery, school or institution of higher learning, either supported by public appropriation or which is an accredited institution supported by private funds.

**Section 17.09.C** Persons in a state of nudity in a modeling class operated by a proprietary school, licensed by the State of Ohio, a college, junior college, or university supported entirely or partly by taxation.

**Section 17.09.D** Fully clothed (shirt, pants, and shoes or a dress and shoes) persons or employees, in normal street clothes, who are walking to and from the structure within which the sexually-oriented business is conducted from public right-of-ways, parking areas, and service areas are not considered sexually-oriented business activities.

## **Section 17.10 Severability Clause**

If any section, sub-section, paragraph or clause of this Resolution shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, sub-sections, paragraphs, and clauses shall not be affected.

## **Section 17.11 Definitions**

### **Section 17.11.A Adult Motel**

Means a hotel, motel, or similar commercial establishment that:

**Section 17.11.A.1** Offers accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or

**Section 17.11.A.2** Offers a sleeping room for rent for a period of time that is less than twenty-four (24) hours; or

**Section 17.11.A.3** Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than twenty-four (24) hours.

**Section 17.11.B Employee**

Means a person who performs any service or work on the premises of a sexually-oriented business, including but not limited to providing entertainment, performing work of a management or supervisory nature, or performing support functions, on a full-time, part-time or contract basis, whether or not the person is denominated an employee, independent contractor, agent, lessee or otherwise, and whether or not said person is paid a salary, wage or other compensation by the operator of said business. Employee does not include a person on the premises exclusively for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises, nor does employee include a person exclusively on the premises as a patron or customer.

**Section 17.11.C Fine Art Gallery**

Means any display of artwork which is individually crafted and signed by the artist or which is limited in edition to 1,000 or less.

**Section 17.11.D Harmful to Juveniles**

Means that quality of any material or performance describing or representing nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in any form to which all of the following apply:

**Section 17.11.D.1** The material or performance, when considered as a whole, appeals to the prurient (appealing to sexual desire) interest of juveniles in sex.

**Section 17.11.D.2** The material or performance is patently (clearly) offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles.

**Section 17.11.D.3** The material or performance, when considered as a whole, lacks serious literary, artistic, political, and scientific value for juveniles.

**Section 17.11.E Juvenile**

Means any person under the age of 18.

**Section 17.11.F Natural Person**

Means a real human being, as distinguished from a corporation.

**Section 17.11.G Nude**

Completely devoid of clothing.

### **Section 17.11.H Operate**

Means to control or hold primary responsibility for the operation of a sexually-oriented business, either as a business entity, as an individual, or as part of a group of individuals with shared responsibility. "Operate" or "Cause to be Operated" shall mean to cause to function or to put or keep in operation. Operator means any person(s) on the premises of a sexually-oriented business who is authorized to exercise overall operational control or hold primary responsibility for the operation of a sexually-oriented business, or who causes to function or who puts or keeps the business in operation. A person may be found to be operating or causing to be operated a sexually-oriented business whether or not that person is an owner, part owner, or licensee of the business.

### **Section 17.11.I Person**

Means an individual, proprietorship, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.

### **Section 17.11.J Sadomasochistic Sexual Abuse**

Means flagellation or torture by or upon a person or the condition of being fettered, bound, or otherwise physically restrained.

### **Section 17.11.K Semi-Nude**

Means a state of dress in which opaque clothing covers not more than the genitals, pubic region, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

### **Section 17.11.L Sexual Encounter Establishment**

Means a business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where either of the following occur:

**Section 17.11.L.1** Two or more persons may congregate, associate, or consort for the purpose of engaging in specified sexual activities.

**Section 17.11.L.2** Two or more persons appear nude or seminude for the purpose of displaying their nude or seminude bodies for their receipt of consideration or compensation in any type or form.

#### **Section 17.11.L.3 Exception**

An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to Section 4731.15 of the Ohio Revised Code, is not a "sexual encounter establishment".

### **Section 17.11.M Sexually-Explicit Nudity**

Means the sexually-oriented and explicit showing of nudity, including, but not limited to, close-up views, poses, or depictions in such position or manner that present or expose such nudity to prominent, focal, or obvious viewing attention.

### **Section 17.11.N Sexually-Oriented Businesses**

As used in this Resolution, “adult arcade,” “adult bookstore,” “adult novelty store,” “adult video store,” adult entertainment establishment,” “adult motion picture theater,” “adult theater,” “distinguished or characterized by their emphasis upon,” “nude or seminude model studio,” “nudity,” “nude,” “state of nudity,” “regularly features,” “regularly shown,” “seminude,” “state of semi-nudity,” “sexual encounter establishment,” “specified anatomical areas,” and “specified sexual activity” have the same meanings as in Section 2907.39 of the Revised Code.

Further defined as follows:

#### **Section 17.11.N.1 Adult Arcade**

Means any place to which the public is permitted or invited in which coin-operated, slug-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and in which the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

#### **Section 17.11.N.2 Adult Book Store**

Includes Adult Novelty Store and Adult Video store, means a commercial establishment that, for any form of consideration, has a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its interior business or advertising to, or maintains a substantial section of its sales or display space for the sale or rental of any of the following:

##### **Section 17.11.N.2.a**

Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations, that are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

**Section 17.11.N.2.b**

Instruments, devices, or paraphernalia that are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of self or others.

**Section 17.11.N.2.c**

Adult bookstore, adult novelty store, or adult video store includes a commercial establishment as defined in Section 2907.38 of the Ohio Revised Code. An establishment may have other principal business purposes that do not involve the offering for sale, rental, or viewing of materials exhibiting or describing specified sexual activities or specified anatomical areas and still be categorized as an adult bookstore, adult novelty store, or adult video store. The existence of other principal business purposes does not exempt an establishment from being categorized as an adult bookstore, adult novelty store, or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, such materials that exhibit or describe specified sexual activities or specified anatomical areas.

**Section 17.11.N.3 Adult Entertainment Establishment**

Means the sale, rental, or exhibition, for any form of consideration, of books, films, video cassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified anatomical areas or specified sexual activity.

**Section 17.11.N.4 Adult Motion Picture Theater**

Means a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.

**Section 17.11.N.5 Adult Novelty Store**

Means an establishment that rents or sells furniture, instruments, devices, or paraphernalia either designed as representations of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs. Said establishment may include the sale or rental of lingerie or leather goods marketed or presented in a context to suggest their use for sadomasochistic practices.

**Section 17.11.N.6 Adult Theater**

Means a theater, concert hall, auditorium, or similar commercial establishment that for any form of consideration, regularly features persons who appear in a state of nudity or semi-nudity or live performances that are characterized by their

emphasis upon the exposure of specified anatomical areas or specified sexual activities.

**Section 17.11.N.7 Adult Video Stores**

An establishment primarily engaged in the retail sale, rental or lease of video tapes, films, CD-ROMS, DVDs, laser discs, electronic games, cassettes, or other electronic media containing adult-themed material or characterized by an emphasis on matter depicting specified sexual activities or specified anatomical areas.

**Section 17.11.O Specified Anatomical Areas**

Means the cleft of the buttocks, anus, male or female genitals, or the female breast.

**Section 17.11.P Specified Sexual Activities**

Means any of the following:

**Section 17.11.P.1** Sex acts, normal or perverted, or actual or simulated, including intercourse, oral copulation, masturbation, or sodomy;

**Section 17.11.P.2** Excretory functions as part of or in connection with any of the activities described in Section 17.11.P.1.

**Section 17.11.Q Visibly Displayed**

Means the material is visible on a billboard, viewing screen, marquee, newsstand, display rack, window, show case, display case, or other similar display area that is visible from any part of the general public or otherwise, or that is visible from any part of the premises where a juvenile is or may be allowed, permitted, or invited, as part of the general public or otherwise, or that is visible from a public street, sidewalk, park, alley, residence, playground, school, or other place to which juveniles, as part of the general public or otherwise, has unrestrained and reasonably anticipated access and presence.

*Article 17: Adult Entertainment Regulations; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015, Effective December 24, 2015*

# **ARTICLE 18 ~ EXTRACTION OF MINERALS**

<b><u>Section 18.00</u></b>	<b>General Requirements</b>
<b><u>Section 18.01</u></b>	<b>Applicant – Financial Ability</b>
<b><u>Section 18.02</u></b>	<b>Application – Contents, Procedure</b>
<b><u>Section 18.03</u></b>	<b>Public Hearing</b>
<b><u>Section 18.04</u></b>	<b>Rehabilitation</b>
<b><u>Section 18.05</u></b>	<b>Additional Requirements</b>
<b><u>Section 18.06</u></b>	<b>Gas and Oil Wells</b>



## **Section 18.00 General Requirements**

Any owner, lessee, or other person, firm, or corporation having an interest in mineral lands in any C-1 and RR Districts may file with the Board of Zoning Appeals an application for authorization to mine minerals there from, provided, however, that he shall comply with all requirements of the district in which said property is located, other applicable laws of the State of Ohio and with the following additional requirements

*Section 18.00; Amended by Resolution # November 24, 2014, Effective December 24, 2014*

### **Section 18.00.A Distance From Property Lines**

No quarrying operation shall be carried on or any stock pile placed closer than a minimum of 100 feet to any property line and a minimum of 300 feet from any principal structure on adjoining lots of record, unless a greater distance is specified by the Board where such is deemed necessary for the protection of adjacent property; provided that this distance requirement may be reduced to 50 feet by written consent of the owner or owners of the abutting property.

*Section 18.00.A; Amended by Resolution #November 24, 2014, Effective December 24, 2014*

### **Section 18.00.B Distance From Public Right-of-Way**

In the event that the site of the mining or quarrying operations is adjacent to the right-of-way of any public street or road no part of such operation shall take place closer than 50 feet to the nearest line of such right-of-way.

*Section 18.00.B; Amended by Resolution # November 24, 2014, Effective December 24, 2014*

### **Section 18.00.C Fencing**

Fencing shall be erected and maintained around the entire site or portions thereof where in the opinion of the Board such fencing is necessary for the protection of the public safety, and shall be of a type specified by the Board.

### **Section 18.00.D Equipment**

All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment.

### **Section 18.00.E Processing**

The crushing, washing, and refining or other similar processing may be authorized by the Board as an accessory use, provided, however, that such accessory processing shall not be in conflict with the use regulations or the district in which the operation is located.

## **Section 18.01 Applicant - Financial Ability**

In accepting such plan for review, the Board must be satisfied that the proponents are financially able to carry out the proposed mining operation in accordance with the plans and specifications submitted.

## **Section 18.02 Application - Contents, Procedure**

An application for such operation shall set forth the following information:

**Section 18.02.A** Name of the owner or owners of land from which removal is to be made;

**Section 18.02.B** Name of the applicant making request for such permit;

**Section 18.02.C** Name of the person or corporation conducting the actual removal operation;

**Section 18.02.D** Location, description, and size of the area from which removal is to be made;

**Section 18.02.E** Location of processing plant used;

**Section 18.02.F** Type of resources or minerals to be removed;

**Section 18.02.G** Proposed method of removal and whether or not blasting or other use of explosives will be required;

**Section 18.02.H** Description of equipment to be used;

**Section 18.02.I** Method of rehabilitation and reclamation of the mined area.

**Section 18.02.J** Provide a Hydro-geological assessment of the impact to ground water resources in the area.

*Section 18.00.J; Amended by Resolution # November 24, 2014, Effective December 24, 2014*

**Section 18.02.K** Provide location and designated routes, trucks will travel in township and bond the roads. Geological studies are to include impacts; Applicant is to provide assessments on impact on traffic to roads in township and surrounding area.

*Section 18.02.K; Amended by Resolution # November 24, 2014, Effective December 24, 2014*

## **Section 18.03 Public Hearing**

Upon receipt of such application, the Board shall set the matter for a public hearing in accordance with the provisions of Section 4.14: Public Hearing by Board of Zoning Appeals.

## **Section 18.04 Rehabilitation**

To guarantee the restoration, rehabilitation, and reclamation of a mined-out area, every applicant granted a mining permit as herein provided, shall furnish a performance bond running to the township in an amount specified by the Board of Zoning Appeals, as a guarantee that such applicant, in restoring, reclaiming and rehabilitation of such land, shall within a reasonable time and to the satisfaction of the Board meet the following minimum requirements:

*Section 18.04; Amended by Resolution # November 24, 2014, Effective December 24, 2014*

### **Section 18.04.A Surface Rehabilitation**

All excavation shall be made either to a water producing depth, such depth to be not less than five feet below the low water mark, or shall be graded or backfilled with non-noxious, noninflammable and noncombustible solids, or secure:

#### **Section 18.04.A.01**

That the excavated area shall not collect and permit to remain therein-stagnant water.

#### **Section 18.04.A.02**

That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof - so as to produce a gently running surface that will minimize erosion due to rainfall and which will be in substantial conformity to the characteristics of the adjoining land area.

*Section 18.04.A.02 was Amended by Resolution (November 24, 2014), Effective December 24, 2014*

### **Section 18.04.B Vegetation**

Vegetation shall be restored by appropriate seeds of native (non-invasive) grasses or planting of native, (non-invasive) shrubs or native (non-invasive) trees in all parts of said mining area where such area is not to be submerged under water as hereinabove provided.

*Section 18.00.B; Amended by Resolution #November 24, 2014, Effective December 24, 2014*

### **Section 18.04.C Banks of Excavations Not Backfilled**

The banks of all excavations not backfilled shall be sloped to the water line at a foot vertical, shall not be less than three feet horizontal to one foot vertical and said bank shall be seeded.

## **Section 18.05 Additional Requirements**

In addition to the foregoing the Board may impose such other conditions, requirements, or limitations concerning the nature, extent of the use and operation of such mines, quarries or gravel pits as the Board may deem necessary for the protection of adjacent properties and the public interest. The Board prior to issuance of the permit shall determine the said conditions and the amount of the performance bond.

## **Section 18.06 Gas and Oil Wells**

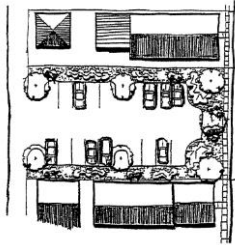
In any and all districts of the township, a well may be drilled for the exploration for or production of natural oil or gas only after or when the following conditions have been complied with:

**Section 18.06.A** Compliance with all applicable laws of the State of Ohio.

**Section 18.06.B** No tanks or reservoirs erected or intended for the storage of petroleum products shall be located neither within 50 feet of any public right-of-way nor within 100 feet to any property lot line, nor within 300 feet of any principal structure.

*Section 18.06.B; Amended by Resolution # November 24, 2014, Effective December 24, 2014*

# **ARTICLE ~ 19 OFF-STREET PARKING AND LOADING REGULATIONS**



<b><u>Section 19.01</u></b>	<b>General Requirements</b>
<b><u>Section 19.02</u></b>	<b>Parking Space Dimensions</b>
<b><u>Section 19.03</u></b>	<b>Loading Space Requirements and Dimensions</b>
<b><u>Section 19.04</u></b>	<b>Paving</b>
<b><u>Section 19.05</u></b>	<b>Drainage</b>
<b><u>Section 19.06</u></b>	<b>Maintenance</b>
<b><u>Section 19.07</u></b>	<b>Lighting</b>
<b><u>Section 19.08</u></b>	<b>Location of Parking Spaces</b>
<b><u>Section 19.09</u></b>	<b>Screening and/or Landscaping</b>
<b><u>Section 19.10</u></b>	<b>Disabled Vehicles</b>
<b><u>Section 19.11</u></b>	<b>Minimum Distance and Setback</b>
<b><u>Section 19.12</u></b>	<b>Joint Use</b>
<b><u>Section 19.13</u></b>	<b>Wheel Blocks</b>
<b><u>Section 19.14</u></b>	<b>Width of Driveway Aisle</b>
<b><u>Section 19.15</u></b>	<b>Access</b>
<b><u>Section 19.16</u></b>	<b>Width of Access Driveway</b>
<b><u>Section 19.17</u></b>	<b>Striping</b>
<b><u>Section 19.18</u></b>	<b>Parking Space Requirements</b>
<b><u>Section 19.19</u></b>	<b>General Interpretation of Article 19</b>
<b><u>Section 19.20</u></b>	<b>Handicap Parking</b>

## **Section 19.01 General Requirements**

### **Section 19.01.A**

No building or structure shall be erected, substantially altered, or its use changed unless permanently maintained off street parking and loading spaces have been provided in accordance with the provisions of this resolution.

### **Section 19.01.B**

The provisions of this article, except where there is a change of use, shall not apply to any existing building or structure. Where the new use involves no additions or enlargements, there shall be provided as many of such spaces as may be required by this resolution.

### **Section 19.01.C**

Whenever a building or structure constructed after the effective date of this resolution is changed or enlarged in floor area, number of dwelling units, seating capacity, or otherwise to create a need for an increase in the number of existing parking spaces, additional parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or structure existing prior to the effective date of this resolution is enlarged to the extent of 50 percent or more in floor area, number of employees, number of housing units, seating capacity or otherwise, said building or structure shall then and thereafter comply with the full parking requirements set forth herein.

### **Section 19.01.D**

Private drives shall conform to Section 16.09: Visibility at Intersections.

## **Section 19.02 Parking Space Dimensions**

A parking space shall have minimum rectangular dimensions of not less than nine (9) feet in width and nineteen (19) feet in length for ninety (90) degree parking; ten (10) feet in width and twenty-three (23) feet in length for parallel parking; ten (10) feet in width and nineteen (19) feet in length for sixty (60) degree parking; and twelve (12) feet in width and nineteen (19) feet in length for forty-five (45) degree parking. All dimensions shall be exclusive of driveways, aisles, and other circulation areas. The number of required off-street parking spaces is established in Section 19.18: Parking Space Requirements of this resolution.

<b>PARKING STALL DESIGN</b>	<b>WIDTH</b>	<b>LENGTH</b>
Ninety (90) Degree Parking	Nine (9) Feet	Nineteen (19) Feet
Parallel Parking	Ten (10) Feet	Twenty-Three (23) Feet
Sixty (60) Degree Parking	Ten (10) Feet	Nineteen (19) Feet
Forty-Five (45) Degree Parking	Twelve (12) Feet	Nineteen (19) Feet

### **Section 19.03 Loading Space Requirements and Dimensions**

A loading space shall have minimum dimensions of not less than 12 feet in width, 50 feet in length, exclusive of parking areas, driveways, aisles, and other circulation areas, and a height of clearance of not less than 15 feet. One off street loading space shall be provided and maintained on the same lot for each separate occupancy requiring delivery of goods and having a modified gross floor area of up to 5,000 square feet. One loading space shall be provided for each addition 10,000 square feet or fraction thereof.

### **Section 19.04 Paving**

The required number of parking and loading spaces as set forth in Sections 19.03: Loading Space Requirements and Dimensions and 19.18: Parking Space Requirements, together with driveways, aisles, and other circulation areas, shall be improved with such material to provide a solid surface (i.e. paved, cement).

### **Section 19.05 Drainage**

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

### **Section 19.06 Maintenance**

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

### **Section 19.07 Lighting**

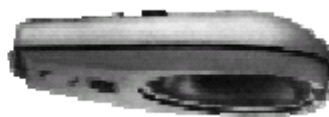
All parking areas that are intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be so arranged as to reflect the light away from the adjoining property and make use of fully-shielded fixtures to limit light pollution and trespass onto adjoining lots. All lighting except security lights must be turned off one (1) hour after the close of business.

