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## 3 – DEFINITIONS

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### **INTERPRETATION OF TERMS OF WORDS:**

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

1. The word “person” includes but is not limited to a firm, association, organization, partnership, trust, estate, company, or corporation as well as an individual.
2. The present tense includes the future tense, the singular number includes the plural, and plural number includes the singular.
3. The word “shall” be a mandatory requirement, the word “may” be a permissive requirement, and the word “should” be a preferred requirement.
4. The words “used” or “occupied” include the words intended, designed, or arranged to be used or occupied.
5. The word “lot” includes the words plot or parcel.

**ACCESSORY USE OR STRUCTURE:** A use or structure on the same lot or directly adjoining lot of common ownership with, and of a nature customarily incidental and subordinate to, the principle use or structure, including swimming pools, garages, parking places, outbuildings and sheds, decks, including satellite dishes and detached antennae, attached or detached from the principle structure.

**ADULT ENTERTAINMENT FACILITY:** Any establishment which is involved in one or more of the following listed categories:

- Adult Book Store - an establishment having greater than 25 percent of its display area or items for sale of its stock in trade, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to “specified sexual activities” or “specified anatomical areas”.
- Adult Mini-Motion Pictures Theater - a facility with a capacity for less than 50 persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas”, for observation by patrons therein.
- Adult Motion Picture Theater - a facility with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas”, for observation by patrons therein.
- Adult Entertainment Business - any establishment involved in the sale or services of products characterized by the exposure or presentation of “specified anatomical areas” or physical contact of live male or females and which is characterized by salacious conduct appealing to prurient interest for the observation or participation in by patrons. Services or products included within the scope of adult entertainment business are photography, dancing, reading, massage and functions which utilize activities as specified above.

**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, storing or sale of the produce; provided, however, that the operations of any such accessory uses shall be secondary to that of normal agricultural activities.

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

**ALLEY:** See Thoroughfare.

**AUTOMOBILE and FARM IMPLEMENT WRECKING:** The dismantling or disassembly of used motor vehicles, farm implements, trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

**AUTOMOBILE SERVICE STATION OR FILLING STATION:** A premises where motor vehicle fuels or lubricants are kept for retail sale, and where only minor or emergency repairs essential to the actual operation of motor vehicles may be performed, and where grease, antifreeze, tires, spark-plugs and other automobile supplies may also be sold incidentally, and where motor vehicles may also be oiled, greased or washed, but where no other activities of a public garage are carried on.

**AUTOMOTIVE, MOBILE HOME, TRAVEL TRAILER AND FARM IMPLEMENT SALES:** The sale or rental of new and used motor vehicles, mobile homes, travel trailers, or farm implements to be displayed and sold on the premises, but not including repair work except incidental warranty repair of same.

**AUTOMOTIVE REPAIR:** The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, detailing and steam cleaning of vehicles.

**BASEMENT:** A story having at least one-half of its height below the average level of adjoining ground (See Figure 3).

**BED & BREAKFAST:** A residential structure wherein lodging and meals are provided to transient travelers and includes a tourist home but does not include a boarding house, rooming house, domiciliary hostel, group home, hotel or motel. The provision of lodging and meals shall be subordinate to the principal use of the structure.

**BEGINNING OF CONSTRUCTION/WORK :**

A. PUD- Installation of streets for proposed development or first phase with base coat of asphalt as specified by the Licking County Engineer must be completed and applicant must possess a zoning certificate for a structure.

B. Zoning Certificate Use- The incorporation of labor and materials at the site, lot or parcel as it applies to the issued zoning certificate. (O.R.C 519.16)

**BOARD:** The Board of Zoning Appeals of the Township (BZA).

**BOAT REPAIR:** The repair, rebuilding or reconditioning of boats or parts thereof, including painting, detailing and cleaning.

**BOAT SALES:** The sale or rental of new and used boats to be displayed and sold on the premises, but not including repair work except incidental warranty repair of same.

