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# **DISTRICT AND GENERAL PROVISIONS**

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## **10.0 DISTRICTS**

The Township is hereby divided into the following districts:

- C -1 Conservation District
- AG Agricultural District
- R Residential Districts
- B -1 General Business District
- NB Neighborhood Business District
- LB Local Business District
- GB General Business District
- M-1 General Manufacturing District
- PUD Planned Unit Development District

## **10.1 COMPLIANCE WITH REGULATIONS**

No building shall be erected, converted, or altered, nor shall any building or land be used except for a purpose permitted in the district in which the building or land is located, except as hereinafter provided. No building shall be erected, enlarged or altered except in conformity with the area regulations, minimum yard requirements of this Resolution for the District in which such building is located.

## **10.2 STREET FRONTAGE REQUIRED**

Except as required by other provisions of these regulations, no lot shall have less than required frontage (lot width) as measured along the edge of the road right-of-way of an existing public street. Only one principal dwelling shall be permitted on any residential lot. The minimum road frontage requirement for fronting on a cul-de-sac shall be sixty (60) feet.

## **10.3 TRAFFIC VISIBILITY ACROSS CORNER LOTS**

In any R- 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.

## **10.4 OFF STREET PARKING AND LOADING**

In any district, spaces for off-street parking and for off-street loading shall be provided in accordance with the provisions of Article 18.

## **10.5 ESSENTIAL SERVICES**

Essential services shall be permitted as authorized and regulated by law and other resolutions of the Township, it being the intention hereof to exempt such essential services from the application of these regulations.

## **10.6 UNSAFE BUILDINGS**

Nothing in these regulations shall prevent the strengthening or restoring to a safe condition any part of any building or structure declared unsafe by proper authority.

## **10.7 VACATED STREET OR ALLEY**

Whenever any street, alley or other public way is vacated by official action as provided by law, the zoning district adjoining the side of such public way shall be extended automatically, depending on the side or sides to which such lands revert, to include the right-of-way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

## **10.8 MOBILE HOMES PROHIBITED - EXCEPT**

A mobile home, garage, basement or temporary structure may be temporarily used as a residence on a lot while a dwelling is being constructed, remodeled or repaired thereon, but such use shall not be continued for more than eighteen (18) months. A separate zoning certificate shall be required for the use of a temporary dwelling quarters, subject to renewal by the Board. As a construction trailer to be used for temporary office or storage space. A permit, on a six (6) month renewable basis, is required.

## **10.9 MOBILE HOMES/TRAILERS – VISITORS**

Not more than one (1) mobile home or trailer may be temporarily used as a residence by a visitor on occupied property owned, leased, or rented by a resident of the Township for a period of ninety (90) days, subject to renewal by the Board, provided that:

1. Joint application is filed with the Zoning Inspector by the aforesaid property resident and the mobile home/trailer owner within seventy-two (72) hours after arrival on the property
2. All provisions of the Licking County Health Board are complied with.
3. A fee subject to the provision of Article 5.11 has been paid to the Zoning Inspector who may issue a “Temporary Visitor’s Zoning Certificate” for a period of ninety (90) days, subject to renewal by the Board.

## **10.10 TERRITORY NOT INCLUDED - ANNEXATIONS**

In every case where territory has not been specifically included within a district or where a territory becomes a part of the unincorporated area of the Township as the result of the disincorporation of

any city, town, or portion thereof, or otherwise, such territory shall automatically be classified as a "C-1" District until otherwise classified.

### **10.11 ACCESSORY BUILDINGS STRUCTURES**

1. Accessory buildings structures shall be at least 15 (fifteen) feet from any lot lines of adjoining lots and meet the same front yard requirements of structures in that district. See Section 10.15.
2. An accessory structure must conform to a length to width ratio of 2:1
3. Cargo containers, industrial containers, and shipping containers are not permitted to be used as an accessory structure where the primary use on the property is residential.
4. An accessory structure shall not be used for dwelling purposes.
5. A zoning permit shall be required for accessory structures.

### **10.12 DRAINAGE AND FLOOD PLAIN REGULATIONS**

1. Adequate Drainage Required: No principal building shall be erected structurally altered or relocated on land which is not adequately drained at all times nor which is subject to periodic flooding, nor so that the lowest floor level is less than three (3) feet above the highest anticipated seasonal ground water level.
2. Obstruction to Drainage Prohibited: The damming, filling, relocating or otherwise interfering with the natural flow of surface water along any surface water drainage channel or natural water course shall not be permitted except with approval of the Board and upon recommendation from the Licking County Flood Plain Administrator, and the Licking County Planning Commission (LCPC).
3. Building Restricted Adjacent to Drainage Channels or Watercourses: No building other than a bridge, dam or revetment subject to the aforesaid approval, shall be erected, structurally altered or relocated within twenty (20) feet of the ordinary high water line of such surface water that the lowest floor of said building is less than three (3) feet above the ordinary high ground water line, except with approval of the Board and upon recommendation from the Licking County Flood Plain Administrator.
4. Grading: All grading shall be done in such a way as to not impede, increase or alter the natural flow of drainage on adjacent properties.