How to Recognize Fully-Shielded Fixtures

**Figure 19.A**



Unshielded Fixture



Fully-Shielded Fixture

Fully shielded fixtures are technically or photometrically defined as lights that emit no light above the horizontal plane, but in practice such fixtures are usually easily recognizable from catalog drawings or pictures without requiring or interpreting photometric specifications. Such fixtures almost always have a flat, horizontally-oriented lens and opaque (usually metal) sides. They are often described as "shoe box" luminaries if the luminary has a predominantly rectangular form, but they come in many shapes and sizes.

There is nothing mysterious about a shielded luminary - if you can see the lamp or any optical part (a reflector, prismatic lens or even a clear non-prismatic lens) from the side of the luminary (or any angle above), it is almost certainly not fully shielded. Beware of some fixtures that either have reflecting surfaces located below the lamp and visible from the side or above, and fixtures that can be mounted so that the shielding is ineffective. Also beware of claims for shielding based on the appearance of the word "shield", "shielded", "cutoff" or similar in the description if the luminary does not also look obviously fully shielded as described here.

## **Section 19.08 Location of Parking Spaces**

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

### **Section 19.08.A Detached Residential Uses**

Parking spaces for all detached residential uses shall be located on the same lot as the use that they are intended to serve;

### **Section 19.08.B Commercial, Industrial and Institutional**

Parking spaces for commercial, industrial, and institutional uses shall be located upon the same lot as the principle use and located not more than 700 feet from the principal use;

### **Section 19.08.C Non-Residential Uses in Village Commercial District (VCD)**

Parking spaces in non-residential zoned areas, zoned for Village Commercial District will only be located to the rear and sides of the structure.

### **Section 19.08.D Parking in Required Yard Setback or Right-of-Way**

No parking spaces shall be located in the required yard setback within a public or private road right-of-way, or in a manner that would disrupt or impede traffic flow into and out of the parking area onto a public or private road, or otherwise create a safety hazard to motorists or pedestrians.

If there is a question or concern, the zoning inspector may require, request, or obtain information and guidance from the Licking County Area Transportation Study (LCATS), Licking County Planning Commission (LCPC), Ohio Department of Transportation, Licking County Engineer or a qualified engineering firm the township



contracts with. The zoning inspector may utilize or base his or her decision upon this information and guidance.

### **Section 19.08.E Joint Use Parking Areas**

Parking spaces may be located on a lot other than that containing the principal use with approval of the BZA provided a written agreement, approved by the BZA shall be filed with the application for a zoning permit.

### **Section 19.09 Screening and/or Landscaping**

Whenever a parking area is located in or adjacent to a residential district, it shall be effectively screened on all sides that adjoin or face any property used for residential purposes by an acceptably designed wall, a fence that is 75% opaque (made of natural material, or material that appears to be natural), landscaped berm, or planting screen. Such fence, wall, or planting screen shall be not less than four (4) feet nor more than six (6) feet in height and shall be maintained in good condition. The space between such fence, wall, or planting screen, and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover, and maintained in good condition. In the event that terrain or other natural features are such that the erection of such fence, wall or planting screen will not serve the intended purpose, then no such fence, wall, or planting screen and landscaping shall be required. These requirements are in addition to the requirements in Article 21: Landscaping and Buffering.

### **Section 19.10 Disabled Vehicles**

The parking of a disabled vehicle within a residential or commercial district for a period of more than two weeks shall be prohibited, unless otherwise permitted by this resolution. (See also Section 16.15: Junk Motor Vehicles.)

### **Section 19.11 Minimum Distance and Setback**

No part of any parking area for more than ten vehicles shall be closer than 20 feet to any dwelling unit, school, hospital, or other institution location on an adjoining lot, unless separated by an acceptably designed screen. If on the same lot with a one-family residence, the parking area shall not be located within the front yard required for such building. In no case shall any part of a parking area be closer than four feet to any established street or alley right-of-way.

### **Section 19.12 Joint Use**

Two or more nonresidential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that together they meet the requirements of Section 19.18: Parking Space Requirements and a copy of a perpetual easement that has been recorded in the deed of each lot in the Licking County Recorder's Office shall be filed with the application for a zoning permit.

### **Section 19.13 Wheel Blocks**

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

### **Section 19.14 Width of Driveway Aisle**

Driveways serving individual parking spaces shall be not less than twenty-five (25) feet wide for ninety (90) degree parking, twelve (12) feet wide for parallel parking, seventeen and one-half (17 ½) feet for sixty (60) degree parking, and thirteen (13) feet for forty-five (45) degree parking.

### **Section 19.15 Access**

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

### **Section 19.16 Width of Access Driveway**

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

### **Section 19.17 Striping**

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

### **Section 19.18 Parking Space Requirements**

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

### **Section 19.18.A Residential**

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
Single-family or two-family dwelling.	Two for each unit.
Apartments or multi-family dwelling.	Two for each unit.
Bed and breakfast, rooming houses, dormitories, and fraternity houses that have sleeping rooms.	One for each sleeping room or two for each permanent occupant.
Manufactured homes	Two for each unit.

### **Section 19.18.B Recreational or Entertainment**

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
Dining rooms, restaurants,	One for each 200 square feet of floor area*, plus one for each employee.
Taverns, bars, nightclubs, and the like.	One for every three persons of capacity as determined by the Fire Marshall and one for each employee.
Outdoor patio areas (may be used for dining, lounging, bar, music, or other gathering areas of a business, etc.)	One for every two persons of capacity as determined by the Fire Marshall and one for each employee. If no capacity rating is provided, it shall be one for each fifty (50) square feet of floor area* and one for each employee.
Bowling alleys.	Four for each alley or lane plus one additional space for each 100 square feet of the area* used for restaurant, cocktail lounge, or similar use.
Skating rinks.	One for each 100 square feet of floor area* used for the activity.
Outdoor swimming pools: public, community or club.	One for each five persons capacity, plus one for each four seats or one for each 30 square feet of floor area* used for seating purposes whichever is greater.
Auditoriums, sport arenas, theaters, and similar uses.	One for each four seats.
Camp ground.	1.5 for each camp site plus one per employee.
Social clubs, lodges, or other like community facilities.	One for every two persons of capacity allowed as defined by the fire marshal and one for each employee.

\*See Appendix "A" Definitions.

## **Section 19.18.C Commercial**

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
Automobile service stations with gas pumps and provision for auto repair.	One for each employee, two for each gasoline pump and four for each service bay.
Hotels, motels.	One per each sleeping room plus one space for each two employees.
Funeral parlors, mortuaries and similar type uses.	One for each 100 square feet of visitation/assemble rooms, parlors or service rooms.
Fast Food Restaurant	One per employee/one for every 250' of sq. ft. of floor area, plus six staking spaces per service window.
Convenience store/gas station.	Two for each gasoline pump and one for every 250 sq. ft. of floor area*.
Retail store, big box store, shopping center.	One for each 200 square feet of floor area*.
Banks, financial institutions and similar uses.	One for each 200 square feet of floor area*.
Offices, public or professional administration, or service building.	One for each 400 square feet of floor area*.
All other types of business or commercial uses permitted in any business district.	One for each 300 square feet of floor area*.
Dining rooms, restaurants, taverns, bars, night clubs, etc.	One parking space for each three seating accommodations, plus one space for each two employee on the shift with the greatest number of employees.
Outdoor Patio Areas (may be used for dining, lounging, bar, music, or other gathering areas of a business, etc.)	One for every two persons of capacity as determined by the Fire Marshall, and one for each employee. If no capacity rating is provided, it shall be one for each fifty (50) square feet of floor area* and one for each employee.

\*See Appendix "A" Definitions.

### **Section 19.18.D Institutional**

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
Churches and other places of religious assembly.	One for each four seats.
Hospitals.	One parking space for each two beds for patients, plus one space for each staff doctor or nurse, plus one parking space per each associated employee and support staff member on the shift with the greatest number of employees.
Sanitariums, home for the aged, nursing homes, asylums, and similar uses.	One for each two beds.
Medical and dental clinics.	One for every 200 square feet area of examination, treating room, office, and waiting room.
Libraries, museums, and art galleries.	One for each 400 square feet of floor area*.

\*See Appendix "A" Definitions.

### **Section 19.18.E Schools (Public, Parochial, or Private)**

TYPE OF USE	MINIMUM PARKING SPACES REQUIRED
Elementary and junior high schools.	Two for each classroom and one for every four seats in auditorium or assembly halls. One for each teacher and employee.
High schools.	One for every five students and one for each teacher and employee.
Business, technical and trade schools.	One for every two students; one for each teacher and employee; one for every four seats in auditorium or assembly halls.
Colleges, universities.	One for every four students; one for each employee.
Kindergartens, childcare centers, day care facilities, and similar uses.	One for each employee; one parking space for every four children.

## **Section 19.18.F Manufacturing**

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

## **Section 19.18.G Other Non-Specified Uses**

Due to the fact that there are often uses that do not fall into one of the above categories, and that new uses are regularly developed and established, it is hereby the intent of Jersey Township to reserve the ability to refer to the following industry resources to determine if a use not specified above, used in combination with other uses, or used in a manner that is not generally recognized as common for that use. To determine the number of parking spaces required consult the *Planning Advisory Service (PAS) Report No. 510/511, Parking Standards. Michael Davidson and Fay Dolnick. November 2002.*

## **Section 19.19 General Interpretation of Article 19**

In the interpretation of Article 19: Off Street Parking and Loading Facilities, the following rules shall govern:

### **Section 19.19.A**

Parking spaces for other permitted or conditional uses not listed in this article shall be determined by the Board of Zoning Appeals upon an appeal from a decision of the zoning inspector.

### **Section 19.19.B**

Fractional numbers shall be increased to the next whole number.

### **Section 19.19.C**

Where there is an adequate public transit system, or where for any other reason parking demand is unusually low, then the parking space provisions cited above may be reduced proportionately by the Board of Zoning Appeals upon an appeal from a decision of the zoning inspector.

## **Section 19.20 Handicap Parking**

Parking lots will follow the Federal Guidelines for Disabled/Handicap persons for spacing requirements, including but not limited to dimensions, number of spaces, materials, and signage. This shall be in addition to the requirements in Section 19.18: Parking Space Requirements.

*Article 19: Off Street Parking and Loading Regulations; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015, Effective December 24, 2015*





# **ARTICLE 20 ~ SIGNS AND OUTDOOR ADVERTISING STRUCTURES**



- Section 20.01: Statement of Purpose**
- Section 20.02: Applicability – Effect**
- Section 20.03: Legal Non-conforming Signs.**
- Section 20.04: Computations For Signs**
- Section 20.05: Zoning District Sign Regulations**
- Section 20.06: Business/Commercial/Manufacturing/District Signs**
- Section 20.07: Highway Business District (HB) Signs**
- Section 20.09: Residential District Signs**
- Section 20.10: Temporary Sign Requirements For All Districts**
- Section 20.11: General Requirements For All Signs**
- Section 20.12: Signs Exempt From The Regulations Contained In This Article**
- Section 20.13: Variance Standards For Signs**
- Section 20.14: Application For A Sign Variance**
- Section 20.15: Sign Permits**

## **Section 20.01 Statement Of Purpose**

The purpose of these sign regulations is: to encourage the effective use of signs as a means of communication in the township; to maintain and enhance the aesthetic environment and the townships ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to provide for public health and safety by minimizing the possible adverse effect (including but not limited to the obstruction of sight distance to motorist entering and exiting a roadway and distracting the motorist) of signs on nearby public and private property; to control litter; to maintain property values; to protect property rights; to maintain character of the community; and to enable the fair and consistent enforcement of these sign regulations. This sign resolution is adopted under the zoning authority of the Township in furtherance of the more general purposes set forth in the zoning resolution.

## **Section 20.02 Applicability – Effect**

A sign may be erected, placed, established, painted, created, or maintained in the township only in conformance with the standards, procedures, exemptions, and other requirements of this resolution.

### **Section 20.02.A**

The effect of this resolution as more specifically set forth herein, is:

#### **Section 20.02.A.1**

To establish a permit system to allow a variety of types of signs in commercial and industrial zones, and limited variety of signs in other zones, subject to the standards and the permit procedures of this resolution;

#### **Section 20.02.A.2**

To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this resolution, but without a requirement for permits;

#### **Section 20.02.A.3**

To prohibit all signs not expressly permitted by this resolution (unless amended by the process outlined in Article 6 of this resolution);

#### **Section 20.02.A.4**

And to provide for the enforcement of the provisions of this resolution.

## **Section 20.03 Legal Nonconforming Signs**

Any sign lawfully erected and in existence on the effective date of this resolution which does not meet the requirements of this resolution may be maintained as a matter of right as a legal nonconforming sign and may be rebuilt on the same property, in accordance to Article 6 –Non-Conformities of this resolution, provided said sign's degree of nonconformity

is not increased.

## **Section 20.04 Computations For Signs**

### **Section 20.04.A**

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

#### **Section. 20.04.A.1 Computation of Area of Individual Signs**

##### **Section 20.04.A.1.a Computation of Area of Single Faced Signs.**

The area of a sign (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of measuring the outer limits of the sign face, which includes the area of any square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, graphic representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign face from the backdrop or structure against which it is placed. This shall not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning resolution regulations and is clearly incidental to the display itself. The sign face may completely cover the structure or backdrop in which case the entire structure would be included in the sign face computation. See also Figures Article 20-A through Article 20-C sign measurement graphics.

##### **Section 20.04.A.1.b Computation of Area of Multi-faced Signs**

The area for a sign with more than one face shall be computed as stated in 20.04.A.1.a – Computation of Area of Single Faced Sign for each face. Only one face shall be visible from any one point. For example a two-sided sign, where face A is on the backside of face B, shall be measured as noted in Section 20.04.A.1.a – Computation of Area of Single Faced Sign for side A and side B separately. However, if a sign is multi-faced, where face A and face B are visible from a single point (such as stacked one above the other), then both face A and face B combined shall equal the area computation in Section 20.04.A.1.a – Computation of Area of Single Faced Sign.

##### **Section 20.04.A.1.c Computation of Height**

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at

the principal entrance to the principal structure on the zone lot, whichever is lower.

**Section 20.04.A.1.d Computation of Maximum Total Permitted Sign Area for a Zone Lot**

The maximum sign area shall be the maximum area specified in sections 20.05: Zoning District Sign Regulations to Section 20.10: Temporary Sign Requirements For All Districts. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage, excluding temporary signs and pole signs. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street, unless otherwise specified.

**Figure Article 20-A: SIGN FACE AND HEIGHT MEASUREMENTS**

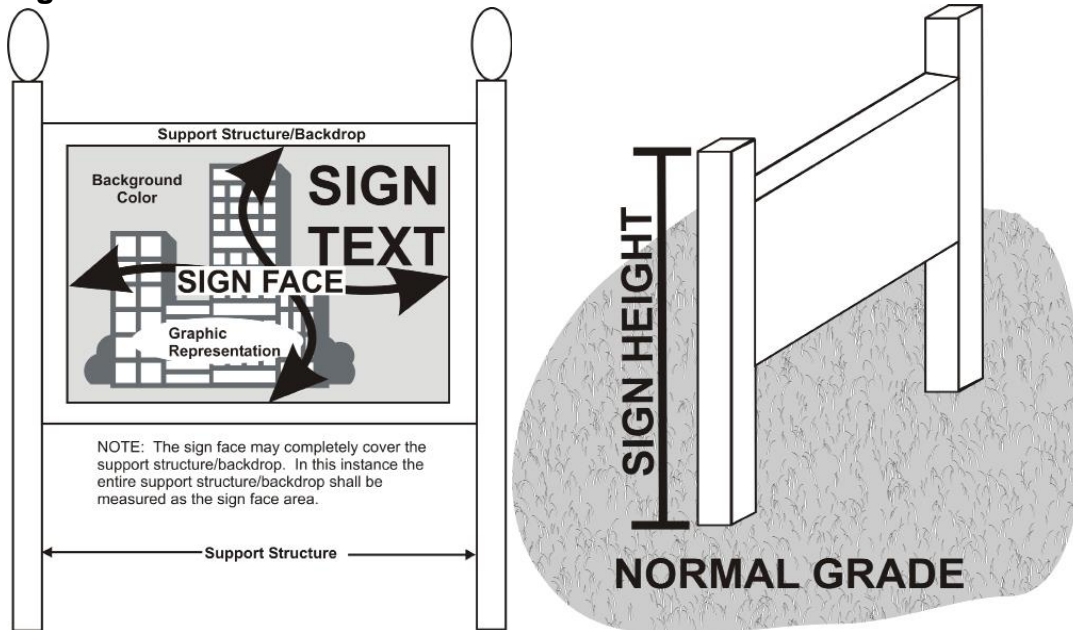
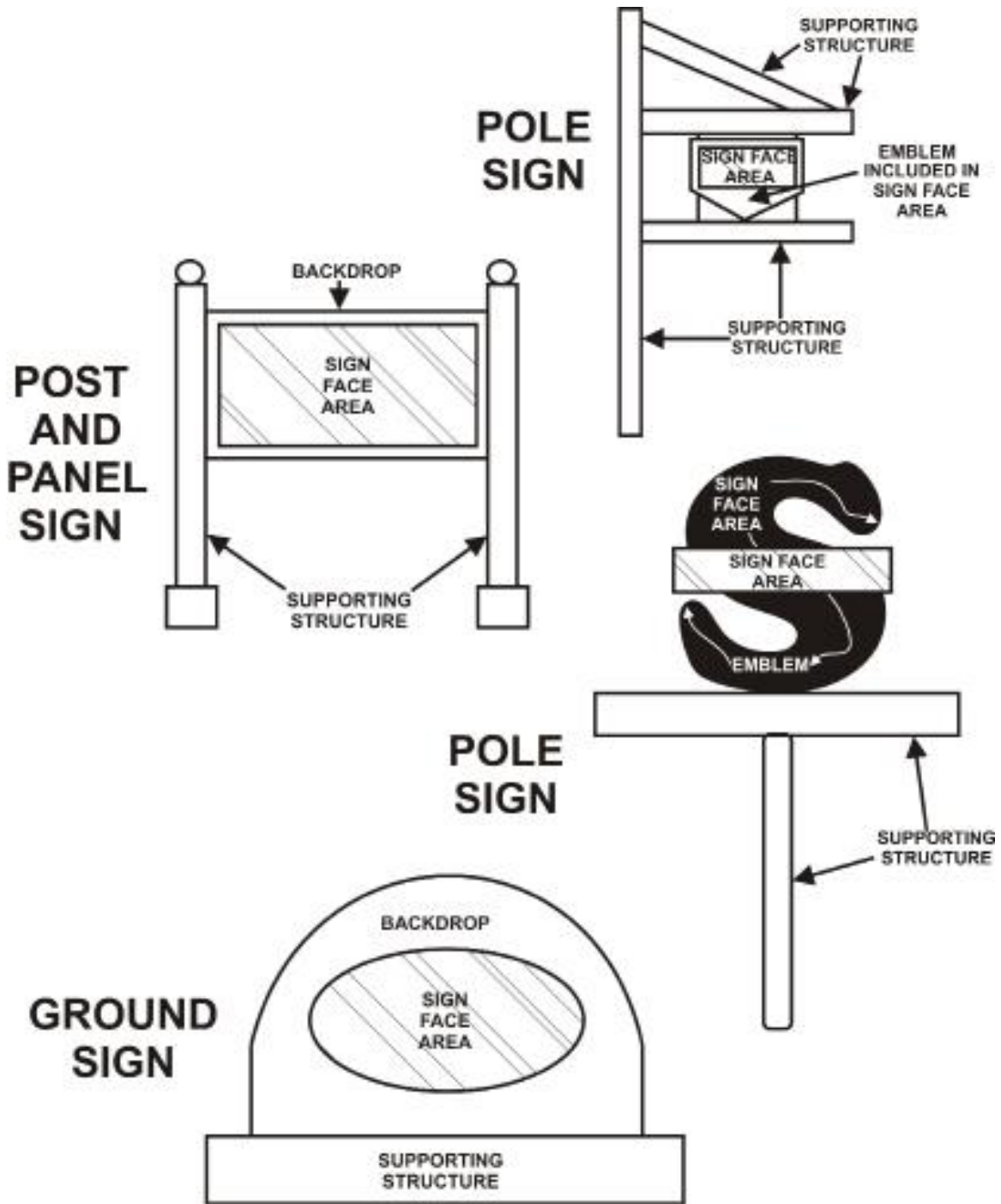
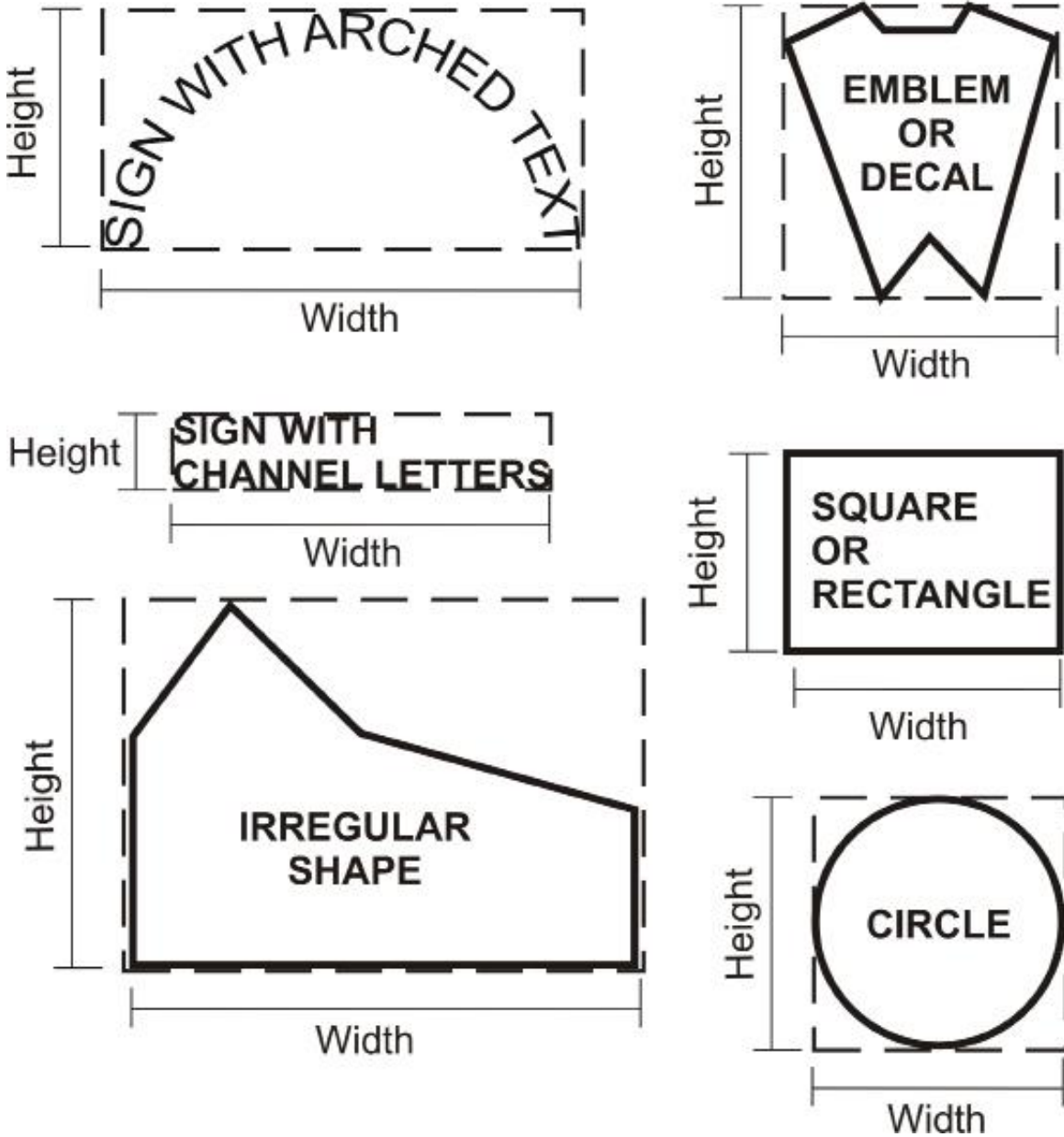