**BOAT WRECKING:** The dismantling or disassembly of used boats, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked boats or their parts.

**BUFFER:** Open spaces, landscaped areas, fences, walls, berms or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights or other nuisances.

**BUILDING, ACCESSORY:** See Accessory Use or Structure.

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

**BUILDING LINE:** The line beyond which no building or part thereof shall project, except as otherwise provided by this Resolution. See Setback Line.

**BUILDING, PRINCIPAL:** A building on the lot in which the main use of the property is conducted.

**BULK MATERIALS:** Solid matter such as powder, grain, stone, sand, etc., that is not packaged.

**BULK SALES AND STORAGE:** The sale and/or storage of bulk materials.

**BUSINESS, B-1:** Commercial uses which generally require location on or near major thoroughfares and/or their intersections which in addition to serving the day-to-day needs of the community, also supply the more durable and permanent needs of the whole community. B-1 Business uses include, but are not limited to, such activities as supermarkets; stores that sell hardware, apparel, footwear, appliance and furniture.

**BUSINESS, GENERAL:** The purpose of the “General Business District” (GB) is to encourage the establishment of areas for general business uses which meet the needs of a regional market area. Activities in this district are often large space users, and the customers using such facilities generally are from a larger radius or region creating heavier traffic, noise and light. Hours of operation in this district are generally not limited.

**BUSINESS, LOCAL:** The purpose of the “Local Business District” (LB) is to provide for a wide range of retail facilities and services for a clientele from a larger geographical area with higher traffic, light and noise volume than the NB district. The hours of operation in this district are less restrictive than those of NB district.

**BUSINESS, NEIGHBORHOOD:** The purpose of the “Neighborhood Business District” (NB) is to encourage the establishment of neighborhood businesses and services which tend to meet the daily needs of the residents of the immediate neighborhood. Such districts shall reduce parking and traffic congestion as well as discourage large, regional oriented-businesses or other businesses and services that would affect the neighborhood character of the district. Such businesses would normally operate with fixed hours, light traffic, low noise and lighting as not to affect the adjoining properties. This district is also designed to act as a buffer between more intense non-residential uses and residential uses. Strip center development shall be discouraged.

**BUSINESS, SERVICE:** Any business which renders service primarily to other commercial or industrial enterprises, or which services and repairs appliances and machines used in homes and business.

**CARGO CONTAINER:** A unit including portable moving/storage unit/pod, cargo/oceangoing/transport containers, industrial containers originally used for the transport, shipping, or hauling of materials or goods by land, sea or air which is capable of being moved or mounted by rail, truck, or boat. This also applies to any structure designed to imitate the look of a shipping container but does not include a manufactured or mobile home as defined herein.

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

**CHANNEL:** A natural or artificial water course of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.

**CLINIC:** A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis, including emergency treatment, diagnostic services, training, administration and services to outpatients, employees, or visitors. The term “clinic” includes immediate care facilities. Such facility would operate with fixed hours.

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

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

**COMMERCIAL ENTERTAINMENT FACILITIES:** Any profit-making activity which is generally related to the entertainment field, such as motion picture theaters, carnivals, nightclubs, and cocktail lounges.

**COMMISSION:** The Township Zoning Commission.

**COMPREHENSIVE DEVELOPMENT PLAN:** An adopted plan showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major thoroughfares, parks, schools and other community facilities. This plan establishes

the general goals, objectives, and policies of the community.

**CONDITIONAL USE:** A use permitted within a district requiring a conditional use permit and approval of the Board of Zoning Appeals. Conditional uses permitted in each district are listed in the Official Schedule of District Regulations.

**CONDITIONAL USE PERMIT:** A permit issued by the Zoning Inspector upon approval by the Board of Zoning Appeals for a conditional use.