### **10.13 AGRICULTURAL EXEMPTIONS**

Section 519.01 and 519.21, inclusive, of the Revised Code confer no power on any Board of Township Trustees or Zoning Appeals to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use of agricultural purposes of the land on which such buildings or structures are located, and no zoning certificate shall be required for any such building or structure.

### **10.14 DOUBLE WIDE/SECTIONAL MOBILE HOMES**

A double wide mobile home will be considered to be the same as a permanent site-built dwelling provided:

1. It be affixed to a permanent foundation.

2. The undercarriage, tongue and hitch be removed.
3. Shall comply with the minimum floor square feet of living space and setbacks of the Zoning District in which they are established.

### **10.15 PERMITS REQUIRED**

At the time of application for permit for a Temporary Dwelling or Accessory **Building Structure**, a permit for the principal structure is also required.

### **10.16 JUNK YARDS**

Junk yards are prohibited when they are determined to be a junk yard as defined in Article 3 of this resolution.

### **10.17 BUFFERING AND SCREENING**

#### 1. REQUIREMENTS

A buffer yard shall be required along the boundary of all neighboring properties any property which proposes to facilitates unlike land use and/or has a zoning classification that allows for an unlike land use from the adjacent properties:

- a. To shield neighboring properties from any adverse external effects of a development.
  - b. To shield the development from negative impacts of adjacent uses such as streets or railroads;
  - c. To screen public views of rear or side yards and rear facades within double frontage or reverse frontage lots
2. Function and Materials – A buffer as referred to in this section shall be defined as a strip of land, free from buildings, driveways, or other impervious surfaces, that is permanently set aside by the owner for buffering purposes. Buffering shall provide visual and audio screening in order to minimize adverse impacts. It may consist of fencing, plantings, walls, evergreens, berms, rocks, boulders, mounds, or combinations thereof to achieve the same objectives. No buffer design or material shall interfere with the natural drainage of the area, unless it is demonstrated that the drainage is adequately addressed and accommodated in the lots constructed or to be constructed storm water management infrastructure, and won't affect adjoin lots.
  3. Planting Specifications – Size of evergreens and deciduous trees shall be allowed to vary depending on setting and type of shrub. All trees, shrubs, and ground covers shall be planted according to accepted horticultural standards and be live at the time of planting. The buffering shall be significant at the time of planting to provide an immediate effect of visual screening. A landscape plan shall be submitted by the applicant that shows the buffering and this will be required to be approved by the Zoning Inspector. The buffer shall be at least 70% opaque during the winter and at least six foot in height at the time of planting.
  4. Plant Species – The plant species selected should be hardy for the particular climate zone in which the development is located and appropriate in terms of function and size.
  5. (existing 10.17.2) Installation and Maintenance
    - a. Plant materials must be installed to current nursery industry standards for Central Ohio, within one year of the issuance of the occupancy permit. Plant materials must be

- properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.
- b. The owner shall be responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not limited to, mowing (of grass of six (6) inches or higher), edging, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size within ninety (90) days. Trees with a trunk diameter in excess of six (6) inches measured twenty-four (24) inches above the ground shall be replaced with ones of similar variety having a trunk diameter of no less than three (3) inches measured twenty-four (24) inches above the ground.
  - c. Irrigation shall be provided to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All landscaped areas shall provide a system which provides sufficient water to ensure that the plants become established. The system is not required to be permanent if the plants chosen can survive adequately on their own, once established.
  - d. Protection shall be provided for all landscaped areas, particularly trees and shrubs, from potential damage by adjacent development, including parking or storage areas.
  - e. If the buffer materials have not been installed or maintained in accordance with the standards herein, the Zoning Inspector may issue a violation notice in accordance with the authority given in Article 4.1 - Duties of the Zoning Inspector. If the violation is not remedied according to the violation notice within the time noted in the violation notice, then fines may be implemented in accordance with Article 5.10 - Penalties for Violation.
  - f. The Board of Zoning Appeals may grant a single time extension up to one year after a public meeting if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner or his agent.