Figure Article 20-B: SIGN FACE AREA IN RELATION TO SUPPORTING STRUCTURE



**Figure Article 20-C: SIGN FACE MEASUREMENTS**



## **Section 20.05 Zoning District Sign Regulations**

Sign regulations are specified by zoning district as follows:

Section 20.06: Business/Commercial/Manufacturing Districts Signs (excluding Highway Business)

Section 20.07: Highway Business District Signs

Section 20.09: Agriculture and Residential District Signs

## **Section 20.06 Business/Commercial/Manufacturing District Signs** *(Excluding Interstate Business District, which is otherwise regulated within this resolution.)*

### **Section 20.06.A Business / Commercial / Manufacturing District On-Premise Signs Permitted, NO PERMIT REQUIRED.**

#### **Section 20.06.A.1 Fuel Island Canopy Sign**

A fuel island canopy sign means a sign attached to or part of a fuel island canopy. Such sign shall not extend beyond (in any direction) the façade of the canopy.

#### **Section 20.06.A.2 Entrance and Exit Signs**

Entrance and exit signs providing directional information may be permitted. Such signs shall not exceed a height of two and a half (2.5) feet and shall not have a sign area of three (3) square feet on any face. Entrance and exit signs shall not be located within the road right-of-way and shall not be placed in any manner that will impede a motorist visual line of sight and/or create a safety hazard to the motorist or any pedestrian. Such signs may include a company logo but shall not include any other advertising that will distract the driver's attention from the directional prompts, reduce the drivers reaction time thus negating the purpose for the sign and creating a safety hazard.

#### **Section 20.06.A.3 On-Site Traffic Control Signs**

On-site traffic control signs including but not limited to stop signs, yield signs, or other directional signs may be permitted. Such sign shall not be located within the road right-of-way and shall not be placed in any manner that will impede a motorist visual line of sight and/or create a safety hazard to the motorist or any pedestrian. Such signs may include a company logo but shall not include any other advertising that will distract the driver's attention from the traffic safety prompts, reduce the drivers reaction time thus negating the purpose of the sign and creating a safety hazard.

**Section 20.06.B Business / Commercial / Manufacturing District  
On-Premise Signs Permitted, PERMIT REQUIRED**

**Section 20.06.B.1 On-Premise Wall Signs**

Each business shall be permitted one flat or wall on-premises sign. Projection of wall signs shall not exceed four (4) feet measured from the face of the main building, not more than ten (10) square feet on any one face of the sign.

**Section 20.06.B.2 On-Premise Ground Sign**

In addition to the above, each business or industry shall be permitted one on-premises ground sign provided all parts of the sign shall be set back ten (10) feet from the street right-of-way. The maximum area of such sign shall not exceed thirty-two (32) square feet on any face of the sign. The sign must be permanently affixed to the ground.

**Section 20.06.B.3 On-Premise Pole Sign**

In addition to the above, each business or industry shall be permitted one on premises pole sign not exceeding thirty (30) feet in height or fifty (50) square feet in area on any face [maximum of two (2) faces] of the sign. Such signs shall not be located closer than ten (10) feet from any road right-of-way line.

**Section 20.06.B.4 Multiple Business Sign Alternatives**

In lieu of the permitted pole sign as permitted in Section 20.06.B.3: On-Premise Pole Sign above, groups of establishments of four or more business shall be permitted one larger ground sign for all businesses. Such sign shall not exceed one hundred (100) square feet on any face nor exceed thirty (30) feet in height and shall be setback at least ten (10) feet from the road right-of-way. And not closer than 100 feet to any adjoining lot line.



**Section 20.06.C Business / Commercial / Manufacturing District  
OFF-Premise Signs Permitted, PERMIT REQUIRED**

**Section 20.06.C.1 Billboards**

**Section 20.06.C.1.a General**

Billboards shall be classified as a business use and be permitted in all Business, Commercial and Manufacturing districts subject to the following regulations:

**Section 20.06.C.1.b Setback From Right-Of-Way**

Such signs or structures shall not be located within 75 feet of any street (or road) right-of-way.

**Section 20.06.C.1.c Spacing**

Such signs or structures shall not be located within 2,000 feet of any other outdoor advertising display or billboard on the same side of the street.

**Section 20.06.C.1.d Sign Setback from Structures**

Such signs or structures shall not be located on or within 100 feet of any building. Signs shall not be located within 2000 feet from an existing residence.

**Section 20.06.C.1.e Sign Face Area**

Such signs shall not exceed 100 square feet on one face and/or 200 square feet for two or more faces, and in no case shall more than 100 square feet of display or sign area be visible from any road or street.

**Section 20.06.C.1.f Relation to Other Laws**

Advertising devices adjacent to the interstate and primary highways as regulated by the Ohio Revised Code, Section 5516.01 to 5516.13 and 5531.07, as amended shall be permitted in accordance with those state laws. The Zoning Inspector shall only issue a permit when the applicant produces a permit from the State, and the proposed meets the requirements of this Article.

## **Section 20.07 Highway Business District (HB) Signs**

### **Section 20.07.A HB District On-Premise Signs Permitted, NO PERMIT REQUIRED.**

#### **Section 20.07.A.1 Entrance and Exit Signs**

Entrance and exit signs providing directional information may be permitted. Such signs shall not exceed a height of two and a half (2.5) feet and shall not have a sign area of three (3) square feet on any face. Entrance and exit signs shall not be located within the road right-of-way and shall not be placed in any manner that will impede a motorist visual line of sight and/or create a safety hazard to the motorist or any pedestrian. Such signs may include a company logo but shall not include any other advertising that will distract the driver's attention from the directional prompts, reduce the drivers reaction time thus negating the purpose for the sign and creating a safety hazard.

#### **Section 20.07.A.2 On-Site Traffic Control Signs**

On-site traffic control signs including but not limited to stop signs, yield signs, or other directional signs may be permitted. Such sign shall not be located within the road right-of-way and shall not be placed in any manner that will impede a motorist visual line of sight and/or create a safety hazard to the motorist or any pedestrian. Such signs may include a company logo but shall not include any other advertising that will distract the driver's attention from the traffic safety prompts, reduce the drivers reaction time thus negating the purpose of the sign and creating a safety hazard.

### **Section 20.07.B HB District On-Premise Signs Permitted, PERMIT REQUIRED**

#### **Section 20.07.B.1 On-Premise Wall Signs**

Each business shall be permitted one flat or wall on-premises sign. Projection of wall signs shall not exceed four (4) feet measured from the face of the main building, not more than ten (10) square feet on any one face of the sign.

#### **Section 20.07.B.2 On-Premise Ground Sign**

In addition to the above, each business or industry shall be permitted one on-premises ground sign provided all parts of the sign shall be set back ten (10) feet from the road right-of-way. The maximum area of such sign shall not exceed thirty-two (32) square feet on any face of the sign. The sign must be permanently attached to the ground.

#### **Section 20.07.B.3 On-Premise Highway Business District Pole Sign (High-Rise Pole Sign)**

In addition to the above, each business located adjacent to or within 1000 feet of the midpoint of the intersection of State Route 161 and State Route 310 or State Route 161 and Beech Road. , Each business shall be permitted one on premises pole sign not exceeding seventy-five (75) feet in height or eighty (80) square feet in area on any face of the sign. Such signs shall be located no closer than ½ the total sign height or a minimum of 20 feet, whichever is greater, from any right-of-way line. Purpose of said sign shall be to inform and attract motorist from State Route 161, therefore said sign shall be oriented to State Route 161.

**Section 20.07.B.4 On-Premise Pole Sign**

In place of the on-premise interstate pole sign (high-rise pole sign), each business or industry may be permitted one on premises pole sign not exceeding thirty (30) feet in height or fifty (50) square feet in area on any face of the sign. Such signs shall not be located closer than twenty (10) feet from any road right-of-way line. No sign shall exceed 100 total square feet of sign face area.

**Section 20.07.B.5 Multiple Business Sign Alternatives**

In lieu of the permitted on-premise interstate pole sign or on-premise pole sign as permitted in Section 20.07.B.3: On-Premise Interstate Pole Sign or Section 20.07.B.4: On-Premise Pole Sign above, groups of establishments of four or more business shall be permitted one larger ground sign for all businesses. Such sign shall not exceed Eighty (80) square feet on any face nor exceed thirty (30) feet in height and shall be setback at least twenty (20) feet from the road right-of--way.

**Section 20.07.B.6 Fuel Island Canopy Sign**

A fuel island canopy sign means a sign attached to or part of a fuel island canopy. Such sign shall not extend beyond (in any direction) the façade of the canopy.

**Section 20.07.C Highway Business District OFF-Premise Signs Permitted, PERMIT REQUIRED**

**Section 20.07.C.1 Billboards**

**Section 20.07.C.1.a General**

Billboards shall be classified as a business use and be permitted in all Interstate Business Districts subject to the following regulations:

**Section 20.07.C.1.b Setback From Right-Of-Way**

Such signs or structures shall not be located within fifty (50) feet from any road right-of-way.

**Section 20.07.C.1.c Spacing**

Such signs or structures shall not be located within 2,000 feet of any other

outdoor advertising display or billboard on the same side of the street.

**Section 20.07.C.1.d Sign Setback from Structures**

Such signs or structures shall not be located on or within 100 feet of any building. Signs shall not be located within 2000 feet from an existing residence.

**Section 20.07.C.1.e Sign Face Area**

Such signs or structures shall not be located on or within 100 square feet on one face and/or 200 square feet for two or more faces, and in no case shall more than 100 square feet of display or sign area be visible from any road or street.

**Section 20.07.C.1.f Relation to Other Laws**

Advertising devices adjacent to the interstate and primary highways as regulated by the Ohio Revised Code, Section 5516.01 to 5516.13 and 5531.07, as amended shall be permitted in accordance with those state laws.

## **Section 20.09 Residential Districts Signs**

### **Section 20.09.A Residential Districts On-Premise Signs Permitted, NO PERMIT REQUIRED.**

Reserved for future use.

### **Section 20.09.B Residential Districts On-Premise Signs Permitted, PERMIT REQUIRED.**

#### **Section 20.09.B.1 Sign Type and Height Requirements**

On-Premise Signs may include a ground sign or a pole sign. Said signs shall be permanently affixed to the ground, and shall not exceed a height of eight (8) feet including the sign supporting structure, backdrop and sign face. The height of the structure shall be measured in accordance with Section 1804.A.1.c: Computation of Height.

#### **Section 20.09.B.2 Quantity of On-Premise Signs Permitted.**

One on-premise sign shall be permitted in any Rural Residential Districts or Residential District.

#### **Section 20.09.B.2.a Platted Residential Development Exception**

Platted residential developments shall be permitted up to two ground signs at the entrance to said development. The development may have one sign with a maximum of thirty-two (32) sq. ft. of sign face or two signs with a combined sign face totaling up to thirty-two (32) sq. ft. This will allow for a sign on each side of the entrance, which is part of a landscaped entrance feature. Two-sided signs shall meet the requirements of Section 20.09.B.3: Square Footage Of Sign Face Requirements. This shall be independent of any sign permitted in accordance with this subsection on any individual lot of record within the platted residential development. Please note a boulevard road shall be considered one entrance for the purpose of determining the number of signs permitted within this subsection.

#### **Section 20.09.B.3 Square Footage of Sign Face Requirements**

The maximum area of an on-premise sign shall be thirty-two (32) square feet of sign face. A two-sided sign would have a maximum of sixteen (16) sq. ft. on each side. Other than two-sided signs, multi-faced signs are not permitted.

#### **Section 20.09.B.4 Setbacks Requirements**

Said sign shall be set back ten (10) feet from the road right-of-way line or if no road right-of-way is specified said sign shall be set back forty (40) feet from the centerline of the road. Additionally, said signs shall be setback ten (10) feet from any lot line and shall have a maximum of two sign faces and no single face shall have an area greater than six (6) square feet.

**Section 20.09.C Residential Districts OFF-Premise Signs Permitted, PERMIT REQUIRED**

**Section 20.09.C.1 Billboards**

**Section 20.09.C.1.a General**

Billboards shall be classified as a business use and be permitted in all Rural Residential(RR) districts subject to the following regulations:

**Section 20.09.C.1.b Setback From Right-Of-Way**

Such signs or structures shall not be located 50 feet of any street (or road) right-of-way.

**Section 20.09.C.1.c Spacing**

Such signs or structures shall not be located within 2,000 feet of any other outdoor advertising display or billboard on the same side of the street.

**Section 20.09.C.1.d Sign Setback from Structures**

Such signs or structures shall not be located on or within 100 feet of any building. Signs shall not be located within 2000 feet from an existing residence.

**Section 20.09.C.1.e Sign Face Area**

Such signs or structures shall have a maximum sign face of 100 square feet on one face or 200 square feet for a two-sided sign, and in no case shall more than 100 square feet of display or sign area be visible from any road or street. Other than two-sided signs, multi-faced signs are not permitted.

**Section 20.09.C.1.f Relation to Other Laws**

Advertising devices adjacent to the interstate and primary highways as regulated by the Ohio Revised Code, Section 5516.01 to 5516.13 and 5531.07, as amended shall be permitted in accordance with those state laws. The Zoning Inspector shall only issue a permit when the applicant produces a permit from the State, and the proposed meets the requirements of this Article.

**Section 20.09.C.1.g Prohibited**

Billboards shall not be permitted in any platted residential area within the agricultural district.

## **Section 20.10 Temporary Sign Requirements For All Districts**

### **Section 20.10.A General**

Temporary signs are permitted with a temporary sign permit unless specified exempt. Such signs shall conform to the requirements set forth below as well as other applicable requirements of this resolution.

### **Section 20.10.B Standards For All Temporary Signs**

Temporary signs specified in this Article shall not be attached to fences, trees, utility poles, or the like and shall not be placed in a position that will obstruct or impair vision of motorist or pedestrians, or in any manner create a hazard or disturbance to the health, safety and welfare of the general public. Temporary signs shall not be placed within the public road right-of-way and or within a access driveway sight triangle as specified in Section 16.09: Visibility at Intersections and Access Driveway Locations (commercial, industrial/manufacturing, institutional, or condominium/multi-family districts/uses).

### **Section 20.10.C Temporary Sign Component Materials**

Temporary signs shall be post and panel sign construction. A post and panel sign is constructed of either wood post or metal post support that provide support at each side of the sign. The sign face shall be constructed of wood, metal, or corrugated polycarbonate. Said sign face shall be substantially secured to the support post by being glued, nailed, screwed, or bolted to the supporting wood or metal support. No sign shall be stapled, or taped.

### **Section 20.10.D Applicant for Temporary Sign**

The applicant for a Temporary Sign shall be the owner of the business placing the sign and the owner of the lot upon which the sign shall be located (if different than the owner of the business). Both individuals shall sign the application and shall accept the responsibility of ensuring said sign is established, maintained, and removed in accordance with the rules and procedures herein and in a manner that is aesthetically pleasing and will not adversely impact the health, safety or welfare of the general public.

### **Section 20.10.E Application and Expiration of Temporary Sign Permit**

Application for a temporary sign permit shall follow the requirements outlined in Section 20.10.D: Applicant for Temporary Sign. The permit shall specify the dates during which the sign will be displayed and will expire at the end of the calendar day on the last date so specified.