**CORNER LOT:** A lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot.

**CONSTRUCTION SALES AND SERVICE:** Establishment or places of business primarily engaged in wholesale or retail sale(s), from the premises, of materials customarily used in the construction of buildings or other structures but specifically excluding automobile or equipment (machinery) sales, supplies and service. Typical uses include building material stores and home supply centers that store and sell such items as lumber, pre-cast concrete and masonry products, electrical wiring and fixtures, plumbing fixtures and related supplies, heating and cooling systems, appliances, doors and windows.

**CREMATORY:** A building fitted with proper appliances for the purposes of the cremation of human remains and includes everything incidental or ancillary thereto.

**CUL-DE-SAC:** See Thoroughfare.

**CULVERT:** Used for drainage and must be a minimum of 20 feet in length and 12 inches in diameter and subject to approval of the Zoning Inspector or Road Superintendent.

**DAY CARE FACILITY:** Any type of group program that provides temporary care or guidance on a daily basis without overnight accommodations.

**DAYS:** Days as referred to in this resolution are to be interpreted as calendar days.

**DEAD-END STREET:** See Thoroughfare.

**DENSITY:** A unit of measurement; the number of dwelling units per acre of land.

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

**DISTRICT:** A portion of the territory of the Township within which certain uniform regulations and requirements or various combinations thereof apply.

**DRIVEWAY:** That portion of land designated by the owner for ingress and egress to said land.

**DRUG STORE:** A store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies and nonprescription medicines but where non-medical products are sold as well.

**DWELLING:** A permanent building used primarily for human habitation.

**DWELLING, SINGLE -FAMILY:** A permanent building, separate and free standing, in itself providing living accommodations for one family.

**EASEMENT:** Authorization by a property owner for the use by another, of any designated part of this property for a specified purpose.

**ESSENTIAL SERVICES:** Public utilities or governmental agencies, underground gas, electrical, steam or water transmission, or distribution systems, collection, communication, supply or disposal systems or sites, including poles, wires, mains, drains, sewers, pipes, traffic signals, hydrants, or other similar equipment and accessories in connection therewith which are reasonable and necessary for the furnishing of adequate service for the public health or safety or general welfare.

**FAMILY:** One or more persons related by blood, adoption, or marriage occupying a single dwelling unit.

**FARM MARKET:** Markets from which fifty (50) percent or more of the gross income received from the market is derived from produce raised or grown upon farms owned or operated by the market operation in a normal crop year.

**FARM VACATION ENTERPRISES (Profit or Non-Profit):** Farms adapted for use as vacation farms which may include picnicking and sports areas, fishing waters, camping, scenery, and nature recreation areas, hunting areas, hunting preserves and watershed projects.

**FLOOD PLAIN:** That land, including the flood fringe and the floodway, subject to inundation by the periodic floods.

**FLOOD WAY FRINGE:** That portion of the flood plain, including the floodway, where development may be allowed under certain restrictions.

**FLOOR AREA OF A RESIDENTIAL BUILDING:** The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas. All dimensions shall be measured between interior faces of walls.

**FLOOR AREA OF A NON-RESIDENTIAL BUILDING (TO BE USED IN CALCULATING PARKING REQUIREMENTS):** The interior floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and fitting rooms. See Article 18.

**FOOD PROCESSING:** The preparation, storage, or processing of food products. Examples of these activities include bakeries, dairies, canneries.

**FRONTAGE:** See Article 10.2.

**FUNERAL HOME:** A building or part thereof used for human funeral services. Such building may contain space and facilities for (a) embalming, and the performance of other services used in

the preparation of the dead for burial; (b) the performance of autopsies and other surgical procedures; (c) the storage of caskets, funeral urns, and other funeral supplies; (d) the storage of funeral vehicles; and (e) facilities for cremation. Where a funeral home is permitted, a funeral chapel shall be also permitted.

**GARAGES, PRIVATE:** A detached accessory building or portion of a principal building for the parking or storage of motor vehicles, travel trailers and/or boats of the occupants of the premises wherein no more than one commercial vehicle not exceeding two (2) tons capacity is permitted.