## **10.18 OUTDOOR DINING AREAS**

1. A zoning permit shall be required for the establishment of an outdoor dining area, patio, or café. If the outdoor dining area, patio or café is being proposed along with a new business, then the required site plans for the total project shall be submitted for review and approval. If the outdoor dining area, patio or café is an addition to an existing business the site plans shall be submitted for review and approval. All approvals shall be done by the Zoning Inspector.
2. Outdoor dining areas shall be adjacent to, abut, and be accessory to the principal structure of the primary business.
3. The size and location of the outdoor dining area, patio or café shall not impede upon or restrict the required parking, landscape and buffering, access to the primary business, or other standards of this zoning resolution. Additionally, the size and location of the outdoor dining area shall not cause other standards of this zoning resolution to not be complied with. The size of the outdoor dining area, patio or café shall not exceed (two hundred fifty) 250 square feet.

4. Outdoor dining areas, patios or cafes shall not be allowed within ten (10) feet of a fire hydrant, Fire Department standpipe connection, fire escape, bus stop, loading zone, mail boxes or traffic signal stanchions. Also, they should have controlled ingress and egress entrances.
5. Outdoor dining areas, patios and cafes shall not be located within the required building
6. No music or other noises generated by the operation of an outdoor dining area, patio or café shall have audible disturbances on the neighboring properties or businesses during the hours of 11:00 p.m. local time to 8:00 a.m. local time.
7. Tables, chairs and furnishings shall be arranged so as not to interfere with pedestrian movement on sidewalks, ingress into or egress from buildings, or otherwise interfere with the proper and safe movement of people or vehicles in parking areas or on public or private streets, alleys, rights of way or other public owned property.

### **10.19 AMERICAN DISABILITIES ACT COMPLIANCE**

All nonresidential districts shall comply with the Americans with Disabilities Act (ADA).

### **10.20 SOLAR COLLECTION ACCESSORY SYSTEM**

1. Solar panels are permitted as an accessory use in all districts to promote clean, sustainable, and renewable energy resources. The intent of these regulations is to establish general guidelines for the location of solar panels and solar collection systems to prevent off-site nuisances including unreasonable visual interference, light glare, and heat that the incorrect placement of solar panels or solar collection systems may create such that they may have a negative effect on surrounding properties.
2. No solar panel or solar collection system shall be constructed, erected, installed or located without a zoning permit.
3. Requirements and Regulations. Solar panels or solar collection systems shall conform to or be evaluated for compliance with the following standards:
  - a. If roof mounted, the solar or photovoltaic system shall:
    - i. Be flush mounted on the roof unless good cause is shown by the applicant that the solar panel is not at an appropriate angle to obtain maximum sun exposure if mounted flush to the roof.
    - ii. Be located in a location on the roof so as not to be seen from the street(s).
    - iii. Not extend higher than the peak of a sloped roof or higher than 5 feet from the top of a flat roof.
  - b. If freestanding, the solar or photovoltaic system shall:
    - i. Not extend more than 10 feet above the existing grade in residential districts.
    - ii. Not be located in the front yard.
    - iii. Not be located in any required side or rear yard setback areas for accessory uses.
    - iv. Not be positioned so as to reflect sunlight onto neighboring property, public streets, or sidewalks, including on any neighboring structures.
    - v. The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage. Not to exceed 10% of lot size.
    - vi. Be landscaped at the base up to the height of the of the panel structure if structure

- is visible from neighboring property or the street(s).
- c. All signs, both temporary and permanent, are prohibited on solar panel or solar collection systems, except as follows:
    - i. Manufacturer's or installer's identification information on the system.
    - ii. Appropriate warning signs and placards.
  - d. Solar panel or solar collection systems shall comply with all applicable sections of the Licking County Building Code Department.
  - e. All electrical wires and connections on freestanding solar or photovoltaic collection system shall be located underground.
4. Maintenance: All solar panel or solar collection systems shall be maintained in good working order.
5. Procedure for Review. The review and approval of solar panels or a solar collection system shall comply with the following requirements:
- a. Plan Review. A plan shall be submitted for review for all solar panel or solar collection systems. The following items shall be the minimum requirements to be considered a complete application and shall include the following:
    - i. Property lines and physical dimensions of the applicant's property.
    - ii. Location, dimensions, and types of existing structures on the subject property
    - iii. Location of the proposed solar panel or solar collection system, and associated equipment.
6. Compliance with all development standards as outlined in this section.
- a. Zoning Compliance. A Zoning permit must be obtained in accordance with this Zoning Resolution.
  - b. Building Permit. A Building Permit must be obtained from the Licking County Building Code Department.

*Revisions:*

*Adopted Date 11-4-2019, Effective 12-4-2019 Added 10.20 Solar Collection-Accessory System*

*Adopted Date 5-22-2018, Effective Date 6-21-2018*

*Adopted Date 3-21-2016, Effective Date 4-20-2016*

*05-20-2013 Article 10.0, added references to NB, LB, GB*

- replaced Article 10.17, BUFFERING AND SCREENING (10.17.5, “b” though “f” were not modified)*

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