### **Section 20.10.F Removal of Temporary Signs**

All temporary signs shall be removed within ten (10) days of the expiration of the temporary sign permit.

**Section 20.10.G Temporary Signs Permitted in Any District NO PERMIT REQUIRED.**

**Section 20.10.G.1 Temporary On-Premise Signs Not To Exceed Four (4) Square Feet of Sign Face**

Temporary on-premise signs not to exceed four (4) square feet of sign face shall be permitted in any district. Said signs shall be removed within ten (10) days from the conclusion of said event or purpose for which the temporary sign is established.

**Section 20.10.G.1.a Sign Face Measurement**

Temporary signs not exceeding four (4) square feet of sign face for a single sided sign and eight (8) square feet [four (4) square feet per sign face] for a two-sided sign shall be permitted in any district.

**Section 20.10.G.1.b Sign Setback an height**

Temporary signs shall maintain a ten (10) foot setback from any lot line and road right-of-way line. Where no road right-of-way exist the setback shall be forty (40) feet from the centerline of the road. Not to exceed eight (8) feet in height.

**Section 20.10.G.1.c Sign Placement**

Temporary signs may be placed on the ground or attached to a structure only in locations where a wall sign or roof sign would be permitted and does not exist. No temporary sign shall be placed upon any pole, upon any fence, gate, wall, or within any road right-of-way.

**Section 20.10.G.1.d Number signs permitted.**

The number of temporary signs permitted shall not exceed one sign per 200 feet of road frontage with a maximum of four temporary signs permitted per lot of record.



## **Section 20.10.H Temporary Signs Permitted in any Business, Commercial, Manufacturing, or RR District PERMIT REQUIRED.**

### **Section 20.10.H.1 Temporary On-Premise Signs**

Temporary on-premise signs greater than four (4) square feet of sign face but less than twelve (12) square feet may be permitted in any Business, Commercial, Manufacturing, or Rural Residential zoning district upon receiving and maintaining a valid zoning permit. Said sign may include but are not limited to signs announcing a special event, sales event signs, seasonal sales and the like. No temporary sign under this subsection shall be permitted for a period of time greater than three months.

### **Section 20.10.H.2 Temporary Off-Premise Signs**

#### **Section 20.10.H.2.a Sign Face**

Temporary signs not exceeding eight (8) square feet of sign face for a single sided sign and sixteen (16) square feet [eight (8) square feet per sign face] for a two sided sign may be permitted in any business, commercial, manufacturing or agricultural district upon receiving and maintaining a valid zoning permit. No temporary sign under this subsection shall be permitted for a period of time greater than three months. Not to exceed eight (8) feet in height.

## **Section 20.10.H.3 Temporary Sign Requirements**

### **Section 20.10.H.3.a Sign Setback**

Temporary signs shall maintain a ten (10) foot setback from any lot line and road right-of-way line. Where no road right-of-way exists the setback shall be forty (40) feet from the centerline of the road.

### **Section 20.10.H.3.b Annual Installation of Signs for more than one business on parcel.**

Where a single lot contains more than one but less than seven businesses, the number of annual installations shall be calculated separately for each business, but only one Temporary Business Sign may be displayed on the lot at any one time. Where a single lot contains seven or more businesses, the number of annual installations shall be calculated separately for each business, but only two Temporary Business Signs may be displayed on the lot at any one time and only if the signs are at least 100 feet apart. The Zoning Inspector shall act upon any multiple applications for Temporary Business Signs on a single lot on a first-come, first-served basis according to the dates and times of receipt of the applications.

### **Section 20.10.H.5 Prohibition of Temporary Signs**

No Temporary Business, commercial, manufacturing, or agricultural sign

shall be allowed on any lot, which is occupied, by a single business or two or more businesses in which a reader board incorporated into a permanent freestanding sign is established upon the sight.

**Section 20.10.H.7.d Quantity Permitted**

In regards to off-premise temporary signs, a property owner is permitted up to 10 temporary signs per permit obtained. Such sign(s) shall not be located closer than 200' from any other sign promoting said event.

**Section 20.11 General Requirements For All Signs**

**Section 20.11.A Limitation of Advertising Devices Along State Primary Highways.**

**Section 20.11.A.1 Signs adjacent to Interstate/Primary Highways**

Larger signs or advertising devices for business or industries adjacent to the interstate and primary highway as regulated by the Ohio Revised Code, Chapter 5516, as amended shall be permitted in accordance with those state laws in addition to the requirements of the Jersey Township Zoning Resolution. Such signs shall require a permit from the township zoning inspector. The owner or agent of such sign must show proof of having obtained the required State of Ohio approval prior to the Township Zoning Inspector issuing a permit.

**Section 20.11.A.2 Placement of Signs**

No advertising device shall be erected or maintained within six hundred sixty feet of the edge of the right-of-way of a highway on the primary system as defined by the State of Ohio under Section 5516.06 of the Ohio Revised Code, except the following:

**Section 20.11.A.2.a Directional and Official Signs**

Directional and other official signs and notices that conform to rules adopted by the Director of the Ohio Department of Transportation;

**Section 20.11.A.2.b Signs advertising Sale or Lease**

Signs advertising the sale or lease of the property upon which they are located.

**Section 20.11.A.2.c Signs identifying the property**

Advertising devices indicating the name of the business, activities, or profession conducted on such property or that identify the goods produced, sold, or services rendered on such property and that conform to rules adopted by the director of the Ohio Department of Transportation;

**Section 20.11.A.2.d Precautionary Signs**

Precautionary signs relating to the premises

**Section 20.11.A.2.e Location, Identification and Warning Signs**

Signs, displays, or devices, which locate, identify, mark, or warn of the presence of pipelines, utility lines, or rail lines, and appurtenances thereof, including, but not limited to, markers used in the maintenance, operation, observation, and safety of said lines;

**Section 20.11.A.2.f General**

Advertising devices located in zoned industrial or commercial areas adjacent to highways on the primary system that conform to rules adopted by the Director of the Ohio Department of Transportation;

**Section 20.11.A.2.g Lawfully Existing Signs**

Signs lawfully in existence on October 22, 1965, that the Director, subject to the approval of the Secretary of the United States Department of Transportation, has determined to be landmark signs, including signs on farm structures or natural surfaces, which are of historic or artistic significance;

**Section 20.11.A.2.h Sports Facilities**

Advertising devices that are located on the premises of a professional sports facility and that conform to rules adopted by the Director of the Ohio Department of Transportation.

**Section 20.11.B General Sign Requirements for All Districts**

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

**Section 20.11.B.1** All signs shall be constructed of durable materials, anchored to the ground or principal structure as permitted by the regulations herein, and braced so that the sign will not sway, flap, or otherwise move or be blown out.

**Section 20.11.B.2** Any illuminated sign or lighting device shall employ only light emitting a light of constant intensity with fully shielded fixtures so as to prevent light trespass and distraction. No sign shall be illuminated by or contain flashing, intermittent, rotating, or moving light or lights. In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection

that may constitute a traffic hazard or nuisance.

**Section 20.11.B.3** All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the Local or State Electric Code.

**Section 20.11.B.4** No projecting sign shall be erected or maintained that extends from the front or face of a building a distance of more than four (4) feet, including those projecting from the face of any theater, hotel, or motel marquee. No portable or temporary sign shall be placed on the front or face of a building or on any premises unless otherwise permitted herein.

**Section 20.11.B.5** No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices. Such devices, as well as strings of lights, shall not be used for the purpose of advertising or attracting attention to a sign.

**Section 20.11.B.6** No sign of any classification shall be installed, erected, or attached in any form, shape, or manner to a fire escape or any door or window giving access to any fire escape.

**Section 20.11.B.7** Should any sign be or become unsafe or be in danger of falling or structurally failing the owner thereof or the person maintaining the same, shall upon receipt of written notice from the zoning inspector proceed at once to put such sign in a safe and secure condition or remove the sign.

**Section 20.11.B.8** No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs and directional signs as required by law.

**Section 20.11.B.9** All off-premises advertising devices erected or maintained under Chapter 5516.10 of the Ohio Revised Code.

**Section 20.11.B.10** No sign shall be located any closer than ten (10) feet from any public road right-of-way or property line, unless otherwise specifically stated herein. If a larger setback standard is required herein, said standard shall apply.

**Section 20.11.B.11** Digital Signs

Digital signs are signs that display static images controlled by electronic communications. Any digital sign located within Jersey Township shall comply with the following regulations:

**Section 20.11.B.11.a** Minimum Message Display Duration (Message On-Time).

The minimum time that a message shall be displayed/remain fixed shall be eight (8) seconds.

**Section 20.11.B.11.b** Interval Between Successive Displays.

When a message or copy changes it shall be accomplished in one (1) second or less.

**Section 20.11.B.11.c** Default Freeze

Said sign shall contain a default design that will freeze the device in one position (single advertisement) should the device malfunction.

**Section 20.11.B.11.d** Light levels

Digital signs shall adjust brightness in response to changes in ambient light levels so that the signs remain at no more than 0.3-foot candles above the level of surrounding ambient light conditions. No digital sign shall cause glare onto any adjoining lot of record upon any horizontal or vertical plane on said adjoining lot of record.

**Section 20.11.B.11.e** Hours of Operation

Digital signs shall be turned off from the hours of 12 AM (midnight) until 6 AM.

**Section 20.11.C Signs Prohibited**

All signs not expressly permitted under this resolution are prohibited in Jersey Township. Such signs include, but are not limited to:

**Section 20.11.C.1** Beacons;

**Section 20.11.C.2** The use of Flags and Pennants for advertising; For the purpose of this section the following flags and pennants shall not be considered advertising medium : The flag for the United States of America and any other flag for a nation, state flags, school, college or university flags, sport team flags/pennants, corporate flags, and the like. These flags and pennants are exempted because they are generally attached to flag poles and structures that are anchored to the ground or a structure and have hardware that secures them to these structures. Additionally, they generally have rules, traditions and are respected in such a way that they are maintained and do not contribute to litter, visual clutter, or create safety hazards. An example of the use of a flag or pennant as an advertising medium would be a flag or pennant advertising a product, event, sale, displaying a message, or the like. The purpose of regulating flags and pennants is to support the purpose and intent of this article by prohibiting flags and pennants that are stuck into the ground or attached to building overhangs, canopies, fences, and the like and often are blown around, and contribute to litter, visual clutter, and impede motorist line of sight as the enter

and exit public roadway. These types of flags and pennants are generally considered disposable and are not highly regarded and often are ignored by those establishing them and not maintained;

**Section 20.11.C.3** Strings of lights not permanently mounted to a rigid background, except those exempt under the previous section;

**Section 20.11.C.4** The parking of vehicles with signage affixed to or resting upon the vehicle in a manner as to act as a advertising medium for the premises upon which it is parked. See also Section 18.11.C.9.

**Section 20.11.C.4.1** In regards to Section 18.11.C.4 above, a vehicle with advertising upon it shall be identified as being used in this manner when any of the following apply:

**Section 20.11.C.4.1.a** Said vehicle is located in a location for eriod of time for the sole purpose of advertising . And said vehicle is parked or positioned in a manner as to present the face of the advertising message to motorist or pedestrians.

**Section 20.11.C.4.1.b** Said vehicle has a sign resting in the bed of a truck, on a roof top, or hood of a vehicle and/or has a sign strapped to the vehicle by means of a rope, chain, bungee cord, and the like.

**Section 20.11.C.5** Advertising devices erected or maintained on trees, or painted or drawn upon rocks or other natural features.

**Section 20.11.C.6** Advertising devices, which prevent the driver of a vehicle from having a clear and unobstructed view of official signs (traffic control signs, directional signs, etc.) and approaching or merging traffic.

**Section 20.11.C.7** Advertising devices illuminated so as to interfere with the effectiveness of or obscure an official sign, signs, or device.

**Section 20.11.C.8** Advertising devices such as portable changeable copy signs.

**Section 20.11.C.9** Signs and/or banners placed on semi-trailers, buses, motor vehicles parked on premise for the purpose of advertising. This does not include vehicles with company names that belong to a company being used on a daily basis and does not include vehicles that are patrons of a business which are at the business for less than twenty-four hours. This type of signage is strictly prohibited in any district. See also Section 20.11.C.4.

**Section 20.11.C.10** Advertising devices which attempt or appear to attempt to direct the movement of traffic or which interfere with imitate or resemble an official sign, signal, or device.

**Section 20.11.C.11** No sign shall be placed within a road right-of-way, unless otherwise specified within this article.

**Section 20.11.C.12** Signs that are sexually oriented, explicit, obscene, or suggestive shall not be permitted within Jersey Township.

## **Section 20.12 Signs Exempt From The Regulations Contained In This Article**

### **Section 20.12.A Regulatory Signs**

Government agencies shall attempt to comply with these regulations but will be exempt if valid attempts fail and compliance would unreasonably inhibit or significantly hinder the public purpose.

For the purpose of this resolution signs erected and maintained pursuant to and in discharge of any governmental function required by any law, resolution, ordinance, or governmental regulation, shall be exempt from these regulations.

### **Section 20.12.B Indoor and Enclosed Area Signs**

For the purpose of this resolution any sign that is indoor or in an outdoor area that is enclosed and not visible from any public road, road right of way, or any adjoining or nearby lot of record shall not be subject to the regulations herein. An enclosed area shall be defined as an outdoor area surrounded on all sides by a 100% opaque fence, wall or landscape buffer. Said opaque fence, wall, or landscape buffer shall comply with all applicable standards within this resolution.

### **Section 20.12.C Rural Residential “Farm Market” Signs**

For the purpose of this resolution any sign that is used for “farm markets” shall be exempt from these regulations in accordance with Section 519.21(C) of the Ohio Revised Code. A farm market for the purpose of this resolution shall be any farm market where 50% or more of the gross income received from the market be derived from produce raised on lands owned or operated by the market operator in a normal crop year. This includes events that market the farm market in conjunction with it’s operation and are secondary to the production and sale of agriculture produce raised on lands owned or operated by the market operator in a normal crop year. This exemption does not exempt farm markets from complying with regulations for yard setback and size and height of the sign face and sign structure.

## **Section 20.13 Variance Standards For Signs**

## **Section 20.13.A Standards**

A variance from any requirement within Article 20: Signs is customarily not granted to increase the number of signs permitted by this Article. A Variance from any requirement within Article 20: Signs, shall only be considered when a practical difficulty pursuant to Section 4.10.B: Area Variance of this resolution and any one or more of the circumstances listed below is present.

### **Section 20.13.A.1 Visibility by Motorist Due to Obstruction**

Permitted signage cannot be easily seen by passing motorists due to the configuration of existing buildings, trees or other obstructions.

### **Section 20.13.A.2 Visibility by Motorist Due to Topography and Road Course**

Permitted signage cannot be easily seen by passing motorist due to the topography of the land, or course of the road (i.e. sharp curve, hilly, or winding roadway).

### **Section 20.13.A.3 Visibility By Motorist Due to Speed**

Permitted signage could not be seen by passing motorists in sufficient time to permit safe deceleration and exit. In determining whether such circumstances exist, the width of the road, the number of moving lanes, the volume of traffic and speed limits should all be taken into consideration.

### **Section 20.13.A.4 Obstruction by Physical Element**

Existing signs on nearby parcels would substantially reduce the visibility or advertising impact of a conforming sign on the subject parcel.

### **Section 20.13.A.5 Sign Create Visibility Hazard**

Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger the health or safety of passers-by.

### **Section 20.13.A.6 Sign Construction Cause Removal of Physical Element**

Construction of a conforming sign would require removal or severe alteration to natural features on the parcel, such as but not limited to: removal of trees, alteration of the natural topography, filling of wetlands, or obstruction of a natural drainage course. A condition of such approval may be that if said trees or obstruction is removed by future development said signs shall conform to the sign regulatory requirements at that time.

### **Section 20.13.A.7 Sign Size and Frontage**

A sign that exceeds the permitted height or area standards of the ordinance would be more appropriate in scale because of the large size or frontage of the subject parcel or building.



## **Section 20.14 Application For a Sign Variance**

### **Section 20.14.A Applicant**

Any property owner may apply for a variance from the requirements of Article 18: Signs, according to Section 4.07: Procedures and Requirements for Appeals and Variances to Section 4.16: Action by Board of Zoning Appeals and Section 20.13: Variance Standards for Signs.

### **Section 20.14.B Burden of Proof**

It is the applicants sole responsibility to prove there is an unnecessary hardship, thus requiring a variance as specified in Section 4.07: Procedures and Requirements for Appeals and Variances to Section 4.16: Action by Board of Zoning Appeals and Section 20.13: Variance Standards for Signs.

## **Section 20.15 Sign Permits**

A complete permit application for a sign shall be submitted to the Jersey Township Zoning Inspector with all applicable fees.

### **Section 20.15.A Application For Sign Permit**

An application for a sign shall contain the following information:

**Section 20.15.A.1** Applicants Name

**Section 20.15.A.2** Applicants Mailing Address

**Section 20.15.A.3** Applicants Phone Number

**Section 20.15.A.4** Applicants Fax Number (if applicable)

**Section 20.15.A.5** Applicants E-Mail Address (if applicable)

**Section 20.15.A.6** Address of Sign Location

**Section 20.15.A.7** Address of property owner where sign is located

**Section 20.15.A.8** Letter Signed and Notarized giving applicant permission to place sign if not on applicants' property.

**Section 20.15.A.9** Sign Structure Height

**Section 20.15.A.10** Sign Structure Width

**Section 20.15.A.11** Sign Face Height

**Section 20.15.A.12** Sign Face Width

**Section 20.15.A.13** Sign Type

**Section 20.15.A.14** Sign Install Date

**Section 20.151.A.15** Sign Removal Date (if applicable)

**Section 20.15.A.16** Permit from State (if applicable)

**Section 20.15.A.17** A scaled drawing showing the ground elevation, elevation of the highest point of the sign, the height and width of the sign structure, and the height and width of the sign face. For permanent signs, the drawing shall show how the structure is to be anchored to the ground.

**Section 18.15.A.18** Any additional information as required by the Jersey Township Zoning Inspector to ensure the proposed sign is compliant with the Jersey Township Zoning Resolution.

**Section 20.15.B** Review Period

Upon submittal of an application for a sign permit to the Zoning Inspector, the Zoning Inspector shall have thirty (30) days to review and approve or deny said permit.

Article 20: Signs and Outdoor Advertising Structures; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2014; Effective December 24, 2014

**ARTICLE ~ 21**

**Reserved for Future Use**



## **ARTICLE 22 ~ AUTOMOBILE SERVICE STATIONS, PARKING GARAGES AND PARKING AREAS**

### **Section 22.00 Entrance – Distance Requirements**

No automobile service or filling station, parking area for 25 or more passenger motor vehicles, trucks or buses, or parking garage or automobile repair shop, shall have an entrance or exit for vehicles within 200 feet along the same side of a street of any school, public playground, the entrance to a public park or cemetery, monastery, church, hospital, public library or institution for dependents or for children, except where such property is in another block or on another street which the lot in question does not abut.

### **Section 22.01 Oil Drainage, Etc.**

No automobile service station or public garage shall be permitted where any oil draining pit, hydraulic hoists, lubrication and greasing devices, repair equipment and similar appurtenances, other than filling caps, are located within 12 feet of any street lot line or within 25 feet of any R District, except where such appurtenances are within a building.

### **Section 22.02 Automobile Service Station - Enclosure**

No automobile service station shall be erected or constructed except in integrated shopping centers or in districts where permitted or conditionally permitted. No existing non-conforming service station shall be considered for alterations unless the premises where the station is located are enclosed in the rear and on the sides by a wall, approved by the Zoning Inspector, not less than six feet high. The first ten (10) foot section of such wall, measured from the road right-of-way line, may be stepped down to two feet at said right-of-way, following a pattern of appropriate design.