**GARAGES, PUBLIC:** A principal or accessory building other than a private garage, used, intended to be used or adapted to be used for parking or temporary storage of automobiles, travel trailers and/or boats in which no service shall be provided for remuneration.

**GARAGES, SERVICE STATIONS:** See Automotive Repair.

**GARBAGE DUMP:** See Landfill.

**GIFT SHOP:** A gift shop is a store primarily selling small decorative items or souvenirs relating to a particular topic, often simply provide evidence that the consumer has visited that location. The items sold are generally fairly trivial, often including specialty food, coffee mugs, stuffed animals, t-shirts, postcards, and other souvenirs. Said shop shall not include an establishment selling adult novelties or other materials defined as adult entertainment as specified in Article 3.

**GOVERNMENTAL BUILDINGS:** Buildings owned or operated by federal, state or local governments or departments and /or subdivisions thereof, which buildings are used for administrative, ministerial, public service, safety, health, public utility or recreational purpose. “Governmental Buildings” under this resolution shall not include any buildings used for imprisonment or rehabilitation, including but not limited to any prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, any facility created under chapter 341, Sections 2151.65, Sections 753.02 et seq. or Sections 5145.01 et seq. of the Ohio Revised Code.

**GREEN STRIP:** See Buffer.

**GROCERY STORE:** Grocery stores are retail stores primarily selling an assortment of food preparation and wrapping material, household cleaning, and servicing items.

**HALFWAY HOUSE:** A facility required to be licensed by the state, which provides training, care, supervision, treatment, or rehabilitation to the aged, disabled, those convicted of crimes or those suffering the effects of drugs or alcohol; this does not include day-care centers, family day-care homes, foster homes, schools, hospitals, jails, or prisons.

**HOME OCCUPATION:** An occupation conducted in a dwelling unit, provided that:

1. No more than one person other than members of the family residing on the premises shall be engaged in such occupation.
2. The use of part of a dwelling unit or part of an accessory building to the dwelling unit shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five (25) percent of floor area of the dwelling unit shall be used

in conducting the home occupation.

3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding four (4) square feet in area, not illuminated and mounted flat against the wall of the principal building.
4. No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this resolution and shall not be located in a required front yard.
5. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable beyond the property lines of the dwelling unit. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, television, or telephone receivers off the premises, or causes fluctuations in line voltage off the premises.

**HOSPITAL:** An institution consisting of one or more buildings, where sick or injured persons are given medical care and, in the course of same, are housed overnight, fed, and provided nursing and related services. This definition shall not include drug rehabilitation facilities, halfway houses, institutions for mentally ill individuals, or other similar facilities.

**HOTEL, MOTOR HOTEL, INN:** A building, or part of a building, in which guest rooms are offered for public hire to any given individual for no more than thirty-five (35) consecutive days in a calendar year, and where a general kitchen and dining room may be provided within the building or in any accessory building.

**HOUSE TRAILER:** See Mobile Home.

**INDUSTRY:** A use providing for the co-generation, manufacturing, processing, assembling, fabricating, testing, servicing, repair, storing, transporting, warehousing or distributing of goods or materials or things with or without an ancillary office to administer the industrial use on the lot and includes wholesaling provided that the merchandise being sold is distributed from the lot, but excludes the processing of fish, live animals, live poultry or other fowl.

**INDUSTRIAL CONTAINER:** See definition for cargo container.

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

**INSTITUTION:** Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative counseling or other correctional services. "Institution" under this ordinance shall not include a prison, jail, workhouse, penal institution, reformatory, correctional institution, penitentiary, juvenile detention home, juvenile community rehabilitation center, halfway house, any facility created under Section 2151.65, Chapter 341, Sections 753.02 et seq. or Sections 5145.01 et seq. of the Ohio Revised Code.