*Section 22.02: Automobile Service Station, Enclosure: Amended by Resolution # November 24, 2014, Effective December 24, 2014*



**ARTICLE 23 ~ RESERVED FOR FUTURE USE**





## **ARTICLE 24 ~ TELECOMMUNICATION TOWERS**

### **Section 24.00 Wireless Towers, Antennas, or similar structures**

Microwave, or radio transmission towers for cellular telephone and/or other similar communication systems, including radar and satellite devices, or any other type of antenna, tower, or other man-made structures built for any private or public utility purposes, that are more than 75 feet in height, shall be subject to township regulation in accordance with ORC 519.211. Towers and associated equipment for reception and transmission of electromagnetic spectrum may be permitted as a conditional use in all residentially zoned areas. In all other zoned districts, towers, antennas, and similar structures shall be permitted by right. In keeping with the above, and to insure the safety, health and welfare of the residents of the township, no tower, antenna or other similar structure shall be located closer to an existing residence than 150% of the height of said structure or 1,000 feet, whichever is greater.

### **Section 24.01 Wireless Telecommunications Towers and Facilities**

Wireless telecommunications towers and facilities shall be subjected to township regulation in accordance with ORC 519.211. The regulations and conditions set forth in this resolution shall apply with respect to the location, erection, construction, reconstruction, change alteration, removal, or enlargement of a telecommunications tower and all appurtenances thereto. A telecommunications tower and appurtenant facilities shall be classified as conditional uses in all districts. The following conditions shall apply to a wireless telecommunications towers, equipment buildings, and appurtenant facilities all zoning districts:

Continued Next Page

**Section 24.01.A** Application for permit to construct a telecommunication tower/facilities shall include a report detailing:

**Section 24.01.A.1** The site plan;

**Section 24.01.A.2** A description, certified by a professional engineer, of the telecommunications tower, equipment building, and appurtenances as well as the tower's capacity including the number and types of antenna it can accommodate;

**Section 24.01.A.3** Evidence of compliance with the ANSI/EIA 222-F manual verifying the design and construction specifications for the tower; and

**Section 24.01.A.4** Verification that radio frequency (electromagnetic) emissions are in compliance with the regulations of the Federal Communications Commission (FCC).

**Section 24.01.B** The applicant shall demonstrate that the proposed site is the most appropriate location for a telecommunications tower, equipment building, and appurtenances. The applicant shall submit it a study by a licensed engineer comparing all potential host sites within one (1) MILE OF THE PROPOSED SITE. The study shall include a description of surrounding alternative sites and a discussion of the ability or inability of the alternative sites to host a facility. Reasons for excluding an alternative site from consideration may include any of the following:

**Section 24.01.B.01** Written documentation of the property owners refusal to locate a telecommunications facility on the site.

**Section 24.01.B.02** Topographic limitations of the site.

**Section 24.01.B.03** Adjacent impediments that would obstruct transmission.

**Section 24.01.B.04** Physical constraints on the site that would preclude construction.

**Section 24.01.B.05** Other technical limitations including a violation of federal, state, or county regulations.

**Section 24.01.C** The shared use (co-location) of preexisting telecommunications towers and antenna facilities shall be preferred to the construction of new towers and facilities. Co-location on a preexisting telecommunications tower and antenna facility shall not require the issuance of a zoning certificate in accordance with this resolution. The application shall submit a report by a licensed professional engineer inventorying existing sites within one (1) mile radius of the proposed site outlining opportunities for co-location as an alternative to new construction. The applicant

shall demonstrate that co-location is not feasible for at least one of the following reasons:

**Section 24.01.C.1** The planned equipment would exceed the structural capacity of existing and approved towers and facilities, considering the existing and planned uses for those facilities.

**Section 24.01.C.2** The proposed equipment would cause radio frequency interference with other existing or planned equipment, which cannot be reasonably prevented.

**Section 24.01.C.3** The existing or approved towers or facilities do not have space on them to accommodate the proposed equipment so it can function effectively and reasonably.

**Section 24.01.C.4** Co-location would violate federal, state, or county regulation.

**Section 24.01.D** The owner of any tower erected after the effective date of this section shall be required to accept co-location of any other antenna(s), except upon a showing of technological unfeasibility, as delineated above.

**Section 24.01.E** A security fence not less than eight (8) feet in height shall fully enclose the base of the telecommunications tower, the equipment building, and appurtenant facilities, including anchors for guy wires. Gates shall be locked at all times.

**Section 24.01.F** There shall be no storage outside of the security fence of equipment of other items on the site.

**Section 24.01.G** Warning signs shall be posted on the site as well as an emergency telephone number. The applicant shall also provide the fire department, the township police or county sheriff's department, and county emergency management agency with the information on who to contact, an address, and a telephone number in the event of an emergency.

**Section 24.01.H** A telecommunications tower, equipment building and appurtenances shall not be artificially lighted except to assure safety as may be required by the Federal Aviation Administration (FAA). To further facilitate blending the site into the landscape, evergreen trees may be required around the security fence.

**Section 24.01.I** The driveway to the site shall be a minimum of ten (10) feet in width and shall comply with driveway spacing requirements of Licking County

subdivision regulations and/or Access Management Regulations. There shall be a minimum of one (1) off-street parking space on the site.

**Section 24.01.J** The maximum distance between telecommunications tower and the tower facility sites shall be within 50% of the height of the taller tower. Similarly, no telecommunications tower shall be within 150% of the height of the tower from an adjacent property line.

**Section 24.01.K** If at any time the use of the telecommunications, tower, equipment building, and appurtenances is discontinued for 180 consecutive days, said facilities shall be deemed abandoned. The Zoning Inspector shall notify the applicant in writing and advise that the facility must be reactivated within 45 days or it must be dismantled and removed from the site at the owner's expense. If reactivation or dismantling does not occur, the conditional zoning certificate for the site shall expire on the 46th day.

Article 24: Telecommunications Towers; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2014; Effective December 24, 2014

# **ARTICLE 25 ~ SWIMMING POOLS**

## **Section 25.00 General Provisions**

### **Section 25.00.A Private Swimming Pools**

A private swimming pool, but not including farm ponds, as regulated herein, shall be any pool, lake or open tank not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than 1 ½ feet. No such swimming pool, exclusive of portable swimming pools with a diameter less than 12 feet or with an area of less than 100 square feet, shall be allowed in any “AG” or “R” District except as an accessory use and unless it complies with the following conditions and requirements:

**Section 25.00.A.1** The pool is intended and is to be used solely for the enjoyment of the occupants of the principal building of the property on which it is located and their guests.

**Section 25.00.A.2** pool may be located anywhere on the premises except in required front yards, provided it shall not be located closer than 15 feet to any property line on which located.

**Section 25.00.A.3** The swimming pool, or the entire property on which it is located, shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties.

### **Section 25.00.B Community, Club or Commercial Swimming Pools**

A community or club swimming pool shall be any pool constructed by an association of property owners, or by a private club for use and enjoyment by members and their families. Such swimming pools shall comply with the following:

**Section 25.00.B.1** The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated.

**Section 25.00.B.2**

The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than fifty (50) feet to any property line of the property on which it is located.

**Section 25.00.B.3** The swimming pool and all of the area used by the bathers shall be so walled or fenced as to prevent uncontrolled access by children from the street or adjacent properties. Said fence or wall shall not be less than six (6) feet in height and maintained in good condition. The area surrounding the enclosure, except for the parking spaces (See Article 19, Off Street Parking and Loading Regulations), shall be suitably landscaped with grass, hardy shrubs and trees and maintained in good condition.

*Article 25: Swimming Pools; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015, Effective December 24, 2015*

## **APPENDIX A ~ DEFINITIONS**

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

### **Interpretation**

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

All words used in the present tense include the future tense. All words in the singular include plural and all words in the plural include the singular. The word "shall" is mandatory and not directory. The word "used," shall be deemed to include "designed, intended, or arranged to be used."



**Accessory Use or Building:** A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

**Accessory Structure:** A subordinate structure attached to or detached from, but located on the same lot as a principal structure. The use of an accessory structure must be incidental and accessory to the use of the principal structure. Accessory structures included but are not limited to, garages, outbuildings, sheds, decks, canopies and the like.

*Accessory Structure: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*

**Agriculture:** The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operations of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding or garbage or offal to swine or other animals.

**Agriculture Structure:** A structure used primarily for agriculture uses detailed in the definition of agriculture herein. Examples include, but are not limited to a barn, stable or a silo.

*Agriculture Structure: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*

**Alley or Lane:** A public or private way not more than 20 feet wide affording only secondary means of access to abutting property.

**Apartment House:** See Dwelling, Multi-Family.

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

**Automobile Wrecking:** The dismantling or disassembly of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

**Automotive or Trailer Sales Area:** An open area, other than a street, used for the display, sale or rental of new or used motor vehicles or trailers in operable condition and where no repair work is done.





**Basement**: A story whose floor line is below grade at any entrance or exit and whose ceiling is not more than five feet above grade at any such entrance or exit.

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

**Board**: The Board of Zoning Appeals of the Township.

**Board or Lodging House**: A dwelling or part thereof where meals and/or lodging are provided for three or more persons for compensation by previous arrangement, but not transients.

**Building**: Any structure constructed or used for residential, business, industrial or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars, trailers, billboards, signs and similar structures, whether stationary or movable.

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



**Cellar**: That portion of a building between floor and ceiling partly underground, but having half or more than half of its clear height below and adjoining finished grade.

**Cemetery**: Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes.

**Clinic**: A clinic is a place which provides a range of services by a group of licensed practitioners, their associate and assistant(s), including the care, diagnosis and treatment of those who are sick, ailing, infirm and/or injured persons, and include the care of those who are in need of medical, surgical or dental attention, but who are not provided with board or room nor kept overnight on the premises.

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

**Commission**: The Township Zoning Commission.



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

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

**Dwelling**: A permanent building used primarily for human habitation but not including facilities for the housing of transient residents nor to include manufactured homes.

1. **Dwelling, Group**: A group of two or more detached dwellings located on a parcel of land in one ownership and having any yard or court in common.
2. **Dwelling, Multi-Family**: A permanent building or portion thereof providing separate living accommodations for three or more families.
3. **Dwelling, Single-Family**: A permanent building, separate and free standing, in itself providing living accommodations for one family.
4. **Dwelling, Two-Family**: A permanent building designed exclusively for occupancy by two families.
5. **Dwelling, Unit**: One room, or a suite or two or more rooms, designed for or used by one family for living and sleeping purposes and having only one kitchen or kitchenette.



**Frontage**: All the property abutting on one side of a street between intersecting or intercepting streets or between a street and a right-of-way, waterway, and of a dead-end street, or village boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street, which it intercepts.



**Garage, Private:** A detached accessory building or a portion of the principal building used only for the storage of self-propelled passenger vehicles or trailers by the families resident upon the premises.

**Garage, Public:** A space or structure for the storage, sale, hire, care, repair or refinishing of self-propelled vehicles.



**Habitable Structure**: Any structure occupied, or intended to be occupied by people for agricultural, residential, commercial, industrial, institutional, and recreational uses. Areas used exclusively for storage or parking are excluded

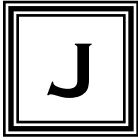
*Habitable Structure: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*

**Home Occupation**: Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. The conducting of a clinic, hospital, barber shop, beauty parlor, tea room, tourist home, animal hospital or any similar use shall not be deemed to be a home occupation.

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



**Industry**: Storage, repair, manufacture, preparation or treatment of any article, substance or commodity.



**Junk Yard**: Any open area where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house-wrecking yards, used lumber yards and places or yards for storage and equipment.





**Kennel**: Any structure or premises on which five or more dogs over four months of age are kept.



**Livable Area**: The area excluding porches, breezeways, garages, carports and other similar areas.

**Lot**: A piece, parcel, or plot of land occupied or to be occupied by one principal building and its accessory buildings including the open spaces required under this resolution.



**Mineral:** Any chemical compound occurring naturally as a produce of inorganic processes.

**Mini-Storage:** A principle commercial structure, open to the public, for the use of temporary, enclosed storage of personal or business property.

**Manufactured Home:** Any non-self-propelled vehicle transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heat, air conditioning, and electrical systems contained therein. Calculations used to determine the number of square feet in a structure are based on a structure's exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows.

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

**Motel or Motor Hotel:** A series of attached, semi-attached or detached sleeping or living units, for the accommodation of automobile transient guests, said units having convenient access to off-street parking spaces, for the exclusive use of the guests or occupants.



**Nonconforming Use**: A use of building or land lawful at the time of enactment of this resolution that does not conform with the "permitted use" provisions of this resolution.

**Non-Habitable Structure**: Any structure not occupied, or intended to be occupied by people for residential, commercial, industrial, institutional, and recreational uses. These are areas used exclusively for storage or parking

*Non-Habitable Structure: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*



**Performance:** A criterion established in the interest of protecting the public health and safety for the control of noise, odor, smoke, noxious gases, and other objectionable or dangerous elements generated by and inherent in or incidental to land uses.

**Planning Commission:** The Licking County Planning Commission

**Principal Structure:** A structure in which is conducted the principal permitted or conditionally permitted use of the lot on which it is located. Examples include, but are not limited to a residential dwelling, a church, a commercial retail building, a commercial office building, and an industrial warehouse building.

*Principal Structure: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*

**Private School and Education:** Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency. Schools under this definition include those termed as primary schools, secondary schools, post-secondary schools, elementary schools, middle schools, high schools, community college, college, university, trade school, institute and technical college.

*Private School and Education: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*

**Public School:** Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education that is tax-funded and provides educational services to the general public. Schools under this definition include those termed as primary schools, secondary schools, post-secondary schools, elementary schools, middle-schools, high schools, community college, college, or university.

*Private School: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*

**Public Water and Wastewater System:** Any system for the provision of water fit for human consumption and for the collection of wastewater from households, businesses, industry, or other facilities for proper treatment. Said systems are approved by the Ohio Environmental Protection Agency (OEPA) and are provided and maintained by the county, a municipality or utility company, which a governmental agency has specifically approved as acceptable.

*Public Water and Wastewater System: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*



**Religious Institution**: A structure used for public worship by a congregation, excluding structures used exclusively for education, recreation, and other uses not normally associated with worship. Educational facilities and recreational facilities that are provided are subordinate to the use of the facility for worship and shall not be for profit. Said structure is owned, operated and maintained by a religious body organized to sustain religious ceremonies and purposes. Includes but is not limited to churches, chapels, cathedrals, temples and similar designations.

*Religious Institution: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*



**Sign - Area of:** The total exterior surface computed in square feet of a sign having but one exposed exterior surface, one-half the total of the exposed exterior surface computed in square feet of a sign having more than one such surface.

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

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

**Standard Equipment:** A criterion for the control of type and placing of industrial equipment.

**Story:** That portion of a building, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the floor and the ceiling next above it.

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

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

**Structure:** Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.



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

**Thoroughfare, Primary or Secondary**: An officially designated federal or state numbered highway or county or other road or street designated as a primary thoroughfare on an official thoroughfare plan, or a county or other road or street designed as a secondary thoroughfare on said plan, respectively.





**Use:** The purpose or activity for which a building, structure, or land is occupied or maintained.



**Variance:** A variance is a relaxation of the terms of the zoning resolution where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the resolution would result in unnecessary and undue hardship. As used in this resolution, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district, unless so authorized by this resolution.

**View shed:** A view shed is an area of land, water, or other environmental element that is visible to the human eye from a fixed vantage point. The term is used widely in such areas as urban planning, archaeology, and military science. In urban planning, for example, view sheds tend to be areas of particular scenic or historic value that are deemed worthy of preservation against development or other change. View sheds are often spaces that are readily visible from public areas such as from public roadways, public parks or high-rise buildings. The preservation of view sheds is frequently a goal in the designation of open space areas, green belts, and community separators. Examples of a view shed are as follows: A building such as an old barn and silo that is a landmark in the community, or a stand of trees with a meadow containing a pond in front of it. The structures or the trees, meadow and pond may be preserved and maintained as a view shed.

*Viewshed: Added by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015; Effective December 24, 2015.*



**Yard**: An open space on the same lot with a principal building, open, unoccupied, and unobstructed by buildings except as otherwise provided in this resolution.

1. **Height of Building**: The vertical distance from the established average sidewalk grade, street grade, or finished grade, at the building line, whichever is the highest, to the highest point of the building.
2. **Front Yard**: The yard extending across the entire width of the lot between the principal building and the right-of-way line or street line which the building faces.
3. **Rear Yard**: The yard extending across the entire width of the lot between the rear lot line and the nearest part of the principal building.
4. **Side Yard**: The yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.



**Zoning Certificate**: A document issued by the Zoning or Building Inspector authorizing buildings, structures, or uses consistent with the terms of the zoning resolution and for the purpose of carrying out and enforcing its provisions.