**JUNK MOTOR VEHICLES:** See Article 25.0.

**JUNK YARD:** Any open area where waste, discarded or salvaged materials of any kind are stored, bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places for storage and equipment whether or not for commercial purposes, as well as any structures or buildings used in connection therewith.

**KENNEL, AGRICULTURE:** Any building, structure, including the surrounding fenced land, used by a person, partnership, firm, company or corporation professionally engaged primarily in the business of breeding dogs (animal husbandry) for hunting or for sale. There shall be no boarding, training, housing, or grooming services provided to the general public. These services may only be provided for those animals involved in the breeding business.

**KENNEL, COMMERCIAL:** Any building or structure, including the surrounding fenced land, used for the care and board of five or more domesticated dogs or cats more than four months of age which is open to the public for let, hire, board, housing, grooming, or other use on a commercial basis and for compensation.

**LANDFILL:** An engineered and licensed site for the disposal of non-hazardous waste material, refuse or debris which is buried in natural or excavated holes or depressions, or built up in layers on the ground; the waste is compacted and covered daily with soil, clay, or plastic foam, with the goal of avoiding any water related connection with the waste and the surrounding environment.

**LCPC:** Licking County Planning Commission

**LIVING AREA:** The area excluding basements, porches, breezeways, garages, carports, and decks. (See Floor Area of Residential Building).

**LOADING SPACE, OFF-STREET:** Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

**LOCATION MAP:** See Vicinity Map

**LOT:** 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 (See Figure 1).

**LOT, USABLE AREA OF:** Shall mean the total horizontal area within the property lines of a lot or parcel of land exclusive of all road right-of-way of any public or private road and any other dedications required.

**LOT MEASUREMENTS:** A lot shall be measured as follows:

Depth: The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in front and rearmost points of the side lot lines in the rear.

Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured at the ROW.

**LOT OF RECORD:** A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

**MAINTENANCE AND STORAGE FACILITIES:** Land, buildings and structures devoted primarily to the maintenance and storage of construction equipment and material, excluding junk yards.

**MANUFACTURED HOME:** A building unit or assembly of closed construction fabricated in an off-site facility, that conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Constructions and Safety Standards Act of 1974" as amended and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

**MANUFACTURING, EXTRACTIVE:** Any mining, quarrying, excavating processing, storing, separating, cleaning or marketing of any mineral natural resource.

**MANUFACTURING, HEAVY:** Processing, assembling, storing, testing, and industrial uses which are generally major operations and extensive in character, require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation, and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the manufacturing site.

**MANUFACTURING, LIGHT:** Manufacturing establishments which are clean, quiet, and are free of elements which create a nuisance or are hazardous, such as noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions shall operate entirely within enclosed structures and generate minimum traffic congestion.

**MEAT MARKET:** A commercial establishment where meat and already processed meat products are sold. Such establishment may provide for select cuts of meat from already slaughtered and processed animals, but shall not include slaughterhouses, meat packing and processing facilities.

**MINI STORAGE:** A principal commercial structure, open to the public, for enclosed storage of personal property.

**MOBILE HOME:** A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length, or, when erected on site, is three hundred twenty (320) or more square feet, that is built on a permanent chassis and is transportable in one or more sections, and does not qualify under the definition of manufactured home or industrialized unit.

**MOBILE HOME SALES:** See Automotive, Mobile Home, Travel Trailer and Farm Implement Sales.

**MORTUARY:** A place for the storage of human bodies prior to autopsy, burial or release to survivors.

**MOTOR VEHICLES:** Automobile, Truck, Bus, Travel Trailer, Farm Implement, Boat, Motorcycle, Airplane and/or Motor Home.

**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.

**NURSING HOME:** A facility for the assisted or non-assisted care of children and/or adults.

**NURSERY, PLANT MATERIAL:** Land, building, structure, or combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for sale on the premises including products used for gardening or landscaping.