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

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



## **APPENDIX B – APPLICATION FORMS**

**Appendix "B" is NOT herein adopted as part of the Jersey Township Zoning Resolution but provided here for reference only.**

*To Be Inserted.*



## **APPENDIX C – FEE SCHEDULE**

**Appendix "C" is NOT herein adopted as part of the Jersey Township Zoning Resolution but provided here for reference only.**

*To Be Inserted Upon Adoption*





# **APPENDIX D -**

Reserved for Future Use



# **APPENDIX E –** **Permitted and Conditionally Permitted Uses**

Based upon the North American Industry Classification System (NAICS) 1997

(Tables begin on Next Page)

*Appendix E: Permitted and Conditionally Permitted Uses; Amended by the Board of Trustees, Jersey Township, Licking County, Ohio; Resolution # November 24, 2015, Effective December 24, 2015*

**APPENDIX E - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses**

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
<b>21</b>	<b>Mining, Quarrying, and Oil and Gas Extraction</b>								
213112	Support Activities for Oil and Gas Operations		C	C	C				
213113	Support Activities for Coal Mining		C	C	C				
213114	Support Activities for Metal Mining		C	C	C				
213115	Support Activities for Nonmetallic Minerals (except Fuels) Mining		C	C	C				
<b>22</b>	<b>Utilities</b>								
221121	Electric Bulk Power Transmission and Control		P	P	P				
221122	Electric Power Distribution		P	P	P				
221210	Natural Gas Distribution		P	P	P				
221310	Water Supply and Irrigation Systems		P	P	P				
221320	Sewage Treatment Facilities		C	C	C				
<b>23</b>	<b>Construction</b>								
236115	New Single-Family Housing Construction (except Operative Builders)		P	P	P			P	P
236116	New Multifamily Housing Construction (except Operative Builders)		P	P	P			P	P
236117	New Housing Operative Builders		P	P	P			P	P
236118	Residential Remodelers	C	P	P	P	C		P	P
236210	Industrial Building Construction		P	P	P			P	P
236220	Commercial and Institutional Building Construction		P	P	P			P	P
237110	Water and Sewer Line and Related Structures Construction		P	P	P			P	P
237120	Oil and Gas Pipeline and Related Structures Construction		P	P	P			P	P
237130	Power and Communication Line and Related Structures Construction		P	P	P			P	P
237210	Land Subdivision		P	P	P			P	P
237310	Highway, Street, and Bridge Construction		P	P	P			P	P
237990	Other Heavy and Civil Engineering Construction		P	P	P			P	P
238110	Poured Concrete Foundation and Structure Contractors		P	P	P			P	P
238120	Structural Steel and Precast Concrete Contractors		P	P	P			P	P
238130	Framing Contractors	C	P	P	P	C		P	P
238140	Masonry Contractors	C	P	P	P	C		P	P

**APPENDIX E - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses**

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
238150	Glass and Glazing Contractors	C	P	P	P	C		P	P
238160	Roofing Contractors	C	P	P	P	C		P	P
238170	Siding Contractors	C	P	P	P	C		P	P
238190	Other Foundation, Structure, and Building Exterior Contractors	C	P	P	P	C		P	P
238210	Electrical Contractors and Other Wiring Installation Contractors	C	P	P	P	C		P	P
238220	Plumbing, Heating, and Air-Conditioning Contractors	C	P	P	P	C		P	P
238290	Other Building Equipment Contractors	C	P	P	P	C		P	P
238310	Drywall and Insulation Contractors	C	P	P	P	C		P	P
238320	Painting and Wall Covering Contractors	C	P	P	P	C		P	P
238330	Flooring Contractors	C	P	P	P	C		P	P
238340	Tile and Terrazzo Contractors	C	P	P	P	C		P	P
238350	Finish Carpentry Contractors	C	P	P	P	C		P	P
238390	Other Building Finishing Contractors	C	P	P	P	C		P	P
238910	Site Preparation Contractors	C	P	P	P			P	P
238990	All Other Specialty Trade Contractors	C	P	P	P			P	P
31									
311111	Dog and Cat Food Manufacturing		P	P	P				
311119	Other Animal Food Manufacturing		P	P	P				
311211	Flour Milling		P	P	P				
311212	Rice Milling		P	P	P				
311213	Malt Manufacturing		P	P	P				
311221	Wet Corn Milling		P	P	P				
311222	Soybean Processing		P	P	P				
311223	Other Oilseed Processing		P	P	P				
311230	Breakfast Cereal Manufacturing		P	P	P				
311320	Chocolate and Confectionery Manufacturing from Cacao Beans	C	P	P	P	C			
311330	Confectionery Manufacturing from Purchased Chocolate	C	P	P	P	C			
311340	Nonchocolate Confectionery Manufacturing	C	P	P	P				

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
311411	Frozen Fruit, Juice, and Vegetable Manufacturing		P	P	P				
311412	Frozen Specialty Food Manufacturing		P	P	P				
311421	Fruit and Vegetable Canning		P	P	P				
311422	Specialty Canning		P	P	P				
311423	Dried and Dehydrated Food Manufacturing	C	P	P	P	C			
311511	Fluid Milk Manufacturing		P	P	P				
311512	Creamery Butter Manufacturing		P	P	P				
311513	Cheese Manufacturing		P	P	P				
311514	Dry, Condensed, and Evaporated Dairy Product Manufacturing		P	P	P				
311520	Ice Cream and Frozen Dessert Manufacturing	C	P	P	P	C		P	P
311611	Animal (except Poultry) Slaughtering								
311612	Meat Processed from Carcasses								
311613	Rendering and Meat Byproduct Processing								
311615	Poultry Processing								
311711	Seafood Canning								
311712	Fresh and Frozen Seafood Processing								
311811	Retail Bakeries	C	P	P	P	C		P	P
311812	Commercial Bakeries		P	P	P			P	P
311813	Frozen Cakes, Pies, and Other Pastries Manufacturing		P	P	P			P	P
311821	Cookie and Cracker Manufacturing	C	P	P	P	C		P	P
311822	Flour Mixes and Dough Manufacturing from Purchased Flour		P	P	P			P	P
311823	Dry Pasta Manufacturing		P	P	P			P	P
311830	Tortilla Manufacturing		P	P	P			P	P
311911	Roasted Nuts and Peanut Butter Manufacturing		P	P	P			P	P
311919	Other Snack Food Manufacturing		P	P	P			P	P
311920	Coffee and Tea Manufacturing		P	P	P			P	P
311930	Flavoring Syrup and Concentrate Manufacturing		P	P	P			P	P
311941	Mayonnaise, Dressing, and Other Prepared Sauce Manufacturing		P	P	P			P	P
311942	Spice and Extract Manufacturing		P	P	P			P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
311991	Perishable Prepared Food Manufacturing		P	P	P			P	P
311999	All Other Miscellaneous Food Manufacturing		P	P	P			P	P
312111	Soft Drink Manufacturing							P	P
312112	Bottled Water Manufacturing							P	P
312113	Ice Manufacturing							P	P
312120	Breweries	C	C	C	C	C			
312130	Wineries	C	C	C	C	C			
312140	Distilleries	C	C	C	C	C			
313222	Schiffli Machine Embroidery	C	P	P	P	C			
315211	Men's and Boys' Cut and Sew Apparel Contractors							P	P
315212	Women's, Girls', and Infants' Cut and Sew Apparel Contractors							P	P
315221	Men's and Boys' Cut and Sew Underwear and Nightwear							P	P
315222	Men's and Boys' Cut and Sew Suit, Coat, and Overcoat							P	P
315223	Men's and Boys' Cut and Sew Shirt (except Work Shirt)							P	P
315224	Men's and Boys' Cut and Sew Trouser, Slack, and Jean							P	P
315225	Men's and Boys' Cut and Sew Work Clothing Manufacturing							P	P
315228	Men's and Boys' Cut and Sew Other Outerwear Manufacturing							P	P
315231	Women's and Girls' Cut and Sew Lingerie, Loungewear, and							P	P
315232	Women's and Girls' Cut and Sew Blouse and Shirt Manufacturing							P	P
315233	Women's and Girls' Cut and Sew Dress Manufacturing							P	P
315234	Women's and Girls' Cut and Sew Suit, Coat, Tailored Jacket, and							P	P
315239	Women's and Girls' Cut and Sew Other Outerwear Manufacturing							P	P
315291	Infants' Cut and Sew Apparel Manufacturing							P	P
315292	Fur and Leather Apparel Manufacturing							P	P
315299	All Other Cut and Sew Apparel Manufacturing							P	P
315991	Hat, Cap, and Millinery Manufacturing							P	P
315992	Glove and Mitten Manufacturing							P	P
315993	Men's and Boys' Neckwear Manufacturing							P	P
315999	Other Apparel Accessories and Other Apparel Manufacturing							P	P



**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
316211	Rubber and Plastics Footwear Manufacturing							P	P
316212	House Slipper Manufacturing							P	P
316213	Men's Footwear (except Athletic) Manufacturing							P	P
316214	Women's Footwear (except Athletic) Manufacturing							P	P
316219	Other Footwear Manufacturing							P	P
316991	Luggage Manufacturing							P	P
316992	Women's Handbag and Purse Manufacturing	C	P	P	P	C		P	P
316993	Personal Leather Good (except Women's Handbag and Purse)	C	P	P	P	C		P	P
316999	All Other Leather Good and Allied Product Manufacturing							P	P
32									
321113	Sawmills							P	P
321114	Wood Preservation							P	P
321211	Hardwood Veneer and Plywood Manufacturing							P	P
321212	Softwood Veneer and Plywood Manufacturing							P	P
321213	Engineered Wood Member (except Truss) Manufacturing		P	P	P			P	P
321214	Truss Manufacturing		P	P	P			P	P
321219	Reconstituted Wood Product Manufacturing							P	P
321911	Wood Window and Door Manufacturing		P	P	P			P	P
321912	Cut Stock, Resawing Lumber, and Planing		C	C	C			P	P
321918	Other Millwork (including Flooring)		C	C	C			P	P
321920	Wood Container and Pallet Manufacturing		C	C	C			P	P
321991	Manufactured Home (Mobile Home) Manufacturing							P	P
321992	Prefabricated Wood Building Manufacturing		C	C	C			P	P
321999	All Other Miscellaneous Wood Product Manufacturing		C	C	C			P	P
322211	Corrugated and Solid Fiber Box Manufacturing							P	P
322212	Folding Paperboard Box Manufacturing							P	P
322213	Setup Paperboard Box Manufacturing							P	P
322214	Fiber Can, Tube, Drum, and Similar Products Manufacturing							P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
322215	Nonfolding Sanitary Food Container Manufacturing							P	P
322221	Coated and Laminated Packaging Paper Manufacturing							P	P
322222	Coated and Laminated Paper Manufacturing							P	P
322223	Coated Paper Bag and Pouch Manufacturing							P	P
322224	Uncoated Paper and Multiwall Bag Manufacturing							P	P
322225	Laminated Aluminum Foil Manufacturing for Flexible Packaging Uses							P	P
322226	Surface-Coated Paperboard Manufacturing							P	P
322231	Die-Cut Paper and Paperboard Office Supplies Manufacturing							P	P
322232	Envelope Manufacturing							P	P
322233	Stationery, Tablet, and Related Product Manufacturing							P	P
322291	Sanitary Paper Product Manufacturing							P	P
322299	All Other Converted Paper Product Manufacturing							P	P
323110	Commercial Lithographic Printing	C	P	P	P	C	C	P	P
323111	Commercial Gravure Printing	C	P	P	P	C	C	P	P
323112	Commercial Flexographic Printing	C	P	P	P	C	C	P	P
323113	Commercial Screen Printing	C	P	P	P		C	P	P
323114	Quick Printing	C	P	P	P		C	P	P
323115	Digital Printing	C	P	P	P		C	P	P
323116	Manifold Business Forms Printing	C	P	P	P		C	P	P
323117	Books Printing	C	P	P	P		C	P	P
323118	Blankbook, Looseleaf Binders, and Devices Manufacturing	C	P	P	P		C	P	P
323119	Other Commercial Printing	C	P	P	P		C	P	P
323121	Tradebinding and Related Work	C	P	P	P		C	P	P
323122	Prepress Services	C	P	P	P		C	P	P
325411	Medicinal and Botanical Manufacturing		P	P	P			P	P
325412	Pharmaceutical Preparation Manufacturing		P	P	P			P	P
325413	In-Vitro Diagnostic Substance Manufacturing		P	P	P			P	P
325414	Biological Product (except Diagnostic) Manufacturing		P	P	P			P	P
325611	Soap and Other Detergent Manufacturing		P	P	P		C	P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
325612	Polish and Other Sanitation Good Manufacturing							P	P
325613	Surface Active Agent Manufacturing							P	P
325620	Toilet Preparation Manufacturing							P	P
325910	Printing Ink Manufacturing							P	P
325991	Custom Compounding of Purchased Resins							P	P
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing							C	C
325998	All Other Miscellaneous Chemical Product and Preparation							C	C
326111	Plastics Bag and Pouch Manufacturing		P	P	P		C	C	C
326112	Plastics Packaging Film and Sheet (including Laminated)		P	P	P		C	C	C
326113	Unlaminated Plastics Film and Sheet (except Packaging)							C	C
326121	Unlaminated Plastics Profile Shape Manufacturing		P	P	P		C	C	C
326122	Plastics Pipe and Pipe Fitting Manufacturing							C	C
326130	Laminated Plastics Plate, Sheet (except Packaging), and Shape							C	C
326140	Polystyrene Foam Product Manufacturing							C	C
326150	Urethane and Other Foam Product (except Polystyrene)							C	C
326160	Plastics Bottle Manufacturing		P	P	P		C	C	C
326191	Plastics Plumbing Fixture Manufacturing							C	C
326192	Resilient Floor Covering Manufacturing							C	C
326199	All Other Plastics Product Manufacturing							C	C
326211	Tire Manufacturing (except Retreading)							C	C
326212	Tire Retreading							C	C
326220	Rubber and Plastics Hoses and Belting Manufacturing							C	C
326291	Rubber Product Manufacturing for Mechanical Use							C	C
326299	All Other Rubber Product Manufacturing							C	C
327111	Vitreous China Plumbing Fixture and China and Earthenware							C	C
327112	Vitreous China, Fine Earthenware, and Other Pottery Product							C	C
327113	Porcelain Electrical Supply Manufacturing							C	C
327121	Brick and Structural Clay Tile Manufacturing							C	C
327122	Ceramic Wall and Floor Tile Manufacturing							C	C

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
327123	Other Structural Clay Product Manufacturing							C	C
327124	Clay Refractory Manufacturing							C	C
327125	Nonclay Refractory Manufacturing							C	C
327211	Flat Glass Manufacturing							C	C
327212	Other Pressed and Blown Glass and Glassware Manufacturing	C	P	P	P	C	C	C	C
327213	Glass Container Manufacturing		P	P	P		C	C	C
327215	Glass Product Manufacturing Made of Purchased Glass		P	P	P		C	C	C
327320	Ready-Mix Concrete Manufacturing							C	C
327331	Concrete Block and Brick Manufacturing							C	C
327332	Concrete Pipe Manufacturing							C	C
327390	Other Concrete Product Manufacturing							C	C
327410	Lime Manufacturing							C	C
327420	Gypsum Product Manufacturing							C	C
327910	Abrasive Product Manufacturing							C	C
327991	Cut Stone and Stone Product Manufacturing							C	C
327999	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing							C	C
33									
332321	Metal Window and Door Manufacturing							C	C
332323	Ornamental and Architectural Metal Work Manufacturing							C	C
332710	Machine Shops	C	P	P	P			C	C
332721	Precision Turned Product Manufacturing		P	P	P			C	C
332994	Small Arms Manufacturing		C	C	C				
333314	Optical Instrument and Lens Manufacturing							P	P
333514	Special Die and Tool, Die Set, Jig, and Fixture Manufacturing							C	C
334111	Electronic Computer Manufacturing		P	P	P		P	P	P
334112	Computer Storage Device Manufacturing		P	P	P		P	P	P
334113	Computer Terminal Manufacturing		P	P	P		P	P	P
334119	Other Computer Peripheral Equipment Manufacturing		P	P	P		P	P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
334210	Telephone Apparatus Manufacturing		P	P	P			P	P
334220	Radio and Television Broadcasting and Wireless Communications		P	P	P			P	P
334290	Other Communications Equipment Manufacturing		P	P	P			P	P
334310	Audio and Video Equipment Manufacturing		P	P	P			P	P
334411	Electron Tube Manufacturing							P	P
334412	Bare Printed Circuit Board Manufacturing							P	P
334413	Semiconductor and Related Device Manufacturing		P	P	P			P	P
334414	Electronic Capacitor Manufacturing							C	C
334415	Electronic Resistor Manufacturing							C	C
334416	Electronic Coil, Transformer, and Other Inductor Manufacturing							C	C
334417	Electronic Connector Manufacturing							P	P
334418	Printed Circuit Assembly (Electronic Assembly) Manufacturing		P	P	P			P	P
334419	Other Electronic Component Manufacturing							P	P
334510	Electromedical and Electrotherapeutic Apparatus Manufacturing		P	P	P		C	P	P
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical		P	P	P		C	P	P
334512	Automatic Environmental Control Manufacturing for Residential,		C	C	C			P	P
334513	Instruments and Related Products Manufacturing for Measuring,		C	C	C			P	P
334514	Totalizing Fluid Meter and Counting Device Manufacturing		C	C	C			P	P
334515	Instrument Manufacturing for Measuring and Testing Electricity and		C	C	C			P	P
334516	Analytical Laboratory Instrument Manufacturing		C	C	C		C	P	P
334517	Irradiation Apparatus Manufacturing		C	C	C		C	P	P
334518	Watch, Clock, and Part Manufacturing		P	P	P			P	P
334519	Other Measuring and Controlling Device Manufacturing		C	C	C			P	P
334611	Software Reproducing		P	P	P			P	P
334612	Prerecorded Compact Disc (except Software), Tape, and Record		P	P	P			P	P
334613	Magnetic and Optical Recording Media Manufacturing		P	P	P			P	P
335110	Electric Lamp Bulb and Part Manufacturing							P	P
335121	Residential Electric Lighting Fixture Manufacturing							P	P
335122	Commercial, Industrial, and Institutional Electric Lighting Fixture							C	C

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
335129	Other Lighting Equipment Manufacturing							C	C
335313	Switchgear and Switchboard Apparatus Manufacturing							P	P
335314	Relay and Industrial Control Manufacturing							P	P
335921	Fiber Optic Cable Manufacturing							P	P
335929	Other Communication and Energy Wire Manufacturing							P	P
335931	Current-Carrying Wiring Device Manufacturing							P	P
335932	Noncurrent-Carrying Wiring Device Manufacturing							P	P
335991	Carbon and Graphite Product Manufacturing							P	P
335999	All Other Miscellaneous Electrical Equipment and Component							C	C
337110	Wood Kitchen Cabinet and Countertop Manufacturing	C	P	P	P			C	C
337121	Upholstered Household Furniture Manufacturing	C	P	P	P			C	C
337122	Nonupholstered Wood Household Furniture Manufacturing	C	P	P	P			C	C
337124	Metal Household Furniture Manufacturing							C	C
337125	Household Furniture (except Wood and Metal) Manufacturing							C	C
337127	Institutional Furniture Manufacturing							C	C
337129	Wood Television, Radio, and Sewing Machine Cabinet Manufacturing							C	C
337211	Wood Office Furniture Manufacturing							C	C
337212	Custom Architectural Woodwork and Millwork Manufacturing							C	C
337214	Office Furniture (except Wood) Manufacturing							C	C
337215	Showcase, Partition, Shelving, and Locker Manufacturing							C	C
337910	Mattress Manufacturing							C	C
337920	Blind and Shade Manufacturing							P	P
339112	Surgical and Medical Instrument Manufacturing		P	P	P			P	P
339113	Surgical Appliance and Supplies Manufacturing		P	P	P			P	P
339114	Dental Equipment and Supplies Manufacturing		P	P	P			P	P
339115	Ophthalmic Goods Manufacturing		P	P	P			P	P
339116	Dental Laboratories		P	P	P			P	P
339911	Jewelry (except Costume) Manufacturing	C	P	P	P	C		P	P
339912	Silverware and Hollowware Manufacturing							P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
339913	Jewelers' Material and Lapidary Work Manufacturing		P	P	P			P	P
339914	Costume Jewelry and Novelty Manufacturing		P	P	P			P	P
339920	Sporting and Athletic Goods Manufacturing		P	P	P			P	P
339931	Doll and Stuffed Toy Manufacturing	C	P	P	P	C		P	P
339932	Game, Toy, and Children's Vehicle Manufacturing	C	P	P	P	C		P	P
339941	Pen and Mechanical Pencil Manufacturing		P	P	P			P	P
339942	Lead Pencil and Art Good Manufacturing		P	P	P			P	P
339943	Marking Device Manufacturing		P	P	P			P	P
339950	Sign Manufacturing		P	P	P			P	P
339991	Gasket, Packing, and Sealing Device Manufacturing		P	P	P			P	P
339992	Musical Instrument Manufacturing	C	P	P	P	C		P	P
339993	Fastener, Button, Needle, and Pin Manufacturing		P	P	P			P	P
339994	Broom, Brush, and Mop Manufacturing		P	P	P			P	P
339999	All Other Miscellaneous Manufacturing		C	C	C			C	C
<b>42</b>	<b>Wholesale Trade</b>								
423110	Automobile and Other Motor Vehicle Merchant Wholesalers		P	P	P				
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers		P	P	P			C	C
423130	Tire and Tube Merchant Wholesalers		P	P	P			P	P
423140	Motor Vehicle Parts (Used) Merchant Wholesalers							P	P
423210	Furniture Merchant Wholesalers		P	P	P			P	P
423220	Home Furnishing Merchant Wholesalers		P	P	P			P	P
423310	Lumber, Plywood, Millwork, and Wood Panel Merchant Wholesalers		P	P	P				
423320	Brick, Stone, and Related Construction Material Merchant		P	P	P				
423330	Roofing, Siding, and Insulation Material Merchant Wholesalers		P	P	P				
423390	Other Construction Material Merchant Wholesalers		P	P	P				
423410	Photographic Equipment and Supplies Merchant Wholesalers		P	P	P			P	P
423420	Office Equipment Merchant Wholesalers		P	P	P			P	P
423430	Computer and Computer Peripheral Equipment and Software		P	P	P			P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
423440	Other Commercial Equipment Merchant Wholesalers		P	P	P			P	P
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant		P	P	P			P	P
423460	Ophthalmic Goods Merchant Wholesalers		P	P	P			P	P
423490	Other Professional Equipment and Supplies Merchant Wholesalers		P	P	P			P	P
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related		P	P	P			P	P
423620	Electrical and Electronic Appliance, Television, and Radio Set		P	P	P			P	P
423690	Other Electronic Parts and Equipment Merchant Wholesalers		P	P	P			P	P
423710	Hardware Merchant Wholesalers		P	P	P			P	P
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant		P	P	P			P	P
423730	Warm Air Heating and Air-Conditioning Equipment and Supplies		P	P	P			P	P
423740	Refrigeration Equipment and Supplies Merchant Wholesalers		P	P	P			P	P
423810	Construction and Mining (except Oil Well) Machinery and Equipment		P	P	P				
423820	Farm and Garden Machinery and Equipment Merchant Wholesalers		P	P	P			P	P
423830	Industrial Machinery and Equipment Merchant Wholesalers		P	P	P			C	C
423840	Industrial Supplies Merchant Wholesalers		P	P	P			C	C
423850	Service Establishment Equipment and Supplies Merchant		P	P	P			C	C
423860	Transportation Equipment and Supplies (except Motor Vehicle)		P	P	P				
423910	Sporting and Recreational Goods and Supplies Merchant		P	P	P			P	P
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers		P	P	P			P	P
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant		P	P	P			P	P
423990	Other Miscellaneous Durable Goods Merchant Wholesalers		P	P	P			P	P
424110	Printing and Writing Paper Merchant Wholesalers		P	P	P			P	P
424120	Stationery and Office Supplies Merchant Wholesalers		P	P	P			P	P
424130	Industrial and Personal Service Paper Merchant Wholesalers		P	P	P			P	P
424210	Drugs and Druggists' Sundries Merchant Wholesalers		P	P	P			P	P
424310	Piece Goods, Notions, and Other Dry Goods Merchant Wholesalers		P	P	P			P	P
424320	Men's and Boys' Clothing and Furnishings Merchant Wholesalers		P	P	P			P	P
424330	Women's, Children's, and Infants' Clothing and Accessories		P	P	P			P	P
424340	Footwear Merchant Wholesalers		P	P	P			P	P