**OPEN SPACE:** Land that shall not be built upon. Streets, parking areas and ground occupied by other structures shall not be included.

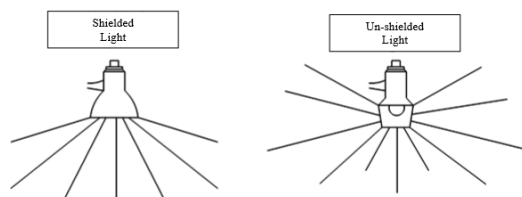
**OUTDOOR DINING AREAS:** An outdoor dining area, patio, or café for the purpose of this zoning resolution shall mean an area on private property, adjacent to an accessory to the principal structure and use. The outdoor facility shall be located on the same parcel as the principal structure and use and shall be used in conjunction with and under the same management as the principal structure and use.

**OUTDOOR LIGHTING DEFINITIONS:**

Glare: Direct light emitted by a luminaire that causes reduced vision or momentary blindness.

Light Trespass: Light emitted by a luminaire that shines beyond the boundaries of the property on which the luminaire is located.

Shielded light fixture: a fixture for which direct illumination from the light source (e.g., light bulb) is not visible when the fixture is viewed along a line parallel with the ground at the height of the fixture.



**PARKING SPACE, OFF-STREET:** An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room but shall be located totally outside of any street or alley right-of-way.

**PERFORMANCE BOND OR SURETY BOND:** An agreement by a sub divider, mining operation or developer with State, County, or Township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the sub divider’s agreement.

**PLANNED UNIT DEVELOPMENT (PUD):** Are addressed in Section 519.021 of the Ohio Revised Code. According to this section of the law, a PUD 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”. In particular, the law states that a PUD should integrate residential, commercial, industrial or any other use.

**PRINCIPAL USE OR STRUCTURE:** The principal use is the main or primary purpose for which a lot of record is permitted to be used, occupied or maintained within a specified zoning district by the regulations within this zoning resolution. The principal structure is the main or primary structure within which the main or primary use may conducted and occupied upon a lot of record. The use of any other building, other structure and/or land on the same lot and incidental or supplementary thereto and permitted under this Resolution shall be considered an accessory use or structure.

**PRINTING SHOP:** An establishment used for blueprinting, engraving, stereotyping, electro-typing, printing, or typesetting, and shall include a duplicating shop and a letter shop.

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

**PUBLIC STORAGE FACILITY:** A permanently constructed structure rented in whole or part for storage to the public.

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

**PUBLIC WAY:** An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street subway, tunnel, viaduct, walk, bicycle path, or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

**QUASI PUBLIC USE:** Churches, Sunday schools, parochial schools, colleges, hospitals, and other facilities of an educational, religious, charitable, philanthropic, or non-profit nature.

**RECREATION FACILITIES:** Public or private facilities that may be classified as either “extensive” or “intensive” depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need

not be limited to, hunting, fishing, and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to, miniature golf courses, amusement parks, stadiums, and fitness centers.

**RESEARCH ACTIVITIES:** Research, development, and testing related to such fields as chemical, pharmaceutical, medical, electrical, transportation and engineering.

**RESTAURANT:** A structure in which the principal use is the preparation and sale of food and beverages.

**RESTAURANT - DRIVE IN:** A building where food and drink are served to the public and at which parking facilities are provided for customers to eat in their automobiles.

**RESTAURANT- DRIVE THROUGH/FAST FOOD:** An establishment engaged primarily in the business of preparing and sale of food and beverages. Customer orders and/or service may be by means of a walk-up counter or window designed to accommodate automobile traffic. Consumption may be either on or off the premises.

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

**ROADSIDE STAND:** A temporary structure designed or used for display or sales.

**SALVAGE YARDS:** See Junk Yards

**SATELLITE DISHES:** See Accessory Use or Structures

**SCREENING:** Buffer zones planted with grass, hardy shrubs or evergreen ground cover in a density sufficient to provide contiguous properties with sufficient foliage to screen unlike land uses all year. Such foliage shall be at least four (4) feet in height and ten (10) feet in planted width. Wall and fences made of natural materials or materials made to look natural, that are seventy-five (75) percent opaque or landscape berm may also be used in an effort to achieve the goal of adequate screening. All screening will be well maintained and free of all advertising and other signs. All screening shall not obscure traffic visibility within fifty (50) feet of any intersection or driveway. No screening, made of either natural or man-made materials, shall interfere with the natural drainage of the area.

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

**SETBACK LINE:** A line established by the zoning resolution generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure may be located above ground, except as may be provided in this resolution.

**SEWERS, CENTRAL OR GROUP:** An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

**SEWERS, ON-SITE:** A septic system on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of the Licking County Board of Health.

**SHIPPING CONTAINER:** See definition for cargo container.

**SIDEWALK:** A path for pedestrians, usually paved, along the side of a street.

1. **SIGN:** Any device designated to inform or attract the attention of persons.
  1. **Sign, Canopy:** A sign, which is suspended from, attached to, supported from or forms a part of a canopy.
2. **Sign, Height of:** For areas where the site is on average level with the adjoining road or higher than the adjacent roadway, 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 site grading, or (2) the newly established grade after construction and final site grading, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. Areas where the site is lower than the adjacent roadway, the sign height shall be the vertical distance measured from the average elevation of the nearest road centerline to the top of the sign face or sign structure, whichever is greater.
3. **Sign, illuminated:** Any sign illuminated by electricity, gas, or other artificial light inducting reflecting or phosphorescent light.
4. **Sign, Lighting Device:** Any light, string of lights, or group of lights located or arranged so as to cast illumination on a sign.
5. **Sign, On-Premises:** Any sign, including the sign face and supporting sign structure, related to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
6. **Sign, Off-Premises:** Any sign, including the sign face and supporting sign structure, unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
7. **Sign, Projecting:** Any sign which projects from the exterior of a building.
8. **Sign, Swinging:** A sign installed on an arm mast or spar that is not, in addition, permanently fastened to an adjacent wall or an upright pole.

9. **Sign, Off-Premise Outdoor Advertising:** A sign, including the supporting sign structure, which is visible from a street or highway and advertises goods or services not usually located on the premises and/or property upon which the sign is located; such signs include but are not limited to billboards.
10. **Sign, Temporary:** Any sign constructed of cloth, canvas, fabric, plywood, or other light materials and for display for a period of time of less than sixty (60) days.
11. **Variable Message Advertising Device, Changeable, Digital:** One message is partially changed by electronic process or remote control, including, but not limited to, rotating vertical triangular slats, messages change by turning lights on and off, remote numeric displays, glow tubes, light emitting diodes, cathode ray tubes and florescent discharge or similar technology. Also shall mean a computer or digital software generated message or other automated or remote method of changing message.

**SIGN-AREA OF:** See Article 19

**SOLAR COLLECTION:**

- (a) Solar collection system(s)" means all equipment, machinery and structures utilized in connection with the conversion of solar energy to electricity. This includes, but is not limited to solar panels, storage, collection and supply equipment, substations, and transformers.
- (b) Solar collection equipment" means items including panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations used for or intended to be used for collection of solar energy in connection with a building on residential or commercial property. Solar energy equipment and its use is accessory to the principal use of the property.
- (c) Solar panel" is a single photovoltaic panel or a group of photovoltaic panels that convert solar energy to electricity.
- (d) Ground mounted solar collection system" is a free-standing solar energy system.
- (e) Roof mounted solar collection system" is a solar energy system integrated or mounted on top of the structure of the roof of a principle or accessory building.
- (f) The Photovoltaic cell is the semiconductor device that converts the light into electrical energy.