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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
424410	General Line Grocery Merchant Wholesalers		P	P	P			P	P
424420	Packaged Frozen Food Merchant Wholesalers		P	P	P			P	P
424430	Dairy Product (except Dried or Canned) Merchant Wholesalers		P	P	P			P	P
424450	Confectionery Merchant Wholesalers		P	P	P			P	P
424480	Fresh Fruit and Vegetable Merchant Wholesalers		P	P	P			P	P
424490	Other Grocery and Related Products Merchant Wholesalers		P	P	P			P	P
424510	Grain and Field Bean Merchant Wholesalers		P	P	P			P	P
424590	Other Farm Product Raw Material Merchant Wholesalers		P	P	P				
424610	Plastics Materials and Basic Forms and Shapes Merchant		P	P	P		C	C	C
424810	Beer and Ale Merchant Wholesalers		P	P	P			P	P
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers		P	P	P			P	P
424910	Farm Supplies Merchant Wholesalers		P	P	P			P	P
424920	Book, Periodical, and Newspaper Merchant Wholesalers		P	P	P			P	P
424930	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers		P	P	P			P	P
424940	Tobacco and Tobacco Product Merchant Wholesalers		P	P	P			P	P
424950	Paint, Varnish, and Supplies Merchant Wholesalers		P	P	P			P	P
424990	Other Miscellaneous Nondurable Goods Merchant Wholesalers		P	P	P			C	C
425110	Business to Business Electronic Markets		P	P	P			P	P
425120	Wholesale Trade Agents and Brokers		P	P	P			P	P
44									
441110	New Car Dealers	C	P	P	P	C			
441120	Used Car Dealers	C	P	P	P	C			
441210	Recreational Vehicle Dealers	C	P	P	P	C			
441221	Motorcycle, ATV, and Personal Watercraft Dealers	C	P	P	P	C			
441222	Boat Dealers	C	P	P	P	C			
441229	All Other Motor Vehicle Dealers	C	P	P	P	C			
441310	Automotive Parts and Accessories Stores	P	P	P	P	P			
441320	Tire Dealers	P	P	P	P				

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
442110	Furniture Stores	P	P	P	P	P			
442210	Floor Covering Stores	P	P	P	P	P			
442291	Window Treatment Stores	P	P	P	P	P			
442299	All Other Home Furnishings Stores	P	P	P	P	P			
443111	Household Appliance Stores	P	P	P	P	P			
443112	Radio, Television, and Other Electronics Stores	P	P	P	P				
443120	Computer and Software Stores	P	P	P	P	P			
443130	Camera and Photographic Supplies Stores	P	P	P	P	P			
444110	Home Centers	P	P	P	P				
444120	Paint and Wallpaper Stores	P	P	P	P	P			
444130	Hardware Stores	P	P	P	P	P			
444190	Other Building Material Dealers	P	P	P	P	P			
444210	Outdoor Power Equipment Stores	P	P	P	P	P			
444220	Nursery, Garden Center, and Farm Supply Stores	P	P	P	P	P			
445110	Supermarkets and Other Grocery (except Convenience) Stores	P	P	P	P	P			
445120	Convenience Stores	P	P	P	P	P			
445210	Meat Markets	P	P	P	P	P			
445220	Fish and Seafood Markets	P	P	P	P	P			
445230	Fruit and Vegetable Markets	P	P	P	P	P			
445291	Baked Goods Stores	P	P	P	P	P			
445292	Confectionery and Nut Stores	P	P	P	P	P			
445299	All Other Specialty Food Stores	P	P	P	P	P			
445310	Beer, Wine, and Liquor Stores	P	P	P	P	P			
446110	Pharmacies and Drug Stores	P	P	P	P	P			
446120	Cosmetics, Beauty Supplies, and Perfume Stores	P	P	P	P	P			
446130	Optical Goods Stores	P	P	P	P	P			
446191	Food (Health) Supplement Stores	P	P	P	P	P			
446199	All Other Health and Personal Care Stores	P	P	P	P	P			
447110	Gasoline Stations with Convenience Stores	P	P	P	P				

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
447190	Other Gasoline Stations	P	P	P	P				
448110	Men's Clothing Stores	P	P	P	P	P			
448120	Women's Clothing Stores	P	P	P	P	P			
448130	Children's and Infants' Clothing Stores	P	P	P	P	P			
448140	Family Clothing Stores	P	P	P	P	P			
448150	Clothing Accessories Stores	P	P	P	P	P			
448190	Other Clothing Stores	P	P	P	P	P			
448210	Shoe Stores	P	P	P	P	P			
448310	Jewelry Stores	P	P	P	P	P			
448320	Luggage and Leather Goods Stores	P	P	P	P	P			
45									
451110	Sporting Goods Stores	P	P	P	P	P			
451120	Hobby, Toy, and Game Stores	P	P	P	P	P			
451130	Sewing, Needlework, and Piece Goods Stores	P	P	P	P	P			
451140	Musical Instrument and Supplies Stores	P	P	P	P	P			
451211	Book Stores	P	P	P	P	P			
451212	News Dealers and Newsstands	P	P	P	P	P			
451220	Prerecorded Tape, Compact Disc, and Record Stores	P	P	P	P	P			
452111	Department Stores (except Discount Department Stores)		P	P	P				
452112	Discount Department Stores		P	P	P				
452910	Warehouse Clubs and Supercenters		P	P	P				
452990	All Other General Merchandise Stores	P	P	P	P	P			
453110	Florists	P	P	P	P	P			
453210	Office Supplies and Stationery Stores	P	P	P	P	P			
453220	Gift, Novelty, and Souvenir Stores	P	P	P	P	P			
453310	Used Merchandise Stores	P	P	P	P	P			
453910	Pet and Pet Supplies Stores	P	P	P	P	P			
453920	Art Dealers	P	P	P	P	P			

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No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
453930	Manufactured (Mobile) Home Dealers		P	P	P				
453991	Tobacco Stores	P	P	P	P	P			
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)	P	P	P	P	P			
454111	Electronic Shopping	P	P	P	P	P		P	P
454112	Electronic Auctions	P	P	P	P	P		P	P
454113	Mail-Order Houses	P	P	P	P	P	P	P	P
454210	Vending Machine Operators	P	P	P	P	C			
454311	Heating Oil Dealers		P	P	P				
454312	Liquefied Petroleum Gas (Bottled Gas) Dealers		P	P	P				
454319	Other Fuel Dealers		P	P	P				
454390	Other Direct Selling Establishments		P	P	P				
48									
484110	General Freight Trucking, Local		C	P	P				
484121	General Freight Trucking, Long-Distance, Truckload		C	P	P				
484122	General Freight Trucking, Long-Distance, Less Than Truckload		C	P	P				
484210	Used Household and Office Goods Moving		C	P	P				
484220	Specialized Freight (except Used Goods) Trucking, Local		C	P	P				
484230	Specialized Freight (except Used Goods) Trucking, Long-Distance		C	P	P				
485111	Mixed Mode Transit Systems		P	P	P				
485310	Taxi Service		P	P	P				
485320	Limousine Service		P	P	P				
485410	School and Employee Bus Transportation		P	P	P				
485510	Charter Bus Industry		P	P	P				
485991	Special Needs Transportation		P	P	P				
485999	All Other Transit and Ground Passenger Transportation		P	P	P				
488410	Motor Vehicle Towing		P	P	P				
488490	Other Support Activities for Road Transportation		P	P	P				
488510	Freight Transportation Arrangement		P	P	P			P	P

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
488991	Packing and Crating		P	P	P			C	C
488999	All Other Support Activities for Transportation							C	
<b>49</b>									
491110	Postal Service	P	P	P	P	P		P	P
492110	Couriers and Express Delivery Services	C	P	P	P	C		P	P
492210	Local Messengers and Local Delivery		P	P	P			P	P
493110	General Warehousing and Storage		P	P	P			P	P
493120	Refrigerated Warehousing and Storage		P	P	P			P	P
493130	Farm Product Warehousing and Storage		P	P	P			P	P
<b>51 Information</b>									
511110	Newspaper Publishers	C	P	P	P	C	P	P	P
511120	Periodical Publishers	C	P	P	P	C	P	P	P
511130	Book Publishers	C	P	P	P	C	P	P	P
511140	Directory and Mailing List Publishers	C	P	P	P	C	P	P	P
511191	Greeting Card Publishers	C	P	P	P	C	P	P	P
511199	All Other Publishers	C	P	P	P	C	P	P	P
511210	Software Publishers	C	P	P	P	C	P	P	P
512110	Motion Picture and Video Production		P	P	P	C			
512120	Motion Picture and Video Distribution		P	P	P	C		P	P
512131	Motion Picture Theaters (except Drive-Ins)		P	P	P	C			
512132	Drive-In Motion Picture Theaters		P	P	P				
512191	Teleproduction and Other Postproduction Services	C	P	P	P	C	P	P	P
512199	Other Motion Picture and Video Industries	C	P	P	P	C	P	P	P
512210	Record Production	C	P	P	P	C	P	P	P
512220	Integrated Record Production/Distribution	C	P	P	P	C	P	P	P
512230	Music Publishers	C	P	P	P	C	P	P	P
512240	Sound Recording Studios	C	P	P	P	C	P	P	P
512290	Other Sound Recording Industries	C	P	P	P	C	P	P	P

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
515111	Radio Networks	C	P	P	P	C	P	P	P
515112	Radio Stations	C	P	P	P	C	P	P	P
515120	Television Broadcasting	C	P	P	P	C	P	P	P
515210	Cable and Other Subscription Programming	C	P	P	P	C	P	P	P
517110	Wired Telecommunications Carriers	C	P	P	P	C	P	P	P
517210	Wireless Telecommunications Carriers (except Satellite)	C	P	P	P	C	P	P	P
517410	Satellite Telecommunications	C	P	P	P	C	P	P	P
517911	Telecommunications Resellers	C	P	P	P	C	P	P	P
517919	All Other Telecommunications	C	P	P	P	C	P	P	P
518210	Data Processing, Hosting, and Related Services	C	P	P	P	C	P	P	P
519110	News Syndicates	C	P	P	P	C	P	P	P
519120	Libraries and Archives	P	P	P	P	P	P	P	P
519130	Internet Publishing and Broadcasting and Web Search Portals	C	P	P	P	C	P	P	P
519190	All Other Information Services	C	P	P	P	C	P	P	P
<b>52</b>	<b>Finance and Insurance</b>								
521110	Monetary Authorities-Central Bank	C	P	P	P	C	P	P	
522110	Commercial Banking	C	P	P	P	C	P	P	
522120	Savings Institutions	C	P	P	P	C	P	P	
522130	Credit Unions	C	P	P	P	C	P	P	
522190	Other Depository Credit Intermediation	C	P	P	P	C	P	P	
522210	Credit Card Issuing	C	P	P	P	C	P	P	
522220	Sales Financing	C	P	P	P	C	P	P	
522291	Consumer Lending	C	P	P	P	C	P	P	
522292	Real Estate Credit	C	P	P	P	C	P	P	
522293	International Trade Financing	C	P	P	P	C	P	P	
522294	Secondary Market Financing	C	P	P	P	C	P	P	
522298	All Other Nondepository Credit Intermediation	C	P	P	P	C	P	P	
522310	Mortgage and Nonmortgage Loan Brokers	C	P	P	P	C	P	P	

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
522320	Financial Transactions Processing, Reserve, and Clearinghouse		P	P	P		P	P	
522390	Other Activities Related to Credit Intermediation	C	P	P	P	C	P	P	
523110	Investment Banking and Securities Dealing	C	P	P	P	C	P	P	
523120	Securities Brokerage	C	P	P	P	C	P	P	
523130	Commodity Contracts Dealing	C	P	P	P	C	P	P	
523140	Commodity Contracts Brokerage	C	P	P	P	C	P	P	
523210	Securities and Commodity Exchanges	C	P	P	P	C	P	P	
523910	Miscellaneous Intermediation	C	P	P	P	C	P	P	
523920	Portfolio Management	C	P	P	P	C	P	P	
523930	Investment Advice	C	P	P	P	C	P	P	
523991	Trust, Fiduciary, and Custody Activities	C	P	P	P	C	P	P	
523999	Miscellaneous Financial Investment Activities	C	P	P	P	C	P	P	
524113	Direct Life Insurance Carriers	C	P	P	P	C	P	P	
524114	Direct Health and Medical Insurance Carriers	C	P	P	P	C	P	P	
524126	Direct Property and Casualty Insurance Carriers	C	P	P	P	C	P	P	
524127	Direct Title Insurance Carriers	C	P	P	P	C	P	P	
524128	Other Direct Insurance (except Life, Health, and Medical) Carriers	C	P	P	P	C	P	P	
524130	Reinsurance Carriers	C	P	P	P	C	P	P	
524210	Insurance Agencies and Brokerages	C	P	P	P	C	P	P	
524291	Claims Adjusting	C	P	P	P	C	P	P	
524292	Third Party Administration of Insurance and Pension Funds	C	P	P	P	C	P	P	
524298	All Other Insurance Related Activities	C	P	P	P	C	P	P	
525110	Pension Funds	C	P	P	P	C	P	P	
525120	Health and Welfare Funds	C	P	P	P	C	P	P	
525190	Other Insurance Funds	C	P	P	P	C	P	P	
525910	Open-End Investment Funds	C	P	P	P	C	P	P	
525920	Trusts, Estates, and Agency Accounts	C	P	P	P	C	P	P	
525990	Other Financial Vehicles	C	P	P	P	C	P	P	

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
<b>53 Real Estate and Rental and Leasing</b>									
531110	Lessors of Residential Buildings and Dwellings	P	P	P	P	P	P	P	P
531120	Lessors of Nonresidential Buildings (except Miniwarehouses)	P	P	P	P	P	P	P	P
531130	Lessors of Miniwarehouses and Self-Storage Units	P	P	P	P	P	P	P	P
531190	Lessors of Other Real Estate Property	P	P	P	P	P	P	P	P
531210	Offices of Real Estate Agents and Brokers	P	P	P	P	P	P	P	P
531311	Residential Property Managers	P	P	P	P	P	P	P	P
531312	Nonresidential Property Managers	P	P	P	P	P	P	P	P
531320	Offices of Real Estate Appraisers	P	P	P	P	P	P	P	P
531390	Other Activities Related to Real Estate	P	P	P	P	P	P	P	P
532111	Passenger Car Rental	C	P	P	P	P		P	P
532112	Passenger Car Leasing	C	P	P	P	C		P	P
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and	C	P	P	P	C		P	P
532210	Consumer Electronics and Appliances Rental	P	P	P	P	C		P	P
532220	Formal Wear and Costume Rental	P	P	P	P	C		P	P
532230	Video Tape and Disc Rental	P	P	P	P	C		P	P
532291	Home Health Equipment Rental	P	P	P	P	C		P	P
532292	Recreational Goods Rental	P	P	P	P	C		P	P
532299	All Other Consumer Goods Rental	P	P	P	P	C		P	P
532310	General Rental Centers	P	P	P	P	C		P	P
532411	Commercial Air, Rail, and Water Transportation Equipment Rental		P	P	P				
532412	Construction, Mining, and Forestry Machinery and Equipment Rental			P	P				
532420	Office Machinery and Equipment Rental and Leasing		P	P	P			P	P
532490	Other Commercial and Industrial Machinery and Equipment Rental		P	P	P				
533110	Lessors of Nonfinancial Intangible Assets (except Copyrighted	P	P	P	P	P	P	P	P
<b>54 Professional, Scientific, and Technical Services</b>									
541110	Offices of Lawyers	P	P	P	P	P	P	P	P
541120	Offices of Notaries	P	P	P	P	P	P	P	P