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

**STREET:** See Thoroughfare

**STRUCTURE:** Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a fixed location on the ground.

**STRUCTURAL ALTERATION:** Any change in the structural members of a building, such as walls, columns, beams or girders.

**SUPERMARKET:** Large scale store which sells groceries and services. The facility may also serve as a department store and/or restaurant. Supermarkets are generally open 24 hours a day and generate high volumes of traffic.

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

**SWIMMING POOL:** A body of water constructed of vinyl, concrete, fiber glass or man-made material with a pump and filter system.

Private: Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multi-family development, or a community, the members and guests of a club, or the patrons of a motel or hotel and accessory use.

Community: Operated with a charge for admission; a primary use.

**THOROUGHFARE, STREET OR ROAD**: The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic, to be adequate for emergency vehicles, fire equipment, snow removal and service equipment and designated as follows: (See Figure 4)

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

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

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

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

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

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

Loop Street: A type of local street, each end of which terminates at an intersection with the same arterial or collector street.

Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets. (Also called Frontage Street).

**TOURIST HOME**: See Bed and Breakfast

**URGENT CARE**: An urgent care center is a walk-in clinic focused on the delivery of medical care for minor illnesses and injuries in an ambulatory medical facility outside of a traditional hospital-based or freestanding emergency department.

**UNNECESSARY HARDSHIP**: The general nature of an unnecessary hardship is that the property owner, unless granted the use variance, would be unable to use the property for the purposes for which it is zoned. To amount to an unnecessary hardship, there must be a showing that all permitted uses are not economically feasible or cannot be efficiently continued. Thus, when the restriction amounts to a virtual confiscation of property where the owner is deprived of the beneficial use of the land, an unnecessary hardship exists. It is well to remember, however, that the mere fact that one's property can be put to a more profitable use does not, in itself, establish an unnecessary hardship where less profitable alternatives are available within the zoning district.

**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 the Resolution, a variance is authorized for height, area and size of structure or size of yards and open spaces; establishment or expansion of



a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or uses in an adjoining zoning district, unless so authorized by this Resolution.

**VARIETY STORE:** A retail commercial establishment in which goods or materials such as tobacco products and smokers' supplies, confections, soft drinks, stationary supplies, reading materials, non-prescription legal over the counter medicines, and first aid supplies, house wares, souvenirs and similar goods are offered for sale to the general public and may include groceries and dairy products as a secondary line.

**VETERINARY ANIMAL HOSPITAL OR CLINIC:** A place used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals and those who are in need of medical or surgical attention and may include overnight accommodations on the premises for the treatment, observation and /or recuperation. It may also include boarding that is incidental to the primary activity.

**VICINITY MAP:** A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the general area in order to better locate and orient the area in question.

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

**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 (See Figure 2).

**Front Yard:** A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building (Also called building line).

**Rear Yard:** A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.

**Side Yard:** A yard extending from the principal building to the side lot lines on both sides of the principal building between the lines establishing the front and rear yards.

**ZONING INSPECTOR:** An employee of Harrison Township who is authorized to enforce the zoning resolution.

**ZONING MAP:** Map or Maps of the Township showing zoning districts together with all amendments subsequently adopted.

**ZONING PERMIT/CERTIFICATE:** A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structures and the characteristics of the uses.

*Adopted Date 11/10/2021 Effective Date 12/10/2021 Added Cargo Container, Industrial Container and Shipping Container*

*Adopted Date 11-4-2019 Effective Date 12-4-2019 Added Solar Collection and Urgent Care*

*Adopted Date 5-22-2018, Effective Date 6-21-2018 Added Outdoor Dining Areas, Outdoor Lighting, Principal Use Structure*

*Adopted Date 3-21-2016, Effective Date 4-20-2016 Added Halfway house, edited Clinic and Hospital. 08-18-2014 expanded definitions of SIGN, added UNNECESSARY HARDSHIP and its definition.*

*Adopted Date: 05-20-2013, Effective Date: 06-19-2013*