**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
541191	Title Abstract and Settlement Offices	P	P	P	P	P	P	P	P
541199	All Other Legal Services	P	P	P	P	P	P	P	P
541211	Offices of Certified Public Accountants	P	P	P	P	P	P	P	P
541213	Tax Preparation Services	P	P	P	P	P	P	P	P
541214	Payroll Services	P	P	P	P	P	P	P	P
541219	Other Accounting Services	P	P	P	P	P	P	P	P
541310	Architectural Services	P	P	P	P	P	P	P	P
541320	Landscape Architectural Services	P	P	P	P	P	P	P	P
541330	Engineering Services	P	P	P	P	P	P	P	P
541340	Drafting Services	P	P	P	P	P	P	P	P
541350	Building Inspection Services	P	P	P	P	P	P	P	P
541360	Geophysical Surveying and Mapping Services	C	P	P	P	C	P	P	P
541370	Surveying and Mapping (except Geophysical) Services	C	P	P	P	C	P	P	P
541380	Testing Laboratories	P	P	P	P	P	P	P	P
541410	Interior Design Services	P	P	P	P	P	P	P	P
541420	Industrial Design Services	P	P	P	P	P	P	P	P
541430	Graphic Design Services	P	P	P	P	P	P	P	P
541490	Other Specialized Design Services	P	P	P	P	P	P	P	P
541511	Custom Computer Programming Services	P	P	P	P	P	P	P	P
541512	Computer Systems Design Services	P	P	P	P	P	P	P	P
541513	Computer Facilities Management Services	P	P	P	P	P	P	P	P
541519	Other Computer Related Services	P	P	P	P	P	P	P	P
541611	Administrative Management and General Management Consulting	P	P	P	P	P	P	P	P
541612	Human Resources Consulting Services	P	P	P	P	P	P	P	P
541613	Marketing Consulting Services	P	P	P	P	P	P	P	P
541614	Process, Physical Distribution, and Logistics Consulting Services	P	P	P	P	P	P	P	P
541618	Other Management Consulting Services	P	P	P	P	P	P	P	P
541620	Environmental Consulting Services	P	P	P	P	P	P	P	P
541690	Other Scientific and Technical Consulting Services	P	P	P	P	P	P	P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
541711	Research and Development in Biotechnology	P	P	P	P	P	P	P	P
541712	Research and Development in the Physical, Engineering, and Life	P	P	P	P	P	P	P	P
541720	Research and Development in the Social Sciences and Humanities	P	P	P	P	P	P	P	P
541810	Advertising Agencies	P	P	P	P	P	P	P	P
541820	Public Relations Agencies	P	P	P	P	P	P	P	P
541830	Media Buying Agencies	P	P	P	P	P	P	P	P
541840	Media Representatives	P	P	P	P		P	P	P
541850	Display Advertising		P	P	P	P	P	P	P
541860	Direct Mail Advertising		P	P	P		P	P	P
541870	Advertising Material Distribution Services	P	P	P	P	P	P	P	P
541890	Other Services Related to Advertising	P	P	P	P	P	P	P	P
541910	Marketing Research and Public Opinion Polling	P	P	P	P	P	P	P	P
541921	Photography Studios, Portrait	P	P	P	P	P	P	P	P
541922	Commercial Photography	P	P	P	P	P	P	P	P
541930	Translation and Interpretation Services	P	P	P	P	P	P	P	P
541940	Veterinary Services	C	P	P	P	C	P	P	P
541990	All Other Professional, Scientific, and Technical Services	C	P	P	P	C	P	P	P
<b>55</b>	<b>Management of Companies and Enterprises</b>								
551111	Offices of Bank Holding Companies		P	P	P		P	P	P
551112	Offices of Other Holding Companies		P	P	P		P	P	P
551114	Corporate, Subsidiary, and Regional Managing Offices		P	P	P		P	P	P
<b>56</b>	<b>Administrative and Support and Waste Management and</b>								
561110	Office Administrative Services		P	P	P		P	P	P
561312	Executive Search Services	C	P	P	P	C	P	P	P
561320	Temporary Help Services		P	P	P		P	P	P
561330	Professional Employer Organizations		P	P	P		P	P	P
561410	Document Preparation Services	C	P	P	P	C	P	P	P
561421	Telephone Answering Services	C	P	P	P	C	P	P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

No mark or not listed is considered not allowed

NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
561422	Telemarketing Bureaus and Other Contact Centers		P	P	P		P	P	P
561431	Private Mail Centers		P	P	P		P	P	P
561439	Other Business Service Centers (including Copy Shops)		P	P	P		P	P	P
561440	Collection Agencies		P	P	P		P	P	P
561450	Credit Bureaus		P	P	P		P	P	P
561491	Repossession Services			P	P				
561492	Court Reporting and Stenotype Services	C	P	P	P	C	P	P	P
561499	All Other Business Support Services	C	P	P	P	C	P	P	P
561510	Travel Agencies	C	P	P	P	C	P	P	P
561520	Tour Operators		P	P	P		P	P	P
561591	Convention and Visitors Bureaus		P	P	P		P	P	P
561599	All Other Travel Arrangement and Reservation Services		P	P	P			P	P
561611	Investigation Services	P	P	P	P	P	P	P	P
561612	Security Guards and Patrol Services		P	P	P		P	P	P
561613	Armored Car Services		P	P	P		P	P	P
561621	Security Systems Services (except Locksmiths)	C	P	P	P	C	P	P	P
561622	Locksmiths	C	P	P	P	C	P	P	P
561710	Exterminating and Pest Control Services	C	P	P	P	C	P	P	P
561720	Janitorial Services		P	P	P		P	P	P
561730	Landscaping Services		P	P	P		P	P	P
561740	Carpet and Upholstery Cleaning Services	C	P	P	P	C	P	P	P
561790	Other Services to Buildings and Dwellings	C	P	P	P	C	P	P	P
561910	Packaging and Labeling Services				P		P	P	P
561920	Convention and Trade Show Organizers	C	P	P	P	C	P	P	P
561990	All Other Support Services		P	P	P		P	P	P
562991	Septic Tank and Related Services		C	C	C				
<b>61</b>	<b>Educational Services</b>								
611110	Elementary and Secondary Schools	P	P	P	P	P	P	C	

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
611210	Junior Colleges	P	P	P	P		P	P	P
611310	Colleges, Universities, and Professional Schools	P	P	P	P		P	P	P
611410	Business and Secretarial Schools	P	P	P	P		P	P	P
611420	Computer Training	P	P	P	P		P	P	P
611430	Professional and Management Development Training	P	P	P	P		P	P	P
611511	Cosmetology and Barber Schools	P	P	P	P		P	P	P
611512	Flight Training	P	P	P	P		P	P	P
611513	Apprenticeship Training	P	P	P	P		P	P	P
611519	Other Technical and Trade Schools	P	P	P	P		P	P	P
611610	Fine Arts Schools	P	P	P	P		P	P	P
611620	Sports and Recreation Instruction	P	P	P	P		P	P	P
611630	Language Schools	P	P	P	P		P	P	P
611691	Exam Preparation and Tutoring	P	P	P	P		P	P	P
611692	Automobile Driving Schools	P	P	P	P		P	P	P
611699	All Other Miscellaneous Schools and Instruction	P	P	P	P		P	P	P
611710	Educational Support Services	P	P	P	P		P	P	P
<b>62</b>	<b>Health Care and Social Assistance</b>								
621111	Offices of Physicians (except Mental Health Specialists)	P	P	P	P	P	P	P	P
621112	Offices of Physicians, Mental Health Specialists	P	P	P	P		P	P	P
621210	Offices of Dentists	P	P	P	P		P	P	P
621310	Offices of Chiropractors	P	P	P	P		P	P	P
621320	Offices of Optometrists	P	P	P	P		P	P	P
621330	Offices of Mental Health Practitioners (except Physicians)	P	P	P	P		P	P	P
621340	Offices of Physical, Occupational and Speech Therapists, and	P	P	P	P		P	P	P
621391	Offices of Podiatrists	P	P	P	P		P	P	P
621399	Offices of All Other Miscellaneous Health Practitioners	P	P	P	P	P	P	P	P
621410	Family Planning Centers		P	P	P		P		
621420	Outpatient Mental Health and Substance Abuse Centers		P	P	P				

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
621491	HMO Medical Centers	P	P	P	P		P	P	P
621492	Kidney Dialysis Centers	P	P	P	P		P	P	P
621493	Freestanding Ambulatory Surgical and Emergency Centers	P	P	P	P		P	P	P
621498	All Other Outpatient Care Centers	P	P	P	P		P	P	P
621511	Medical Laboratories	P	P	P	P		P	C	P
621512	Diagnostic Imaging Centers	P	P	P	P		P	C	P
621610	Home Health Care Services	P	P	P	P		P	C	P
621910	Ambulance Services	P	P	P	P		P	C	P
621991	Blood and Organ Banks	P	P	P	P	P	P	P	P
621999	All Other Miscellaneous Ambulatory Health Care Services	P	P	P	P	P	P	P	P
622110	General Medical and Surgical Hospitals		P	P	P			P	P
622210	Psychiatric and Substance Abuse Hospitals		C	C	C		C	C	C
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals		P	P	P		P	P	P
623110	Nursing Care Facilities		C	C	C		C	C	C
623210	Residential Mental Retardation Facilities		C	C	C		C	C	C
623220	Residential Mental Health and Substance Abuse Facilities		C	C	C		C	C	C
623311	Continuing Care Retirement Communities		C	C	C		C	C	C
623312	Homes for the Elderly		C	C	C		C	C	C
623990	Other Residential Care Facilities		C	C	C		C	C	C
624110	Child and Youth Services		P	P	P		C	C	C
624120	Services for the Elderly and Persons with Disabilities		P	P	P		C	C	C
624190	Other Individual and Family Services		P	P	P		C	P	C
624210	Community Food Services		P	P	P		C	P	C
624221	Temporary Shelters		C	C	C				
624229	Other Community Housing Services		C	C	C				
624230	Emergency and Other Relief Services		C	C	C				
624310	Vocational Rehabilitation Services		C	C	C				
624410	Child Day Care Services	P	P	P	P	P	P	P	P

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
<b>71</b>	<b>Arts, Entertainment, and Recreation</b>								
711110	Theater Companies and Dinner Theaters	P	P	P	P		P	P	P
711120	Dance Companies	P	P	P	P		P	P	P
711130	Musical Groups and Artists		P	P	P		P	P	P
711190	Other Performing Arts Companies		P	P	P		P	P	P
711211	Sports Teams and Clubs			P	P				
711212	Racetracks			P	P				
711219	Other Spectator Sports			P	P				
711310	Promoters of Performing Arts, Sports, and Similar Events with		P	P	P				
711320	Promoters of Performing Arts, Sports, and Similar Events without	P	P	P	P		P	P	P
711410	Agents and Managers for Artists, Athletes, Entertainers, and Other	P	P	P	P		P	P	P
711510	Independent Artists, Writers, and Performers	P	P	P	P		P	P	P
712110	Museums	P	P	P	P	P	P	P	P
712120	Historical Sites	P	P	P	P	P	P	P	P
712130	Zoos and Botanical Gardens	P	P	P	P	P	P	P	P
712190	Nature Parks and Other Similar Institutions	P	P	P	P	P	P	P	P
713120	Amusement Arcades		P	P	P				
713910	Golf Courses and Country Clubs		P	P	P				
713940	Fitness and Recreational Sports Centers	C	P	P	P	C	P	P	P
713950	Bowling Centers		P	P	P				
713990	All Other Amusement and Recreation Industries	C	C	C	C	C			
<b>72</b>	<b>Accommodation and Food Services</b>								
721110	Hotels (except Casino Hotels) and Motels		P	P	P		P	P	P
721191	Bed-and-Breakfast Inns	C				C			
721199	All Other Traveler Accommodation		C	C	C				
721310	Rooming and Boarding Houses	C				C			
722110	Full-Service Restaurants	P	P	P	P	P	P	P	P
722211	Limited-Service Restaurants	P	P	P	P	C	P	P	P

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
722212	Cafeterias, Grill Buffets, and Buffets	P	P	P	P	P	P	P	P
722213	Snack and Nonalcoholic Beverage Bars	P	P	P	P	P	P	P	P
722310	Food Service Contractors		P	P	P		P	P	P
722320	Caterers	C	P	P	P		P	P	P
722330	Mobile Food Services		P	P	P		P	P	P
722410	Drinking Places (Alcoholic Beverages)	C	P	P	P	C	P	P	P
<b>81</b>	<b>Other Services (except Public Administration)</b>								
811111	General Automotive Repair	C	P	P	P				
811112	Automotive Exhaust System Repair	C	P	P	P				
811113	Automotive Transmission Repair	C	P	P	P				
811118	Other Automotive Mechanical and Electrical Repair and Maintenance	C	P	P	P				
811121	Automotive Body, Paint, and Interior Repair and Maintenance	C	P	P	P				
811122	Automotive Glass Replacement Shops	C	P	P	P			P	P
811191	Automotive Oil Change and Lubrication Shops	C	P	P	P				
811192	Car Washes		P	P	P				
811198	All Other Automotive Repair and Maintenance	C	P	P	P				
811211	Consumer Electronics Repair and Maintenance	P	P	P	P			P	P
811212	Computer and Office Machine Repair and Maintenance	P	P	P	P			P	P
811213	Communication Equipment Repair and Maintenance	P	P	P	P			P	P
811219	Other Electronic and Precision Equipment Repair and Maintenance	P	P	P	P			P	P
811310	Commercial and Industrial Machinery and Equipment (except		P	P	P				
811411	Home and Garden Equipment Repair and Maintenance	C	P	P	P	C			
811412	Appliance Repair and Maintenance	P	P	P	P	C		P	P
811420	Reupholstery and Furniture Repair	P	P	P	P	P	P	P	P
811430	Footwear and Leather Goods Repair	P	P	P	P	P	P	P	P
811490	Other Personal and Household Goods Repair and Maintenance	C	P	P	P	C		P	P
812111	Barber Shops	P	P	P	P	P	P	P	P
812112	Beauty Salons	P	P	P	P	P	P	P	P

**APPENDIX E** - Business Districts - Permitted (P) and Conditionally Permitted (C) Uses

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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
812113	Nail Salons	P	P	P	P	P	P	P	P
812191	Diet and Weight Reducing Centers	P	P	P	P	P	P	P	P
812199	Other Personal Care Services	P	P	P	P	P	P	P	P
812210	Funeral Homes and Funeral Services	P	P	P	P	C		P	P
812220	Cemeteries and Crematories	P	P	P	P	C			
812310	Coin-Operated Laundries and Drycleaners	P	P	P	P	P			
812320	Drycleaning and Laundry Services (except Coin-Operated)	P	P	P	P	P	P	P	P
812331	Linen Supply		P	P	P			P	P
812332	Industrial Launderers		P	P	P			P	P
812910	Pet Care (except Veterinary) Services	C	P	P	P	C		P	P
812921	Photofinishing Laboratories (except One-Hour)		P	P	P			P	P
812922	One-Hour Photofinishing	P	P	P	P	P	P	P	P
812930	Parking Lots and Garages		P	P	P			C	C
812990	All Other Personal Services		P	P	P			C	C
813110	Religious Organizations	C	P	P	P	C			
813211	Grantmaking Foundations	P	P	P	P	P	P	P	P
813212	Voluntary Health Organizations	P	P	P	P	P	P	P	P
813219	Other Grantmaking and Giving Services	P	P	P	P	P	P	P	P
813311	Human Rights Organizations	P	P	P	P	P	P	P	P
813312	Environment, Conservation and Wildlife Organizations	P	P	P	P	P	P	P	P
813319	Other Social Advocacy Organizations	C	P	P	P	C	P	P	P
813410	Civic and Social Organizations	C	P	P	P	C	P	P	P
813910	Business Associations	P	P	P	P	P	P	P	P
813920	Professional Organizations	P	P	P	P	P	P	P	P
813930	Labor Unions and Similar Labor Organizations	P	P	P	P	P	P	P	P
813940	Political Organizations	P	P	P	P	P	P	P	P
813990	Other Similar Organizations (except Business, Professional, Labor,	P	P	P	P	P	P	P	P



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NAICS 2007 CODE	CODE TITLE	N B	GB 1	GB 2	GB 3	VC D	P PR OD	M U O	LM
92	<b>Public Administration</b>								
921110	Executive Offices		P	P	P			P	P
921120	Legislative Bodies		P	P	P			P	P
921130	Public Finance Activities		P	P	P			P	P
921140	Executive and Legislative Offices, Combined		P	P	P			P	P
921150	American Indian and Alaska Native Tribal Governments		P	P	P			P	P
921190	Other General Government Support		P	P	P			P	P
922110	Courts		P	P	P			P	P
922120	Police Protection	P	P	P	P	P	P	P	P
922130	Legal Counsel and Prosecution		P	P	P			P	P
922150	Parole Offices and Probation Offices		P	P	P				
922160	Fire Protection	P	P	P	P	P	P	P	P
922190	Other Justice, Public Order, and Safety Activities		P	P	P			P	P
923110	Administration of Education Programs		P	P	P			P	P
923120	Administration of Public Health Programs		P	P	P			P	P
923130	Administration of Human Resource Programs (except Education,		P	P	P			P	P
923140	Administration of Veterans' Affairs		P	P	P			P	P
924110	Administration of Air and Water Resource and Solid Waste		P	P	P			P	P
924120	Administration of Conservation Programs		P	P	P			P	P
925110	Administration of Housing Programs		P	P	P			P	P
925120	Administration of Urban Planning and Community and Rural		P	P	P			P	P
926110	Administration of General Economic Programs		P	P	P			P	P
926120	Regulation and Administration of Transportation Programs		P	P	P			P	P
926130	Regulation and Administration of Communications, Electric, Gas, and		P	P	P			P	P
926140	Regulation of Agricultural Marketing and Commodities		P	P	P			P	P
926150	Regulation, Licensing, and Inspection of Miscellaneous Commercial		P	P	P			P	P
927110	Space Research and Technology		P	P	P			P	P
928110	National Security		P	P	P			P	P

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928120	International Affairs		P	P	P			P	P



# JERSEY TOWNSHIP TRUSTEES

LICKING COUNTY, OHIO  
FISCAL OFFICER: BETH A. CROAK  
4439 MINK STREET  
JOHNSTOWN, OHIO 43031  
PHONE: 740-967-0932  
CELL: 740-817-0116

## R E S O L U T I O N

The board of Trustees of Jersey Township, Licking County, Ohio met in special Session on November 24, 2014 in the Jersey Township Building with the following Jersey Township Trustees present : Ed Bright, Jim Endsley, Derek Myers .

ResolutionBook Amendments changes:

Trustees motioned to approve all sections of proposed text amendments including recommended changes from LCPC along with the following edits/additions

~~\_\_\_\_\_~~ADD~~\_\_\_\_\_~~

Section 20.11.B.11.e

Hours of operation.

Digital signs shall be turned off from the ours of 12 AM (midnight) until 6 AM

~~\_\_\_\_\_~~AMEND~~\_\_\_\_\_~~

20.11.b11

Section 20.06.C.1.d

Sign Setback from Structures

Such signs or structures shall not be located on or within 100 feet of any building.

TO

Section 20.06.C.1.d

Sign Setback from Structures

Such signs or structures shall not be located on or within 100 feet of any building. Signs shall not be located within 2000 feet from an existing residence

Same change for all three  
20.06.c.1.d  
20.07.c.1.d  
20.09.c.1.d

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ARTICLE 12

Approved as presented

~~\_\_\_\_\_AMEND-----~~

ARTICLE 16

Derek read county PONDS recommendations  
Jim Endsley

Permit requirement. A fee amount to cover inspection of site prior to construction and upon completion fee would be charged . Site review to conform to adherence of ORC drainage regulations and maintenance of installation above and below ground and any disturbed ground to be finished to a maintainable slope.

Final Inspection will require to confirm the construction according to the requirements, and any corrective action is at expense of landowner.

16.11

Truck body's included in R districts as not allowed. Becomes part of a junk motor vehicle.

16.32.d.1 REDUCTION IN AREA

Remove RR

~~\_\_\_\_\_AMEND-----~~

ARTICLE 18

County additions and

18.02.k

Provide location and designated routes trucks will travel in township and bond the roads. Geological studies are to include impacts Applicant is to provide assessments on impact on traffic to roads in township and surrounding area.

ARTICLE 19 Approved

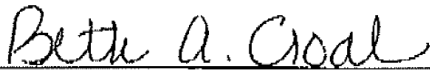
ARTICLE 23 Approved

ARTICLE 24 Approved

ARTICLE 25 Approved

I, Beth A. Croak, Fiscal Officer of the Board of Township Trustees of Jersey Township, Licking County, Ohio, and in whose Custody the Files, Journals and Records of said Board are required by the laws of the State of Ohio to be kept, Do hereby certify that the foregoing Resolution is taken and copied from the Original Resolution and the foregoing is a true and correct copy thereof.

Witness my signature the 24<sup>th</sup> day of November.



\_\_\_\_\_  
Beth A. Croak, Fiscal Officer  
Jersey Township  
Licking County, Ohio